

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, SEPTEMBER 28, 1993

SESSION OF 1993

177TH OF THE GENERAL ASSEMBLY

No. 50

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (H. WILLIAM DeWEESE)  
PRESIDING**

#### PRAYER

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

Let us pray:

Gracious God our Father, how excellent is Your name in all the earth. We laud and magnify Your holy and righteous name. We confess that we are not even worthy to gather the crumbs under Your table, but You are the same Lord whose property is always to have mercy.

We confess our sins and shortcomings and beg for Your mercy and not Your justice, for if we were judged justly, we could not stand.

"Have mercy upon us, O God, according to Your loving-kindness; according to the multitude of Your tender mercies, blot out our transgressions. Wash us thoroughly from our iniquity, and cleanse us from our sin.

"Purge us with hyssop, and we shall be clean; wash us, and we shall be whiter than snow.

"Create in us clean hearts, O God, and renew a right spirit within us."

For it is in Your dear name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, September 27, 1993, will be postponed until printed. The Chair hears no objection.

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

HB 144, PN 2420 (Amended)

By Rep. COWELL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for the suspension and expulsion of pupils.

EDUCATION.

HB 1956, PN 2419 (Amended)

By Rep. CALTAGIRONE

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for the form and implementation of a power of attorney and for declarations governing life-sustaining treatment; and providing for anatomical gifts.

JUDICIARY.

#### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Steighner, for leaves of absence. The gentleman is recognized. Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for leave for today only for the gentleman from Westmoreland, Mr. TANGRETTI, and the gentleman from Allegheny, Mr. PISTELLA.

The SPEAKER. The Chair thanks the gentleman.

Does Mr. Perzel have leaves of absence?

Mr. PERZEL. Yes, Mr. Speaker. I request a leave of absence for the day for the gentleman from Lycoming, Mr. BUSH.

The SPEAKER. Without objection, the leaves are granted.

#### MASTER ROLL CALL

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Bush	Pistella	Tangretti
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**HB 294 RECONSIDERED**

The SPEAKER. The Chair recognizes the majority leader, Mr. Itkin, who moves that the vote by which HB 294 was passed on the 23d day of June be reconsidered.

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

(Members proceeded to vote.)

**PARLIAMENTARY INQUIRY**

Mr. PITTS. Mr. Speaker?

The SPEAKER. Mr. Pitts is recognized.

Mr. PITTS. Mr. Speaker, I see on the board a motion to reconsider HB 294. Is that correct? Am I reading that correct? I have a parliamentary question if that is true.

The SPEAKER. The gentleman is recognized.

Mr. PITTS. Mr. Speaker, is not this the legislation concerning the Insurance Code that we amended with the

amendment concerning that Christian Brotherhood Newsletter several months ago?

The SPEAKER. The answer is yes.

Mr. PITTS. Mr. Speaker, was this bill not transmitted to the Senate several months ago after we voted? How can we reconsider a bill that is in the Senate?

The SPEAKER. The Parliamentarian advises me, Mr. Pitts, that a reconsideration motion was filed immediately after the vote was taken on June 23 and the measure was held.

Mr. PITTS. So after the bill passed, it was never transmitted to the Senate? It was held here—is that what you are saying—over the summer?

The SPEAKER. If it would have been transmitted to the Senate, that would have been in violation of the reconsideration motion that was filed with the Speaker.

Mr. PITTS. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—195

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

Donatucci	Laughlin	Robinson	Wright, M. N.
Druce	Lawless	Roebuck	Yandrisevits
Durham	Lederer	Rohrer	Yewcic
Egolf	Lee	Rooney	Zug
Evans	Leh	Rubley	
Fairchild	Lescovitz	Rudy	DeWeese,
Fajt	Levdansky	Ryan	Speaker
Fargo			

NAYS--1

Nailor

NOT VOTING--2

Cohen, L. I. O'Donnell

EXCUSED--3

Bush Pistella Tangretti

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

VOTE CORRECTION

Mrs. COHEN. Mr. Speaker?

The SPEAKER. The Chair recognizes the lady.

Mrs. COHEN. Thank you, Mr. Speaker.

My button is malfunctioning. I wanted to vote "no" on that last vote, and I would appreciate being recorded as a "no."

The SPEAKER. The Chair would like to announce to the clerk that Representative Cohen's vote will be recorded in the negative.

Mrs. COHEN. Thank you.

Mr. Speaker, my button is not working at all. Excuse me. That should have been a "yes" vote, but neither the "yes" nor the "no" switches are working. Thank you.

The SPEAKER. The Chair asks the indulgence of the lady.

The clerk should be informed that Representative Cohen's mechanism is malfunctioning.

CONSIDERATION OF HB 294 CONTINUED

On the question recurring,  
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, on HB 294 the Chair rescinds his announcement that the bill was agreed to as amended on 3 different days.

On the question recurring,

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

AMENDMENT A3092 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Mr. Itkin, who moves that amendment A3092 be reconsidered.

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

(Members proceeded to vote.)

Mr. PITTS. Mr. Speaker?

The SPEAKER. Does the gentleman, Mr. Pitts, yield, or does the gentleman, Mr. Pitts--

Mr. PITTS. A question.

The SPEAKER. Nothing is in order but the taking of the vote, Mr. Pitts.

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

The following roll call was recorded:

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

## NAYS—1

Pitts

NOT VOTING—0

EXCUSED—3

Bush

Pistella

Tangretti

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

The SPEAKER. Does the gentleman request recognition at this point? The Chair recognizes Mr. Pitts.

Mr. PITTS. Mr. Speaker, I am trying to ask the Speaker, since this was not on our calendar, what the issue is. Was that my amendment that we just voted to reconsider?

The SPEAKER. The Chair would request that the gentleman either have a sidebar with the majority leader or interrogate the majority leader.

**PARLIAMENTARY INQUIRY**

The SPEAKER. For what reason does the gentleman, Mr. Nailor, from Cumberland County rise?

Mr. NAILOR. A parliamentary inquiry, Mr. Speaker.

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

Mr. NAILOR. Mr. Speaker, when we recently voted to reconsider HB 294, was that the first time the General Assembly, the House of Representatives, voted to reconsider that bill, or did we vote to reconsider that on June 23?

The SPEAKER. Yes.

Mr. NAILOR. That was the first time?

The SPEAKER. Yes.

Mr. NAILOR. And just for my understanding, Mr. Speaker, the reason it was not passed on to the Senate is because someone filed a motion to reconsider, but we did not see that motion to reconsider and did not reconsider. Is that correct?

The SPEAKER. That is correct, but under normal circumstances, the motions to reconsider are not distributed to the entire membership as an administrative matter.

Mr. NAILOR. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**BILL PLACED ON THIRD  
CONSIDERATION POSTPONED CALENDAR**

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

Mr. ITKIN. Mr. Speaker, I move that HB 294 be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**PARLIAMENTARY INQUIRY**

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

Mr. FAIRCHILD. Thank you, Mr. Speaker.

A point of parliamentary inquiry.

The SPEAKER. The gentleman may state his point.

Mr. FAIRCHILD. For the benefit of the membership, are there any other bills that were passed by this House that have not been sent over to the Senate?

The SPEAKER. No.

Mr. FAIRCHILD. Thank you.

The SPEAKER. The gentleman is welcome.

Mr. Saurman from Montgomery County is recognized.

Mr. SAURMAN. Thank you, Mr. Speaker.

Just a point of clarification. The motion was just made to put HB 294 back on the postponed calendar. Did that include the amendment that was also under reconsideration?

The SPEAKER. If the gentleman, Mr. Pitts, seeks to offer the amendment, the amendment will be available for him to offer.

Mr. SAURMAN. At that time?

The SPEAKER. That is correct.

Mr. SAURMAN. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**GUESTS INTRODUCED**

The SPEAKER. The Chair would like to welcome to the hall of the House guests of Representative Gaynor Cawley and guests of Representative Fred Belardi — to our left the city controller of the city of Scranton, the Honorable Roseann Novembrino, and Rose Marie Pizano. Would they please rise and be recognized.

**MOTION TO SUSPEND RULES**

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

Mr. STRITTMATTER. Thank you, Mr. Speaker.

I rise, as requested by you yesterday when I asked the question—

The SPEAKER. Will the gentleman yield momentarily.

The gentleman, Mr. Strittmatter, is going to share with the membership an issue that should be monitored by each member.

The gentleman, Mr. Strittmatter, may proceed.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

When I asked the Speaker yesterday, it was suggested that I prepare a resolution to address the issue I had raised that when the Senate meets this week, should renovations of the Senate chamber prevent the use of the Senate chamber, I asked that the Senate be allowed to use the House chamber to conduct business when we are in recess, caucus, or have adjourned for the day.

I have, with the help of our legal staff and with the help of the Reference Bureau, drafted such a resolution:

Directing the Speaker of the House...to make the Chamber...available to the Senate.

WHEREAS, The Chamber of the Senate is undergoing major renovation and is not in suitable condition for the conduct of legislative business for the immediately foreseeable future; and

WHEREAS, It is in the vital interests of the people of this Commonwealth that the General Assembly be in a position to act on such pressing issues as health care reform, welfare reform and job creation at this time; therefore be it

RESOLVED, That the House...direct the Speaker...to make the Chamber...available to the Senate for the conduct of its legislative business upon a written request signed by a majority of the members elected to the Senate when such use does not conflict with the schedule of the House of Representatives.

I had this resolution prepared for the House to consider today and hopefully to adopt. I believe that our chamber has been made available to such worthy causes as model legislatures, as the Electoral College, as well as other joint sessions.

So I would move at this time, Mr. Speaker, that the rules of the House be suspended so that we can consider this resolution immediately and make the Senate know that our House chambers are available to them. So I would move to suspend the rules. Thank you.

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

The SPEAKER. This item is not debatable unless the majority leader or his designee is anxious to debate the suspension of the rules.

The Chair recognizes the gentleman, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, it is my feeling that while Representative Strittmatter's resolution deserves consideration, it ought not be in extraordinary form to be considered at this time. All resolutions, normally as a course, according to our rules, are referred to the Rules Committee for subsequent review and action by that committee. I see nothing at this time that compels the House to act expeditiously on this issue. It would seem to me that we could accomplish the same aim by having the resolution go through the normal course, to the Rules Committee, and the Rules Committee will ultimately decide whether this resolution should be reported to the floor for final action by the House.

Consequently, I would ask that my members of the House support the traditional rules, the rules upon which we have agreed to adhere to in this session, and reject the Strittmatter request.

The SPEAKER. The Republican leader, Mr. Ryan, is recognized.

Mr. RYAN. Mr. Speaker, when the gentleman, Mr. Itkin, began his debate, the first 6, 8, 10 sentences of that debate I was nodding yes; I was agreeing with him. I wondered why we needed such a resolution as this myself, and if he had quit

about 10 sentences into his remarks, I think I was prepared to get up and go against this resolution on its merits. However, Mr. Itkin continued and said that this is the type resolution that should go to Rules. Well, that is ridiculous, and everyone on the floor of this House knows it is ridiculous.

I just asked the Chief Reporter to make sure that I get a copy of his remarks today so that this afternoon or an hour from now when some half a dozen of us go to Mr. Itkin or come to me and say, I have a resolution; I have to get it passed; it is for Milkmaid Day, and I want to suspend the rules to have today declared Milkmaid Day; will you agree to it, and I agree to it and he agrees to it, and we declare a Milkmaid Day or we make some other resolution important enough to suspend the rules, I can read back these remarks that this important thing should go through the Rules Committee.

Now, the reason I was going to agree with his earlier remarks is this: I believe—and I am going to end this up, Mr. Speaker; I would like you to pay attention to me or at least have the Parliamentarian pay attention if you do not care to—I do not think this resolution is necessary. My recollection and the recollection of at least one former Speaker is that we did this and we do this on our own as Speaker of the House; that you, Mr. Speaker, have the right and have exercised that right, I am guessing, without the need for a resolution, is what I am talking about, as a matter of courtesy to say to a group of citizens, do you want to use; we are not going to be in session on Friday. A school group wants to use our chambers for whatever reason, a civic reason of some sort. I would be amazed if Representative Bill DeWeese, Speaker of the Pennsylvania House, said, ah, I would love to do it, but I need a resolution of the House to do it. You would not do that, and I know you would not do that. You would say, do it, particularly if you are from my county, and I would be disappointed if you did otherwise. I did it. Mr. O'Donnell did it. Speakers of the House for 100 years have done it.

Now, the Parliamentarian is going to show where we were out of order. I can tell by the look on his face. But the fact remains, we have always done it. We have done it with the Pennsylvania Junior Chamber. We have done it with other youth groups.

### PARLIAMENTARY INQUIRY

Mr. RYAN. Now as a question of parliamentary inquiry, Mr. Speaker, I ask you, am I right, or has the Parliamentarian found that I have been preaching against our own rules?

The SPEAKER. The major differential that the Parliamentarian did not point out but that comes to my own mind is that the State JC's and other young Pennsylvanians that have requested the use of the hall of the House and have been granted the hall of the House have simply asked the Speaker for permission to come to the chamber. The State Senate has not asked us to come here, so at this point the question is moot.

Mr. RYAN. Mr. Speaker, may I ask the question?

The SPEAKER. The gentleman is recognized.

Mr. RYAN. If a majority of the State Senate asked for the use of these chambers, what would the Speaker say, for the benefit of the press and the traveling public?

The SPEAKER. The Speaker's interpretation would be that the request should come from the President of the Senate, not a rump group of the Senate.

Mr. RYAN. I think we better vote the resolution.

The SPEAKER. On the motion to suspend, the motion is not debatable except by the floor leaders. The members will proceed to vote.

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

The following roll call was recorded:

YEAS—96

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

NAYS—102

Acosta	Fajt	Lloyd	Rooney
Battisto	Fee	Lucyk	Rudy
Bebko-Jones	Freeman	Manderino	Santoni
Belardi	Gamble	Markosek	Scrimenti
Belfanti	George	Mayernik	Staback
Bishop	Gigliotti	McCall	Steelman
Blaum	Gordner	McGeehan	Steighner
Butkovitz	Gruitza	McNally	Stetler
Buxton	Haluska	Melio	Stish
Caltagirone	Hanna	Michlovic	Sturla
Cappabianca	Hughes	Mihalich	Surra
Carn	Itkin	Mundy	Thomas
Carone	James	Murphy	Tigue
Cawley	Jarolin	O'Donnell	Trello
Cohen, M.	Josephs	Olasz	Trich
Colafrilla	Kaiser	Oliver	Van Home
Colaizzo	Kasunic	Pesci	Veon
Corrigan	Keller	Petrarca	Vitali
Cowell	Kirkland	Petrone	Williams
Coy	Krebs	Preston	Wozniak
Curry	Kukovich	Richardson	Wright, D. R.
Daley	LaGrotta	Rieger	Yandrisevits
DeLuca	Laughlin	Ritter	Yewcic
Dermody	Lederer	Roberts	

Donatucci Evans	Lescovitz Levdansky	Robinson Roebuck	DeWeese, Speaker
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NOT VOTING—0

EXCUSED—3

Bush	Pistella	Tangretti
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Less than a majority of the members elected to the House having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman, Mr. Coy, is recognized for the purpose of a caucus announcement.

Mr. COY. Mr. Speaker, after consultation with the majority leader, I would like to suggest that the House could recess for lunch and the Democratic members would caucus at 1 o'clock and return to the floor at 2 o'clock.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. Mr. Geist is recognized.

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

There will be a short, short Republican caucus. We have two bills to do, noncontroversial. We will do those at 1:30; very short Republican caucus.

The SPEAKER. The Chair thanks the gentleman.

The members are free to leave. There will be no further votes. However, the House Chair will remain open for some housekeeping business that will be transacted in the next few minutes.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

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

- HB 70;
- HB 388;
- HB 553;
- HB 592;
- HB 666;
- HB 910;
- HB 1298;
- HB 1419;
- HB 1449;
- HB 1488;
- HB 1514;
- HB 1538;
- HB 1546;
- HB 1551;
- HB 1559;
- HB 1856;
- HB 1892;

HB 1894;  
 HB 1895;  
 HB 1933;  
 HB 1936;  
 HB 1950;  
 SB 375;  
 SB 625;  
 SB 1014;  
 SB 1015; and  
 SB 1126.

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

### BILLS RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.  
 Mr. ITKIN. Mr. Speaker, I move that the following bills be  
 recommended to the Appropriations Committee:

HB 70;  
 HB 388;  
 HB 592;  
 HB 910;  
 HB 1419;  
 HB 1449;  
 HB 1538;  
 HB 1546;  
 HB 1551;  
 HB 1856;  
 HB 1894;  
 HB 1933;  
 HB 1936;  
 HB 1950;  
 SB 625; and  
 SB 1126.

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

### RECESS

The SPEAKER. The House stands in recess until 2 o'clock.

### RECESS EXTENDED

The time of recess was extended until 2:30 p.m.; further  
 extended until 2:45 p.m.

### AFTER RECESS

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

### BILLS ON SECOND CONSIDERATION

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

**HB 553, PN 2416; HB 666, PN 2406; HB 1298, PN  
 2407; HB 1488, PN 2408; HB 1514, PN 1689; HB 1559, PN  
 1747; HB 1892, PN 2410; HB 1895, PN 2404; SB 375, PN  
 398; SB 1014, PN 1240; and SB 1015, PN 1241.**

### BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

**HB 659, PN 723** By Rep. PETRONE  
 An Act amending the act of July 28, 1953 (P.L.723, No.230),  
 known as the Second Class County Code, further providing for the  
 jurisdiction of the coroner.

URBAN AFFAIRS.

**HB 758, PN 822** By Rep. PETRONE  
 An Act amending the act of July 28, 1953 (P.L.723, No.230),  
 known as the Second Class County Code, providing for  
 appointments by the board of county commissioners in a county  
 of the second class A in certain cases.

URBAN AFFAIRS.

**HB 900, PN 979** By Rep. PETRONE  
 An Act amending the act of July 3, 1947 (P.L.1242, No.507),  
 entitled "An act relating to police and firemen's pension funds in  
 cities of the second class A, and directing such cities to  
 appropriate certain moneys thereto, and requiring reports and  
 audits," and the act of September 23, 1959 (P.L.970, No.400),  
 referred to as the Second Class A City Employee Pension Law,  
 further providing for credit for military service.

URBAN AFFAIRS.

**HB 1335, PN 1474** By Rep. PETRONE  
 An Act amending the act of December 20, 1967 (P.L.869,  
 No.385), known as the Public Works Contractors' Bond Law of  
 1967, providing for contracts where the contracting body is a city  
 of the second class.

URBAN AFFAIRS.

**HB 1336, PN 1475** By Rep. PETRONE  
 An Act amending the act of July 31, 1968 (P.L.805, No.247),  
 known as the Pennsylvania Municipalities Planning Code,  
 providing for land use appeals in cities of the second class.

URBAN AFFAIRS.

**HB 1619, PN 1850** By Rep. PETRONE  
 An Act amending the act of June 23, 1931 (P.L.932, No.317),  
 known as The Third Class City Code, further providing for  
 building and housing ordinance penalties.

URBAN AFFAIRS.

**HB 1741, PN 2016** By Rep. PETRONE  
 An Act amending the act of June 23, 1931 (P.L.932, No.317),  
 known as The Third Class City Code, further providing for  
 pensions of surviving spouses of deceased police officers.

URBAN AFFAIRS.

**HB 1795, PN 2421 (Amended)**

By Rep. PETRONE

An Act amending the act of April 13, 1972 (P.L.184, No.62), known as the Home Rule Charter and Optional Plans Law, providing an additional limited optional procedure for the adoption of a home rule charter by second class counties.

URBAN AFFAIRS.

**HB 1930, PN 2422 (Amended)**

By Rep. PETRONE

An Act amending the act of November 29, 1967 (P.L.636, No.292), known as the Neighborhood Assistance Act, further providing for statement of public policy; increasing the total amount of annual tax credit granted; providing for the designation of certain enterprise zones as recycling manufacturing zones; providing for powers and duties of the Department of Community Affairs; providing tax credits for investments in recycling manufacturing zones; and making editorial changes.

URBAN AFFAIRS.

**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 956, PN 2297.**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1898, PN 2273**, entitled:

An Act amending the act of July 6, 1988 (P.L.487, No.82), known as the Abandoned Mine Subsidence Assistance Act, extending the expiration date of the 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—196**

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

**NAYS—0**

**NOT VOTING—2**

Rieger	Roebuck
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**EXCUSED—3**

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

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

**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Mr. Olasz.

Mr. OLASZ. Mr. Speaker, I have remarks prepared for HB 1898, which I will submit to the clerk for the record. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman will please refer his remarks immediately to the clerk.

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



HB 1898 would renew the Abandoned Mine Assistance Act through October 31, 1998.

Five years ago I sponsored this legislation to create a loan and grant program for people whose homes have been destroyed by mine subsidence for which they had no insurance coverage.

In addition, this program paid for legal notices which are published in area newspapers informing residents of nearby subsidence incidents and encouraging them to buy mine subsidence insurance.

The mine subsidence insurance program is one of the best deals State government offers. For \$88.50 a year, a homeowner can get \$100,000 in coverage, coverage that private insurance companies will not provide.

The problem is, not enough people have purchased the insurance. This program helps publicize the insurance program and is the only fund authorized to do so. If this act is not renewed, DER will not have the ability to publish subsidence notices in newspapers, and homeowners will not be made aware of the importance of purchasing the insurance.

A total of 633 subsidence incident reports have been published in the last 5 years, an indication of just how widespread this problem is.

Over a 5-year period, three low-interest loans have been approved and five more are pending. Three grants totaling \$9,907 have also been awarded. The grants only cover relocation costs for people who must move when their homes become uninhabitable due to subsidence.

Of the original \$500,000 earmarked for this program, over \$92,000 remains. HB 1898 does not contain an additional appropriation for this program, but rather would use the unexpended funds available.

I request your support for this bill that has been a godsend for those people whose homes have been destroyed in a matter of minutes due to the collapse of an abandoned underground coal mine.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes Mr. Staback.

Mr. STABACK. Mr. Speaker, I have remarks to be submitted for the record.

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

I rise to support this measure because of the assistance it has provided homeowners in our State's anthracite coal region.

Without this program, my constituents who do not have mine subsidence insurance would be left high and dry if their homes were destroyed by the collapse of an underground abandoned coal mine.

While we can all agree that homeowners should protect their properties by buying mine subsidence insurance, the fact of the matter is not all homeowners at risk are aware of the problem.

Fortunately, in the anthracite region, homeowners are better covered by the insurance because many lending institutions require it for a mortgage. But in the bituminous region, lending institutions generally do not require the insurance and too many people are not aware of the potential problem they face.

Because more homeowners are covered in the northeastern part of our State, only one of the loans and one of the grants were awarded in that region. Of the 633 subsidence incidents which have been published in Pennsylvania, 192 were in the anthracite region in the last 5 years.

This is a worthy program - a program that has helped people who were otherwise unaware that a potential problem existed from a coal mine that was abandoned 100 years ago. The \$92,534 that remains in the fund should continue to be used for these purposes, and I encourage you to vote for this important bill that would continue the program another 5 years.

\*\*\*

The House proceeded to third consideration of HB 116, PN 125, entitled:

An Act authorizing the Department of Transportation, with the approval of the Governor, to sell and convey to the Township of Penn Hills certain excess land situate partly in the Township of Penn Hills and partly in the Borough of Plum, Allegheny County.

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

Table with 4 columns of names: Acosta, Adolph, Allen, Argall, Armstrong, Baker, Barley, Battisto, Bebk-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boyes, Brown, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Cam, Carone, Cawley, Cessar, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Colaizzo, Cornell, Corrigan, Cowell, Coy, Curry, Daley, DeLuca, Dempsey, Dent, Dermody, Donatucci, Druce, Durham, Egolf, Evans, Fargo, Farmer, Fee, Fichter, Fleagle, Flick, Freeman, Gamble, Gannon, Geist, George, Gerlach, Gigliotti, Gladeck, Godshall, Gordner, Gruitza, Gruppo, Haluska, Hanna, Harley, Hasay, Hennessey, Herman, Hershey, Hess, Hughes, Hutchinson, Itkin, Jadlowiec, James, Jarolin, Josephs, Kaiser, Kasunic, Keller, Kenney, King, Kirkland, Krebs, Kukovich, LaGrotta, Laub, Laughlin, Lawless, Lederer, Lee, Leh, Lloyd, Lucyk, Lynch, Maitland, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McNally, Melio, Merry, Michlovic, Micozzie, Mihalich, Miller, Mundy, Murphy, Nailor, Nickol, Nyce, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Pesci, Petrarca, Petrone, Pettit, Phillips, Piccola, Pitts, Platts, Preston, Raymond, Reber, Reinard, Richardson, Rieger, Ritter, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ryan, Santoni, Sather, Saurman, Saylor, Scheetz, Schuler, Scriminti, Semmel, Serafini, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steighner, Steil, Stern, Stetler, Stish, Strittmatter, Sturla, Surra, Taylor, E. Z., Taylor, J., Thomas, Tigie, Tomlinson, Trello, Trich, True, Tulli, Uliana, Vance, Van Horne, Veon, Vitali, Waugh, Williams, Wogan, Wozniak, Wright, D. R., Wright, M. N., Yandrisevits, Yewcic, Zug

Fairchild	Lescovitz	Rubley	DeWeese,
Fajt	Levdansky	Rudy	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

\* \* \*

The House proceeded to third consideration of **HB 1140, PN 2212**, entitled:

An Act authorizing the release of Project 70 restrictions on certain lands owned by Union Township, Lawrence County, in return for the imposition of Project 70 restrictions on certain lands being conveyed to Union Township; and authorizing the release of Project 70 restrictions imposed on certain lands owned by the Borough of Whitehall, Allegheny County, being conveyed by the township in return for the imposition of Project 70 restrictions on certain lands being conveyed to the township.

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	Haluska	Mundy	Stern
Caltagirone	Hanna	Murphy	Stetler
Cappabianca	Harley	Nailor	Stish
Carn	Hasay	Nickol	Strittmatter
Carone	Hennessey	Nyce	Sturla
Cawley	Herman	O'Brien	Surra
Cessar	Hershey	O'Donnell	Taylor, E. Z.

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

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The House proceeded to third consideration of **HB 1242, PN 1359**, entitled:

An Act amending the act of August 14, 1963 (P.L.839, No.407), entitled, as amended, "An act creating a county records committee; imposing powers and duties upon it; authorizing the Pennsylvania Historical and Museum Commission to assist and cooperate with it; defining county records; and authorizing the disposition of certain county records by county officers in counties of the second to eighth class," further providing for definitions; providing for a definition of "county" and clarifying the application of the act to include home rule counties; and further providing for the disposition of county records.

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

NAYS—0

NOT VOTING—1

Staback

EXCUSED—3

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

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

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The House proceeded to third consideration of **HB 216, PN 232**, entitled:

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, providing for installment payment of county real estate taxes.

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

Fairchild	Lescovitz	Rubley	DeWeese,
Fajt	Levdansky	Rudy	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

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

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

**BILL REMOVED FROM TABLE**

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

Mr. ITKIN. Mr. Speaker, I move that HB 1128 be removed from the tabled calendar.

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

**BILL RECOMMENDED**

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

Mr. ITKIN. Mr. Speaker, I move that HB 1128 be recommitted to the Professional Licensure Committee.

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

**RULES SUSPENDED**

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

Mr. ITKIN. Mr. Speaker, I move that the House rules be suspended for the consideration of HR 158. The prime sponsor is Representative Pitts of Chester County.

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Bush	Pistella	Tangretti
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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.

**RESOLUTION**

The SPEAKER. The gentleman from Chester, Mr. Pitts, calls up HR 158.

The following resolution was read:

**House Resolution No. 158**

**A RESOLUTION**

Proclaiming September 29, 1993, as "USS Midway Day."

WHEREAS, The aircraft carrier USS Midway, named after the Battle of Midway, a turning point in the battle for the Pacific in World War II wherein naval aviation fully realized its vast

potential as an offensive weapon of war, was commissioned on September 10, 1945; and

WHEREAS, The illustrious service record of the USS Midway spans the Atlantic, Pacific and Indian Oceans and reads like a history book in the Pacific for the decades of the 1960's and 1970's; and

WHEREAS, The USS Midway received numerous meritorious unit citations, medals and other awards for service off Vietnam, Japan and the Philippines; and

WHEREAS, Her most recent wartime deployment was as the flagship for the Arabian Gulf Battle Force Commander in Operation Desert Shield and Operation Desert Storm; and

WHEREAS, The USS Midway, with her unique combination of modernized strength and years of experience, continues to strive for peace and stability in the Pacific; therefore be it

RESOLVED, That the House of Representatives proclaim September 29, 1993, as "USS Midway Day" in recognition of the long and valuable service of this aircraft carrier and her various crew members.

Joseph R. Pitts  
 Thomas M. Tigue  
 Dennis E. Leh  
 Jim Gerlach  
 Bruce Smith  
 Katie True  
 Chris R. Wogan  
 Thomas C. Petrone  
 John R. Gordner  
 Larry O. Sather  
 Ronald S. Marsico  
 Richard D. Olasz  
 John W. Fichter  
 Stanley E. Saylor  
 Robert E. Nyce  
 Gaynor Cawley  
 Matthew E. Baker  
 Frank W. Yandrisevits  
 Victor John Lescovitz  
 Kathy M. Manderino  
 Russ Fairchild  
 Peter J. Daley II  
 Dick L. Hess  
 Richard A. Geist  
 Frank J. Gigliotti  
 Lynn B. Herman  
 Charles W. Dent  
 George T. Kenney, Jr.  
 Fred A. Trello  
 David Orr King  
 Stephen R. Maitland  
 Robert C. Donatucci  
 Peter J. Zug  
 Nicholas A. Micozzie  
 Dennis M. O'Brien  
 Jim Lynch  
 Lita Indzel Cohen  
 Lawrence Roberts  
 Jerry A. Stern  
 Arthur D. Hershey  
 Elaine F. Farmer  
 Jere W. Schuler  
 Timothy F. Hennessey  
 Thomas E. Armstrong  
 T. J. Rooney  
 Thomas F. Yewcic  
 Edward G. Staback  
 Anthony L. Colaizzo  
 H. William DeWeese

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—4

Clymer	Sather	Uliana	Vitali
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EXCUSED—3

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

The SPEAKER. The Chair would like to inform the membership that there will be no further votes taken today. The Chair will remain open for some time, however.

On the question,  
 Will the House adopt the resolution?

**VOTE CORRECTIONS**

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

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

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

Mr. STABACK. Thank you, Mr. Speaker.

On HB 1242, PN 1359, my switch failed to record. I would like the record to show an affirmative vote.

The SPEAKER. The Chair thanks the gentleman, and the record will be corrected.

The gentleman, Mr. Sather, is recognized.

Mr. SATHER. I would like to be recorded in the affirmative on HR 158. I was in my seat. Thank you very much.

The SPEAKER. The Chair thanks the gentleman, and his remarks will be spread across the record.

**RECESS**

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

**AFTER RECESS**

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

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED****HB 906, PN 2424 (Amended)**

By Rep. LESCOVITZ

An Act requiring timely payment to certain contractors and subcontractors; and providing remedies to contractors and subcontractors.

**BUSINESS AND ECONOMIC DEVELOPMENT.****HB 952, PN 1037**

By Rep. LESCOVITZ

An Act providing a limitation on liability of certain economic development agencies for the cleanup of releases of regulated substances not caused by the agencies.

**BUSINESS AND ECONOMIC DEVELOPMENT.****HB 1719, PN 2425 (Amended)**

By Rep. LESCOVITZ

An Act amending Titles 1 (General Provisions), 13 (Commercial Code), 15 (Corporations and Unincorporated Associations), 42 (Judiciary and Judicial Procedure) and 54 (Names) of the Pennsylvania Consolidated Statutes, relating to associations; providing for definitions; further providing for registered limited liability partnerships and for limited liability companies; making conforming changes to existing provisions of law; and making repeals.

**BUSINESS AND ECONOMIC DEVELOPMENT.****HB 1914, PN 2426 (Amended)**

By Rep. LESCOVITZ

An Act amending the act of November 26, 1978 (P.L.1309, No.317), referred to as the Public Works Contract Regulation Law, further providing for prompt payment schedules.

**BUSINESS AND ECONOMIC DEVELOPMENT.****BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

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

Mr. SAYLOR. Mr. Speaker, I move that the House now adjourn until Wednesday, September 29, 1993, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

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