

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, NOVEMBER 23, 1993

SESSION OF 1993

177TH OF THE GENERAL ASSEMBLY

No. 59

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (LOUISE WILLIAMS BISHOP) 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, as we approach another Thanksgiving Day, we are reminded of Your boundless goodness and the riches of Your mercies and Your resources. We confess that the earth is Yours and the fullness thereof. You are rich in houses and land; the wealth of the world You hold in Your hands; of rubies and diamonds, of silver and gold, Your coffers are full; You have riches untold.

And we are pleased that we are children of the King and inheritors of fortunes too numerous to enumerate.

As we approach Thanksgiving, will You not remind us that we are each stewards of Your possessions and not owners and that as legislators we are responsible for the distribution of Your wealth and finally accountable to You and You alone for its disposition.

In Your name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, November 22, 1993, will be postponed until printed. The Chair hears no objection.

COMMUNICATION

LOBBYIST LIST PRESENTED

The SPEAKER pro tempore. The Chair acknowledges receipt of a list of lobbyists who have registered under the

Lobbying Registration and Regulation Act, which the clerk will file.

The following communication was submitted:

Senate of Pennsylvania

November 1, 1993

To the Honorable, the Senate of the
Commonwealth of Pennsylvania

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from June 1, 1993 through October 31, 1993 inclusive, for the 177th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:

Mark R. Corrigan, Secretary
Senate of Pennsylvania

John J. Zubeck, Chief Clerk
House of Representatives

(For list, see Appendix.)

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Carl Sheetz and his wife and parents from Berks County, who are the guests of Representative Leh, seated to the left of the Speaker.

The Chair welcomes the guests of Representative Fargo, Beth Bardeen and Lynne Hummer, who are seated to the left of the Speaker.

The Chair welcomes students from Cedar Crest College, guests of Karen Ritter. They are seated in the gallery.

The Chair welcomes Mr. and Mrs. David Truax and their son, Matthew. David is the son of Craig Truax, former Secretary of State. They are the guests of Representative Cessar, and they are seated to the left. Please welcome them.

The Chair welcomes Susan Gregory and Helen Amorine, who are the guests of Representative Birmelin, and they are seated in the balcony.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Are there requests for leaves of absence?

The Chair recognizes Representative Steighner.

Mr. STEIGHNER. Thank you, Madam Speaker.

I have no leaves to report at this time.

The SPEAKER pro tempore. The Chair recognizes the minority whip, Representative Perzel, for leaves of absence.

Mr. PERZEL. Thank you, Madam Speaker.

We request a leave of absence for the gentleman from Montgomery, Mr. FICHTER, for the day.

The SPEAKER pro tempore. The Chair thanks the gentleman.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

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

Donatucci	Lee	Rohrer	Yandrisevits
Druce	Leh	Rooney	Yewcic
Durham	Lescovitz	Rubley	Zug
Egolf	Levdansky	Rudy	
Evans	Lloyd	Ryan	DeWeese,
Fairchild	Lucyk	Santoni	Speaker
Fajt			

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Bush	Fichter	Hutchinson	Rieger
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LEAVES ADDED—1

Donatucci

**ANNOUNCEMENT BY
SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. The Chair welcomes back to the floor bill clerk Bob Harris, who recently had an automobile accident. Welcome back.

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair welcomes Christina Mangione, a student at Lafayette College, who is here today as our guest and will be working as a page. She lives in the Reading area, Berks County, and she is the guest of Representative Sam Rohrer.

CALENDAR**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1811, PN 2104**, entitled:

An Act providing for financial institutions' security; establishing the Banking Resolution Fund and providing for its administration; providing for stock savings associations and for structural changes of financial institutions; conferring powers and duties on the Secretary of Banking, the Department of Banking and the board of directors of the Pennsylvania Savings Association Insurance Corporation; and making repeals.

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. Madam Speaker, I move that HB 1811 be recommitted to the Business and Economic Development Committee.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RESOLUTION

Mr. COWELL called up **HR 192, PN 2696**, entitled:

A Resolution designating a House Select Committee to investigate the issue of violence in our communities and to issue a report on its findings and recommendations.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—2

Donatucci Godshall

EXCUSED—4

Bush Fichter Hutchinson Rieger

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

RULES SUSPENDED

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

Mr. ITKIN. Madam Speaker, I move that the rules of the House be suspended to consider HR 201, HR 202, and HR 206.

On the question,

Will the House agree to the motion?

(Members proceeded to vote.)

Mr. GEIST. Madam Speaker?

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

Mr. GEIST. While we are waiting for the Energizer bunny to put new batteries in the board, would it be appropriate that we withhold any more votes so people can see what they are voting on?

The SPEAKER pro tempore. It is temporarily out of order for the day.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—199

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

Cohen, L. I.	Jarolin	Pettit	Trich
Cohen, M.	Josephs	Phillips	True
Colaella	Kaiser	Piccola	Tulli
Colaizzo	Kasunic	Pistella	Uliana
Conti	Keller	Pitts	Vance
Cornell	Kenney	Platts	Van Horne
Corrigan	King	Preston	Veon
Cowell	Kirkland	Raymond	Vitali
Coy	Krebs	Reber	Washington
Curry	Kukovich	Reinard	Wauigh
Daley	LaGrotta	Richardson	Williams
DeLuca	Laub	Ritter	Wogan
Dempsey	Laughlin	Roberts	Wozniak
Dent	Lawless	Robinson	Wright, D. R.
Dermody	Lederer	Roebuck	Wright, M. N.
Donatucci	Lee	Rohrer	Yandrisevits
Druce	Leh	Rooney	Yewcic
Durham	Lescovitz	Rubley	Zug
Egolf	Levdanskyy	Rudy	
Evans	Lloyd	Ryan	DeWeese,
Fairchild	Lucyk	Santoni	Speaker
Fajt			

NAYS—0

NOT VOTING—0

EXCUSED—4

Bush	Fichter	Hutchinson	Rieger
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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.

RESOLUTIONS

The SPEAKER pro tempore. The gentleman, Mr. Baker, calls up HR 201, which will be read by the clerk.

The following resolution was read:

House Resolution No. 201

A RESOLUTION

Memorializing the Governor to proclaim the festival held annually during the first weekend in October in Canton, Pennsylvania, as the "Pennsylvania State Apple 'n Cheese Festival."

WHEREAS, The Borough of Canton, located in the Endless Mountains of Bradford County, has hosted the Canton Apple 'n Cheese Festival for the past five years during the first weekend in October; and

WHEREAS, The festival has attracted over 15,000 people during each of the previous two years, and in 1993, visitors were treated to the largest festival yet with over 140 quality craftsmen and vendors; and

WHEREAS, Cheese-making, basket-making, carving, apple butter-making, blacksmithing, quilting, sausage-making and broom-making demonstrations are offered during the festival; and

WHEREAS, The festival features free entertainment, including an apple pie and cheesecake contest and auction, a fine arts and photography exhibit, apple orchard tours, clowns, strolling quartets, local musical groups and special games and a petting zoo for children; and

WHEREAS, Many Canton families are involved with the festival as volunteers, and proceeds from the festival have helped community organizations and projects; therefore be it

RESOLVED, That the House of Representatives memorialize the Governor to proclaim the festival held annually during the

first weekend in October in Canton, Pennsylvania, as the "Pennsylvania State Apple 'n Cheese Festival."

Matthew E. Baker
Larry O. Sather
John W. Fichter
Elaine F. Farmer
Gaynor Cawley
Edward G. Staback
Robert W. Godshall
Victor John Lescovitz
Jere W. Schuler
Peter J. Zug
David Orr King
Thomas W. Dempsey
Thomas M. Tighe
Albert W. Pettit
Herman Mihalich
Joseph R. Pitts
George E. Saurman
Arthur D. Hershey
Anthony M. DeLuca
Robert M. Tomlinson
Timothy L. Pesci
Jim Lynch
Raymond Bunt, Jr.
Linda Bebkö-Jones
Teresa E. Brown
Richard A. Geist
Katie True
Timothy F. Hennessey
Paul I. Clymer
J. Scot Chadwick
Ron Raymond
Bruce Smith
Ruth C. Rudy
Frank J. Pistella
Michael K. Hanna
Jerry A. Stern
Thaddeus Kirkland
Dick L. Hess
Susan Laughlin
Fred A. Trello
Samuel E. Rohrer
Lawrence Roberts
Gregory C. Fajt
Robert E. Belfanti, Jr.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Acosta	Fargo	Lynch	Saurman
Adolph	Farmer	Maitland	Saylor
Allen	Fee	Manderino	Scheetz
Argall	Fleagle	Markosek	Schuler
Armstrong	Flick	Marsico	Scrimenti
Baker	Freeman	Masland	Semmel
Barley	Gamble	Mayernik	Serafini
Battisto	Gannon	McCall	Smith, B.
Bebko-Jones	Geist	McGeehan	Smith, S. H.
Belardi	George	McNally	Snyder, D. W.
Belfanti	Gerlach	Melio	Staback
Birmelin	Gigliotti	Merry	Stairs
Bishop	Gladeck	Michlovic	Steelman
Blaum	Gordner	Micozzie	Steighner
Boyes	Gruitza	Mihalich	Steil
Brown	Gruppo	Miller	Stern
Bunt	Haluska	Mundy	Stetler

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

NAYS—0

NOT VOTING—5

Donatucci	Godshall	Pitts	Reinard
Druce			

EXCUSED—4

Bush	Fichter	Hutchinson	Rieger
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The question was determined in the affirmative, and the resolution was adopted.

* * *

The SPEAKER pro tempore. The gentleman, Mr. Baker, calls up HR 202, which will be read by the clerk.

The following resolution was read:

House Resolution No. 202

A RESOLUTION

Memorializing the Governor to proclaim the festival held annually during the month of June in Wellsboro, Pennsylvania, as the "Pennsylvania State Laurel Festival."

WHEREAS, The first Laurel Festival was held in Wellsboro in 1938 and was the brainchild of Larry Woodin, a businessman so impressed with the Pine Creek Gorge located ten miles south of Wellsboro that he persuaded the Chamber of Commerce to publicize the gorge as a natural wonder of Tioga County; and

WHEREAS, As a result of these efforts, visitors came to see the breathtaking 50-mile gorge, now known as the "Grand Canyon of the East" or the "Pennsylvania Grand Canyon"; and

WHEREAS, Originally organized by the Lions Club, the first festival was held to promote not only the Grand Canyon but also

the State flower — the mountain laurel. Events included a parade, circus, block dance, ball and the crowning of the first Laurel Queen; and

WHEREAS, The Festival, now sponsored by the Chamber of Commerce, is organized by a committee of devoted volunteers and attracts between 30,000 and 35,000 people; and

WHEREAS, Over the years the Festival has undergone many changes. In 1950 the title officially became the "Pennsylvania State Laurel Festival" to indicate the representation of the many towns from throughout this Commonwealth. Various events have been added, including the Pet Parade, the Laurel Princess Program, the Arts and Crafts Fair, the Laurel Concert Series, a 10k foot race and the Laurel Classic Bicycle Race; and

WHEREAS, Festival visitors not only enjoy the fun of the Festival but also the unspoiled forest land abloom with laurel, majestic mountains and clear streams in the area; therefore be it

RESOLVED, That the House of Representatives memorialize the Governor to proclaim the festival held annually during the month of June in Wellsboro, Pennsylvania, as the "Pennsylvania State Laurel Festival."

Matthew E. Baker
Larry O. Sather
John W. Fichter
Elaine F. Farmer
Gaynor Cawley
Edward G. Staback
Jerry L. Nailor
Robert W. Godshall
Victor John Lescovitz
Jere W. Schuler
Peter J. Zug
David Orr King
Thomas W. Dempsey
Thomas M. Tigue
Albert W. Pettit
Herman Mihalich
Joseph R. Pitts
George E. Saurman
Arthur D. Hershey
Anthony M. DeLuca
Robert M. Tomlinson
Timothy L. Pesci
Jim Lynch
Raymond Bunt, Jr.
Linda Bebeko-Jones
Teresa E. Brown
Richard A. Geist
Howard L. Fargo
Katie True
Timothy F. Hennessey
Paul I. Clymer
J. Scot Chadwick
Ron Raymond
Bruce Smith
Ruth C. Rudy
Frank J. Pistella
Michael K. Hanna
Jerry A. Stern
Thaddeus Kirkland
Dick L. Hess
Susan Laughlin
Fred A. Trello
Samuel E. Rohrer
Lawrence Roberts
Gregory C. Fajt
Robert E. Belfanti, Jr.

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

Mr. BELFANTI. Madam Speaker? Madam Speaker?

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

Mr. BELFANTI. A point of personal privilege, Madam Speaker.

The SPEAKER pro tempore. Nothing is in order but the taking of the roll.

Mr. BELFANTI. Immediately after the roll, I would like to be recognized, please.

The SPEAKER pro tempore. Yes.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—1

Smith, S. H.

NOT VOTING—1

Donatucci

EXCUSED—4

Bush

Fichter

Hutchinson

Rieger

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

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

Mr. BELFANTI. Madam Speaker, it seems as though there is something malfunctioning with our computer. Members have been hitting their switches five or six or seven times with no reaction on the board, and that is why I rose during the taking of that roll. Obviously the board finally did rectify itself, but I would ask that if there is a problem with the computer, that the Speaker take his or her time in allowing the votes to be recorded so that people who are attempting to vote may do so.

VOTE CORRECTION

Mr. GODSHALL. Madam Speaker?

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

Mr. GODSHALL. Thank you.

On HR 201, my vote, even though I was in my seat pushing my button, also did not record, and it is almost impossible to see the board from where we are located here to see, indeed, if the votes are being recorded. I want to be recorded in the affirmative. But, again, there is a problem, obviously, with votes being recorded with the machines malfunctioning to the degree they are.

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

RESOLUTION

The SPEAKER pro tempore. The gentleman, Mr. King, calls up HR 206, which will be read by the clerk.

The following resolution was read:

House Resolution No. 206

A CONCURRENT RESOLUTION

Memorializing the Congress of the United States to investigate the financial plight of the self-employed reservists who were activated for "Operation Desert Storm" and to reconsider passage of legislation to provide relief.

WHEREAS, Self-employed recalled reservists who are our farmers, doctors and small business people served with great distinction during "Operation Desert Storm"; and

WHEREAS, Self-employed recalled reservists contributed to the readiness, preparedness and combat capability of the coalition forces that participated in "Operation Desert Storm"; and

WHEREAS, Many self-employed reservists in Pennsylvania and across the country have found themselves in dire financial straits as a result of their absence from their businesses during "Operation Desert Storm"; and

WHEREAS, The effect on these self-employed reservists' businesses is as disastrous as a flood or other natural disasters; and

WHEREAS, These individuals are patriotic citizens who sacrificed much to serve their country and warrant proper consideration from the government they risked their lives for; therefore be it

RESOLVED (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize the Congress of the United States to seriously consider the plight of these individuals and identify sources of financial relief for the damaged businesses of the self-employed reservists; and be it further

RESOLVED, That the General Assembly memorialize the Congress of the United States to pass legislation in accordance with other disaster loan criteria to provide long-term, low-interest loans to self-employed reservists; and be it further

RESOLVED, That copies of this resolution be transmitted to the presiding officers of each house of Congress, to each member of Congress from Pennsylvania, to Senator Dale Bumpers, Chairman, Senate Committee on Small Business and to Representative John LaFalce, Chairman, House Committee on Small Business.

David Orr King
Dennis M. O'Brien
Edward J. Lucyk
Ronald S. Marsico
Frank J. Pistella
John W. Fichter
Jerry A. Stern
Elaine F. Farmer
Edward G. Staback
Todd R. Platts
Peter J. Zug
Jim Gerlach
Thomas W. Dempsey
Richard J. Cessar
Richard A. Geist
C. Allan Egolf
Lita Indzel Cohen
Lawrence Roberts
Ralph Kaiser
Dennis E. Leh
Thomas M. Tighe
Samuel E. Rohrer
Robert M. Tomlinson
Fred A. Trello
Robert E. Belfanti, Jr.
Arthur D. Hershey
Timothy L. Pesci
Albert W. Pettit
Elinor Z. Taylor
Howard L. Fargo
William F. Keller
Timothy F. Hennessey
Joseph M. Gladeck, Jr.
Robert E. Nyce

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—198

Acosta	Fargo	Lynch	Sather
Adolph	Farmer	Maitland	Saurman
Allen	Fee	Manderino	Saylor

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

NAYS—0

NOT VOTING—1

Donatucci

EXCUSED—4

Bush	Fichter	Hutchinson	Rieger
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The question was determined in the affirmative, and the resolution was adopted.

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

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. The Chair recognizes Representative Coy.

Mr. COY. Thank you, Madam Speaker.

Madam Speaker, it is necessary for the Democratic members to go to caucus to complete discussions on the matter that we initiated yesterday and a few other items. So I would like to call an immediate meeting of the Democratic Caucus, immediate meeting beginning as soon as we recess, with the expectation that we will return to the floor at 1:30; 1:30.

The SPEAKER pro tempore. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes Representative Dwight Evans.

Mr. EVANS. Thank you, Madam Speaker.

I would like to call a House Appropriations Committee meeting in the majority caucus room as soon as the House recesses.

Mr. COY. Madam Speaker?

The SPEAKER pro tempore. The Chair recognizes Representative Coy.

Mr. COY. Obviously the Appropriations Committee will meet first, and then we will caucus immediately at the conclusion of their meeting in the majority caucus room.

The SPEAKER pro tempore. The Chair thanks the gentleman, Mr. Coy.

REPUBLICAN CAUCUS

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

Mr. GEIST. Thank you, Madam Speaker.

There will be a Republican caucus promptly at 12:45. We have a lot to cover so that we can be back on the floor by 1:30. We would appreciate it if the members, Republican members, would come to caucus promptly; 12:45. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

RECESS

The SPEAKER pro tempore. The House stands in recess until the 2 o'clock hour.

RECESS EXTENDED

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

AFTER RECESS

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

THE SPEAKER (H. WILLIAM DeWEESE) PRESIDING

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate
November 23, 1993

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, December 6, 1993, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, December 6, 1993, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?
Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned HB 829, PN 1180, with information that the Senate has passed the same without amendment.

VOTE CORRECTIONS

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I rise to correct the record of this morning's votes.

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

Mr. GODSHALL. My switch was inoperative, with the problems we had with the tote boards, on HR 201. I was not voted. I would like to be voted in the affirmative. And on HR 192 I also was not recorded. I would like to be recorded in the affirmative. Thank you.

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

LEAVE OF ABSENCE

The SPEAKER. The gentleman, Mr. DONATUCCI, from Philadelphia is placed upon leave for the remainder of the day.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 282, PN 2742 (Amended)

By Rep. RICHARDSON

An Act providing for bidding on pharmaceutical services in health insurance policies and employee benefit plans; and imposing penalties.

HEALTH AND WELFARE.

HB 877, PN 1018

By Rep. RICHARDSON

An Act providing for treatment of psychological problems in health care facilities.

HEALTH AND WELFARE.

HB 1031, PN 1639

By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing an exception to the prohibition of interception and disclosure of communications; and authorizing law enforcement officers to record certain audio and video communications.

JUDICIARY.

HB 1076, PN 2734 (Amended)

By Rep. LESCOVITZ

An Act amending the act of October 4, 1978 (P.L.851, No.166), known as the Flood Plain Management Act, requiring that sellers of land provide buyers with a flood plain notification.

BUSINESS AND ECONOMIC DEVELOPMENT.

HB 1457, PN 2744 (Amended)

By Rep. CALTAGIRONE

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for simple assault and for probable cause in domestic violence cases; and further providing for bail.

JUDICIARY.

HB 1474, PN 2743 (Amended)

By Rep. RICHARDSON

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act, further providing for certification of emergency medical technicians and EMT-paramedics; adding definitions; and nullifying a regulation.

HEALTH AND WELFARE.

HB 1597, PN 2735 (Amended)

By Rep. CALTAGIRONE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for profits received as a result of the commission of a crime.

JUDICIARY.

HB 1726, PN 2736 (Amended)

By Rep. CALTAGIRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing penalties for abuse of fish, game and wildlife, farm animal and research facilities.

JUDICIARY.

HB 1957, PN 2741 (Amended)

By Rep. LLOYD

An Act amending the act of December 7, 1982 (P.L.784, No.225), known as the Dog Law, further providing for applications for licenses and fees, for kennels, for licenses and transfers, for out-of-State kennel licenses, applications, fees and prohibitions, for selling, bartering or trading dogs, and for enforcement and inspection; providing for revocation, suspension and refusal of licenses, and for notice requiring examination of dog by veterinarian; and making repeals.

AGRICULTURE AND RURAL AFFAIRS.

HB 2198, PN 2723

By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for aggravating circumstances in sentencing for murder.

JUDICIARY.

SB 315, PN 1734 (Amended)

By Rep. PETRARCA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for persons authorized to direct traffic.

TRANSPORTATION.

SB 683, PN 1735 (Amended)

By Rep. CALTAGIRONE

An Act establishing parole procedures; providing for the powers and duties of the Department of Corrections, the Pennsylvania Board of Probation and Parole and the Pennsylvania Commission on Sentencing; creating the Office of Victim Advocate; providing for work time and earned time; and amending the act of August 6, 1941 (P. L. 861, No. 323), entitled, as amended, "An act to create a uniform and exclusive system for the administration of parole in this Commonwealth; providing state probation services; establishing the 'Pennsylvania Board of Probation and Parole'; conferring and defining its jurisdiction, duties, powers and functions; including the supervision of persons placed upon probation and parole in certain designated cases; providing for the method of appointment of its members; regulating the appointment, removal and discharge of its officers, clerks and employees; dividing the Commonwealth into administrative districts for purposes of probation and parole; fixing the salaries of members of the board and of certain other officers and employees thereof; making violations of certain provisions of this act misdemeanors; providing penalties therefor; and for other cognate purposes, and making an appropriation," further providing for sentencing; and making repeals.

JUDICIARY.

SB 684, PN 1732 (Amended)

By Rep. CALTAGIRONE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for composition of the Pennsylvania Commission on Sentencing; providing for guidelines for high-risk dangerous offenders; and further providing for sentencing, for presentence reports, for appellate review of sentences and for confinement.

JUDICIARY.

SB 974, PN 1733 (Amended)

By Rep. EVANS

An Act amending Title 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further

providing for the Public School Employees' Retirement System and the State Employees' Retirement System; adding and amending certain definitions; further providing for older workers, for nonintervening military service, for eligibility for and the computation of annuities and other retirement benefits, for contributions and other payments made by employers, for certain credited service, for the powers and duties of the Public School Employees' Retirement Board and the State Employees' Retirement Board, for the rights and duties of members, for the management of funds and accounts, for taxation, attachment and assignment of funds and for certain domestic relations matters.

APPROPRIATIONS.

BILL REREPORTED FROM COMMITTEE

HB 1679, PN 2737 (Amended) By Rep. EVANS

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, further providing for investment of moneys of the Commonwealth.

APPROPRIATIONS.

RESOLUTION REPORTED FROM COMMITTEE

HR 166, PN 2481 By Rep. CAPPABIANCA

A Resolution memorializing the President and Congress to maintain or increase funding for the Low-Income Home Energy Assistance Program.

FEDERAL-STATE RELATIONS.

GUESTS INTRODUCED

The SPEAKER. The gentleman, Mr. Egolf, please take the microphone. The gentleman is in order to introduce to the members some guests from the West Perry School District.

Mr. EGOLF. Mr. Speaker, I have two guest pages here from West Perry that I would like to introduce. They are up front here. Would you stand up, please. Melissa Tuckey and Benjamin Seiver.

The SPEAKER. Melissa and Benjamin; Melissa Tuckey and Benjamin Seiver from the West Perry School District, guests of the gentleman, Mr. Egolf.

Mr. EGOLF. They are up front here to the Speaker's left.

The SPEAKER. The Chair thanks the gentleman.

Mr. EGOLF. Thank you.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. ITKIN. Mr. Speaker, I move that the House rules be temporarily suspended for the consideration of HR 199 and HR 212.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—193

Acosta	Farmer	Maitland	Saylor
Adolph	Fee	Manderino	Scheetz
Allen	Fleagle	Markosek	Schuler

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

NAYS—0

NOT VOTING—5

Carn	Lawless	O'Donnell	Roebuck
Evans			

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

Mrs. LAUGHLIN called up **HR 199, PN 2732**, entitled:

A Resolution declaring December 6 through 12, 1993, as "Melanoma Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—3

O'Donnell Pistella Preston

EXCUSED—5

Bush Fichter Hutchinson Rieger
Donatucci

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

* * *

Mr. STURLA called up **HR 212, PN 2733**, entitled:

A Resolution condemning acts of violence against health care clinics and commending those with opposing viewpoints who are able to rationally further their cause through nonviolent means.

On the question,
Will the House adopt the resolution?

(Members proceeded to vote.)

Mr. GANNON. Mr. Speaker?

The SPEAKER. The Chair would indicate that nothing is in order but the taking of the vote.

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

The following roll call was recorded:

YEAS—192

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

Egolf	Lloyd	Santoni	
Evans	Lucyk	Sather	DeWeese,
Fairchild	Lynch	Saurman	Speaker
Fajt	Maitland		

NAYS—0

NOT VOTING—6

Carn	James	O'Donnell	Petrarca
Hughes	Levdansky		

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Mr. Gannon.

Mr. GANNON. Mr. Speaker, these resolutions that we have just voted, have they been circulated?

The SPEAKER. They are on page 12 of today's calendar, and I am told they should be in your book.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. ITKIN. Mr. Speaker, I ask that the rules again be temporarily suspended in order for the immediate consideration of four additional resolutions — HR 210, HR 208, HR 207, and HR 200.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—194

Adolph	Farmer	Lynch	Sather
Allen	Fee	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	Haluska	Mundy	Stern
Buxton	Hanna	Murphy	Stetler
Caltagirone	Harley	Nailor	Stish
Cappabianca	Hasay	Nickol	Strittmatter
Carone	Hennessey	Nyce	Sturla
Cawley	Herman	O'Brien	Surra
Cessar	Hershey	Olasz	Tangretti
Chadwick	Hess	Oliver	Taylor, E. Z.
Civera	Hughes	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
Conti	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	Ritter	Wogan
Dent	Laughlin	Roberts	Wozniak
Dermody	Lawless	Robinson	Wright, D. R.
Druce	Lederer	Roebuck	Wright, M. N.
Durham	Lee	Rohrer	Yandrisevits
Egolf	Leh	Rooney	Yewcic
Evans	Lescovitz	Rubley	Zug
Fairchild	Levdansky	Rudy	
Fajt	Lloyd	Ryan	DeWeese,
Fargo	Lucyk	Santoni	Speaker

NAYS—0

NOT VOTING—4

Acosta	Carn	O'Donnell	Washington
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EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

The SPEAKER. HR 200. The gentleman, Mr. Baker, is the sponsor. Will the clerk please read the resolution.

The following resolution was read:

House Resolution No. 200

A RESOLUTION

Encouraging Commonwealth hunters to share their harvest with the needy; and calling upon the Department of Agriculture and the Pennsylvania Game Commission to provide information about donating big game and other lawfully taken wildlife to interested individuals and groups.

WHEREAS, Big game season is upon us in this Commonwealth with the opening of buck season on November 29; and

WHEREAS, The Pennsylvania Game Commission is forecasting a harvest of approximately 350,000 deer this season; and

WHEREAS, This Commonwealth has an abundance of hungry families; and

WHEREAS, The alleviation of hunger and malnutrition and the supplementation of existing food assistance programs can be achieved through increased donations of food; and

WHEREAS, It would be most beneficial to have Pennsylvania hunters share their harvest with the needy; therefore be it

RESOLVED, That the House of Representatives encourage this Commonwealth's hunters to share their harvest with the needy

this season and direct that copies of this resolution be transmitted to the Department of Agriculture and the Pennsylvania Game Commission; and be it further

RESOLVED, That the House of Representatives encourage the Department of Agriculture and the Pennsylvania Game Commission to provide information about donating big game and other lawfully taken wildlife to food banks, homeless shelters and meat processors throughout this Commonwealth and any individuals, nonprofit agencies, charitable organizations and businesses requesting this information.

Matthew E. Baker
Thomas J. Fee
Robert W. Godshall
Merle H. Phillips
Fred A. Trello
Arthur D. Hershey
Anthony L. Colaizzo
Italo S. Cappabianca
Robert J. Flick
Richard A. Geist
Stanley E. Saylor
John E. Barley
Michael L. Waugh
Joseph R. Pitts
Howard L. Fargo
Todd R. Platts
Timothy F. Hennessey
Jerry L. Nailor
Lynn B. Herman
Jere W. Schuler
Carole A. Rubley
Dan A. Surra
Thomas M. Tighe
Martin L. Laub
John W. Fichter
Gaynor Cawley
Albert W. Pettit
Thaddeus Kirkland
Jim Gerlach
Dick L. Hess
Susan Laughlin
Robert M. Tomlinson
Daniel F. Clark
Robert L. Freeman
Lita Indzel Cohen
Raymond Bunt, Jr.
Bruce Smith
Joseph W. Battisto
Steven R. Nickol
Richard A. Kasunic
Ronald S. Marsico
C. Allan Egolf
Edward G. Staback
James R. Merry
Terry R. Scheetz
Dennis E. Leh
Robert E. Nyce

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Acosta	Farmer	Maitland	Saurman
Adolph	Fee	Manderino	Saylor
Allen	Fleagle	Markosck	Scheetz
Argall	Flick	Marsico	Schuler
Armstrong	Freeman	Masland	Scrimenti
Baker	Gamble	Mayernik	Semmel
Barley	Gannon	McCall	Serafini

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

NAYS—0

NOT VOTING—6

Carn	Gruppo	Pistella	Stairs
Clymer	O'Donnell		

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

* * *

The SPEAKER. HR 207. The gentleman, Mr. Lucyk, calls up the resolution. Will the clerk please read the resolution.

The following resolution was read:

House Resolution No. 207

A RESOLUTION

Honoring General George A. Joulwan on his appointment as the top United States commander in Europe and the head of the North Atlantic Treaty Organization (NATO).

WHEREAS, On October 4, 1993, President Clinton appointed General George A. Joulwan, a native of Pottsville, to be the top United States commander in Europe and head of the North Atlantic Treaty Organization (NATO); and

WHEREAS, General Joulwan's appointment was quickly confirmed by the Senate; and

WHEREAS, General Joulwan replaces General John M. Shalikashvili as Supreme Allied Commander Europe and Commander in Chief, United States European Command; and

WHEREAS, General Joulwan, an infantryman by training, served as commander of the Army's 3rd Armored Division in Germany in 1988 and 1989 and then became commander of V Corps in Europe. He has also been chief of staff at the 3rd Infantry Division in Europe and was deputy chief of staff for operations for the United States Seventh Army in Europe. Since November 1990 General Joulwan has commanded United States forces in Latin America; and

WHEREAS, General Joulwan is a 1961 graduate of the United States Military Academy, West Point, and a 1957 graduate of Pottsville High School where he was a standout offensive lineman on the football team, making the Big 33 all state team in 1956; and

WHEREAS, General Joulwan served five years in Germany after his West Point graduation and then served two combat tours in Vietnam where he won the Vietnam Cross of Gallantry. He also received two silver stars, the Legion of Merit and three bronze stars; therefore be it

RESOLVED, That the House of Representatives honor General George A. Joulwan on his appointment as the top United States commander in Europe and the head of NATO and commend his distinguished career and accomplishments.

Edward J. Lucyk
Bob Allen
David G. Argall
Dennis M. O'Brien
Ralph Kaiser
C. Allan Egolf
Thomas M. Tighe
T. J. Rooney
Thomas F. Yewcic
Peter J. Zug
Russ Fairchild
Thomas W. Dempsey
Dennis E. Leh
David Orr King
Dick L. Hess
Jerry A. Stern
Lawrence Roberts

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Acosta	Farmer	Maitland	Saurman
Adolph	Fee	Manderino	Saylor
Allen	Fleagle	Markosek	Scheetz
Argall	Flick	Marsico	Schuler
Armstrong	Freeman	Masland	Scrimenti
Baker	Gamble	Mayernik	Semmel
Barley	Gannon	McCall	Serafini
Battisto	Geist	McGeehan	Smith, B.
Bebko-Jones	George	McNally	Smith, S. H.
Belardi	Gerlach	Melio	Snyder, D. W.
Belfanti	Gigliotti	Merry	Staback
Birmelin	Gladeck	Michlovic	Stairs
Bishop	Godshall	Micozzie	Steelman
Blaum	Gordner	Mihalich	Steighner
Boyes	Gruitza	Miller	Steil
Brown	Gruppo	Mundy	Stern

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

NAYS—0

NOT VOTING—2

Cam Perzel

EXCUSED—5

Bush Fichter Hutchinson Rieger
Donatucci

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

The SPEAKER. The Chair would like to thank the gentleman, Mr. Lucyk, for sponsoring that resolution.

It may be of some interest to the membership that the commander and general of all forces in NATO is a son of Pennsylvania and an acquaintance of both Mr. Lucyk and the Chair.

VOTE CORRECTION

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

Mr. GRUPPO. Mr. Speaker, I am sorry to interrupt, but on the resolution that was prior to the last vote, I would like to indicate my vote because my switch did not work. It was, I believe, HR 200, and I wanted to vote in the affirmative. That was the one before the last vote. Thank you.

The SPEAKER. The gentleman is correct, it was HR 200, and the gentleman's remarks will be spread across the record.

RESOLUTIONS CONTINUED

The SPEAKER. The gentleman, Mr. Lucyk, also calls up for immediate consideration HR 208, which the clerk will read.

The following resolution was read:

House Resolution No. 208

A CONCURRENT RESOLUTION

Supporting the State of Michigan in its effort to file suit in the United States Supreme Court against the Federal Government and the official representatives of certain other countries alleging violations of the civil rights of prisoners of war or missing in action and to demand that documents concerning these individuals be released.

WHEREAS, There is continuing controversy concerning the presence of American servicemen, who were listed as prisoners of war or missing in action, being held against their will in the Southeast Asian nations of Vietnam, Laos and Kampuchea (formerly Cambodia); and

WHEREAS, The Federal Government has stated that all of our prisoners of war have been returned from Vietnam; and

WHEREAS, A recent top secret Vietnamese report, dated from 1972, by General Tran Von Kwong, Deputy Chief of Staff for the North Vietnamese Army, reported that in September of 1972, Hanoi held 1,205 American prisoners; and

WHEREAS, Only 591 American prisoners of war have been released under the 1973 Peace Settlement; and

WHEREAS, Vietnamese nationals who have moved to the United States have reported the appearance of American prisoners of war still being held against their will in Southeast Asia; and

WHEREAS, The President of Russia let it be known that the Soviet Union took American servicemen during the Vietnam War into Russia and that there is no adequate explanation concerning the whereabouts of these servicemen; and

WHEREAS, There are still hundreds of documents in the United States Defense Department that have not been released to the public concerning the fate of American servicemen classified as prisoners of war or missing in action; and

WHEREAS, The Federal Government's intelligence agencies have taken the position of trying to discredit any information concerning the existence of American prisoners of war, instead of demanding a full accounting from Vietnam, Laos and Kampuchea based upon said information that has been received; and

WHEREAS, There are 73 missing and unaccounted for servicemen in Southeast Asia from Michigan; and

WHEREAS, The Federal Government has never entered into negotiations with the governments of Laos and Kampuchea concerning the release of American prisoners of war who were taken prisoner by the Communists in Laos and Kampuchea during the Vietnam War; and

WHEREAS, The Paris Peace Accord is now 20 years old, and any national security secrets on the technology that was used in the war would be outdated, especially considering that the military research and arms buildup have made most of the technology and methods used in the Vietnam War obsolete; and

WHEREAS, Any Americans who are still being held against their will in Southeast Asia as a result of the Vietnam War are having their right to liberty—that inherent and inalienable right by which they are endowed by our Creator, as guaranteed by the Declaration of Independence and the Constitution of the United States—violated; and

WHEREAS, Americans highly prize and value that sacred right of liberty, that right the founders of our nation pledged to fight for with their lives, their fortunes and their sacred honor to win and to protect; and

WHEREAS, The executive branch of the Federal Government has miserably failed to even attempt to negotiate the release of Americans that may still be held in Southeast Asia, and is obstructing the discovery of any remaining servicemen; and

WHEREAS, The legislative branch of the Federal Government has also miserably failed to thoroughly investigate and honestly report on this tragedy and, indeed, has even ordered the destruction of staff documents containing staff intelligence reports on this sensitive issue; and

WHEREAS, The inferior courts of the Federal judiciary have not granted relief to the American soldiers listed as prisoners of war or missing in action; and

WHEREAS, The United States Supreme Court is the last bastion that an American citizen has for redress of grievances and protection of Constitutional liberty against an oppressive Federal executive and a duplicitous Federal legislature; and

WHEREAS, Section 2 of Article III of the Constitution of the United States states "In all Cases affecting Ambassadors, other public Ministers and Counsels, and those in which a State shall be a Party, the Supreme Court shall have original Jurisdiction"; therefore be it

RESOLVED (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania support the State of Michigan in its effort to file suit in the United States Supreme Court against the Federal Government and the official representatives of certain other countries alleging violations of the civil rights of prisoners of war or missing in action and to demand that documents concerning these individuals be released.

Edward J. Lucyk
Phyllis Mundy
Dennis M. O'Brien
Ralph Kaiser
C. Allan Egolf
Thomas M. Tigue
T. J. Rooney
Thomas F. Yewcic
Peter J. Zug
Russ Fairchild
Thomas W. Dempsey
David Orr King
Dick L. Hess
Dennis E. Leh
Jerry A. Stern
Lawrence Roberts

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

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

NAYS—0

NOT VOTING—1

Waugh

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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, Linda Bebk-Jones of Erie County brings up HR 210. Will the clerk please read the resolution.

The following resolution was read:

House Resolution No. 210

A RESOLUTION

Declaring December 1, 1993, as "AIDS Day" in Pennsylvania.

WHEREAS, The global spread of the human immunodeficiency virus (HIV) infection and acquired immune deficiency syndrome (AIDS) necessitates a global effort to increase communication, education and preventative action to stop the transmission of HIV and the spread of AIDS; and

WHEREAS, We as legislators must foster sympathetic and respectful attitudes towards people with HIV/AIDS living in this Commonwealth; and

WHEREAS, We must spread messages of understanding, compassion and hope; therefore be it

RESOLVED, That the House of Representatives declare December 1, 1993, as "AIDS Day" in Pennsylvania.

Linda Bebk-Jones
Babette Josephs

Michael R. Veon
William Russell Robinson
Arthur D. Hershey
Merle H. Phillips
Herman Mihalich
Thomas R. Caltagirone
Phyllis Mundy
Frank J. Gigliotti
Andrew J. Carn
Ronald R. Cowell
Stanley E. Saylor
Dante Santoni, Jr.
Frank J. Pistella
Martin L. Laub
T. J. Rooney
Fred Belardi
Richard A. Geist
Gregory S. Vitali
Marie A. Lederer
Susan Laughlin
Charles W. Dent
Fred A. Trelo
Timothy L. Pesci
Kathy M. Manderino
P. Michael Sturla
Lita Indzel Cohen
Thomas A. Tangretti
Sheila M. Miller
Gregory C. Fajt
W. Curtis Thomas
Thomas C. Petrone
Larry O. Sather
Timothy F. Hennessey
Mario J. Civera, Jr.
Lawrence H. Curry
Robert E. Belfanti, Jr.
Anthony J. Melio
Joseph M. Uliana
Ronald I. Buxton
James R. Roebuck, Jr.
Jim Gerlach
Ellen A. Harley
Thaddeus Kirkland
Todd R. Platts
Patricia Carone
Anthony Hardy Williams
Stephen R. Maitland
Thomas W. Druce
Carole A. Rubley
Jim Lynch
Robert M. Tomlinson
David J. Steil
Robert L. Freeman

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—192

Acosta	Fargo	Manderino	Sather
Adolph	Farmer	Markosek	Saurman
Allen	Fee	Marsico	Saylor
Argall	Fleagle	Masland	Scheetz
Armstrong	Flick	Mayernik	Schuler
Baker	Freeman	McCall	Scrimanti
Barley	Gamble	McGechan	Semmel
Battisto	Gannon	McNally	Serafini
Bebko-Jones	Geist	Melio	Smith, B.
Belardi	George	Merry	Smith, S. H.
Belfanti	Gerlach	Michlovic	Snyder, D. W.

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

NAYS—0

NOT VOTING—6

Evans	Hershey	Trich	Wozniak
Hennessey	Lederer		

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

The SPEAKER. On HIR 208, the gentleman, Mr. Lucyk, asks that the House be reminded the resolution will be available for additional sponsorships. HR 208 deals with our missing in action in Southeast Asia.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 659, PN 723**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. PISTELLA offered the following amendments No. A4197:

Amend Sec. 1 (Sec. 1236), page 1, line 11, by striking out the bracket before "The"

Amend Sec. 1 (Sec. 1236), page 1, line 14, by inserting a bracket before "regardless"

Amend Sec. 1 (Sec. 1236), page 1, line 15, by striking out "In" and inserting and in

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, does the gentleman, Mr. Pistella, seek recognition?

Does the gentleman, Mr. Ryan, have an amendment? The gentleman, Mr. Ryan, is recognized.

Mr. RYAN. Mr. Speaker, I have no amendment.

The SPEAKER. The gentleman has no amendment. The Chair thanks the gentleman.

Mr. RYAN. Mr. Speaker?

The SPEAKER. Mr. Ryan.

Mr. RYAN. Mr. Speaker, I had prepared two amendments. One of them, I understand, or the substance of one of them, I understand, which is essentially an editorial amendment, is going to be offered by the gentleman, Mr. Pistella. Assuming that that takes place, there is no sense in my offering it. In the event the gentleman, Mr. Pistella, does not offer the what I will call an editorial amendment, then I would like to be recognized for that purpose only.

The SPEAKER. The Chair thanks the gentleman.

Is the gentleman, Mr. Pistella, in the hall of the House?

The gentleman, Mr. Ryan, is recognized for at least the editorial amendment.

Mr. RYAN. Mr. Speaker, if the gentleman, Mr. Pistella, is on the floor of the House, perhaps he can advise the Chair as to—

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

Mr. PISTELLA. Thank you, Mr. Speaker.

I apologize to the minority leader and to the members for my tardiness.

The SPEAKER. Take your time; get your breath.

Mr. PISTELLA. HB 659 was introduced at the request of the Allegheny County coroner.

It appears that there have been a number of incidents or, I should say, a few incidents—

The SPEAKER. The House will please come to order. The gentleman deserves to be heard. Staff will please take their seats.

Sergeants at Arms, will you please try to keep some order in the House. You are paid to do more than just stand there.

Mr. Pistella, you may continue.

Mr. PISTELLA. Due to the expansion in trauma care that has taken place, there have been incidents that have occurred

where individuals have sustained traumatic injuries that have resulted in death, and in some cases, those circumstances have been surrounded by somewhat peculiar or suspicious circumstances. As a result of the transportation of an injured person, we have had a number of situations where the injuries were sustained in one county, only to have the individual die in a second county.

In a number of cases, what has occurred is the individuals have been transported from various counties in southwestern Pennsylvania to Allegheny County. What has been suggested is that there have been a number or a couple of incidents or a few incidents—I know of one in Westmoreland County alone—where because of the individual having sustained the injuries there and being transported to Allegheny County, there is not agreement between the two coroners as to how to view the body and how to proceed—

The SPEAKER. The Chair interrupts the gentleman momentarily. Is it possible that the gentleman, Mr. Pistella, is referring to final passage of the measure rather than the amendment?

Mr. PISTELLA. Well, I am sorry, Mr. Speaker. I thought if I could explain what this did, I would try to get you to that point. I am sorry.

The SPEAKER. The gentleman is allowed as much latitude as he needs.

Mr. PISTELLA. Now, what happened though was when the bill was drafted—

PARLIAMENTARY INQUIRY

Mr. RYAN. Mr. Speaker?

The SPEAKER. Mr. Ryan is recognized.

Mr. RYAN. Point of parliamentary inquiry.

We do not have anything before the House now except the bill, and if the gentleman is going to get us to some point, I am wondering what—

Mr. PISTELLA. There has been an error, Mr. Speaker. I am trying to get to that point.

Mr. RYAN. I have the floor.

I am wondering what that point is. Does it deal with final passage, or is it dealing with some amendment that is to be offered? I am not trying to create havoc. I am trying to get a simple answer. Are we going to offer an amendment to a bill? Are you going to offer your amendment? Shall I offer mine? I had the floor. I was set in my ways to sit back and let you take care of it. That is the only thing I am trying to find out.

Mr. PISTELLA. Well, as I was trying to explain, Mr. Speaker, as I was so rudely interrupted for rudely interrupting, the bill was drafted inaccurately. It took away the responsibility for the Allegheny County coroner to view any body. Now, the amendment that I am offering is trying to put back the responsibility to have the county coroner view bodies that have sustained the injury and have died not just in their county but to also broaden that to a cooperative effort between the coroners in adjoining counties under those circumstances.

I did not draft the bill. Legislative Reference drafted the bill. They made the error. My amendment attempts to remedy

the situation to do what it was that I originally had intended it to do.

I apologize for the inordinate length of time that it has taken to explain this, but there are some of us, Mr. Speaker, that need that little extra time to understand what we are doing here today. Thank you.

The SPEAKER. Mr. Ryan.

Mr. RYAN. Mr. Speaker, I cannot resist an opening like that.

I agree there are some of us who need a little extra time; particularly we need the amendment offered. That is the usual procedure, and that is what I am trying to find out. Do you have one to offer or shall I have one? Shall I offer mine? Mine does the same thing.

Mr. PISTELLA. My impression is that it had been submitted.

The SPEAKER. The amendment was read by the clerk, gentlemen.

For a clarification of the membership, we are on amendment A4197; I repeat, A4197 to HB 659. It is Mr. Pistella's amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—192

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

Curry	Krebs	Reinard	Williams
Daley	Kukovich	Richardson	Wogan
DeLuca	LaGrotta	Ritter	Wozniak
Dempsey	Laub	Roberts	Wright, D. R.
Dent	Laughlin	Robinson	Wright, M. N.
Dermody	Lawless	Roebuck	Yandrisevits
Druce	Lederer	Rohrer	Yewcic
Durham	Lee	Rooney	Zug
Egolf	Leh	Rubley	
Evans	Lescovitz	Rudy	DeWeese,
Fairchild	Levdansky	Ryan	Speaker
Fajt	Lloyd		

NAYS—0

NOT VOTING—6

Birmelin	Pitts	Sturla	Taylor, J.
Oliver	Saurman		

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—193

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

Clymer	James	Pettit	True
Cohen, L. I.	Jarolin	Piccola	Tulli
Cohen, M.	Josephs	Pistella	Uliana
Colafrilla	Kaiser	Pitts	Vance
Colaizzo	Kasunic	Platts	Van Horne
Conti	Keller	Preston	Veon
Cornell	Kenney	Raymond	Vitali
Corrigan	King	Reber	Washington
Cowell	Kirkland	Reinard	Waugh
Coy	Krebs	Richardson	Williams
Curry	Kukovich	Ritter	Wogan
Daley	LaGrotta	Roberts	Wozniak
DeLuca	Laub	Robinson	Wright, D. R.
Dempsey	Laughlin	Rohrer	Wright, M. N.
Dent	Lawless	Rooney	Yandrisevits
Dermody	Lederer	Rubley	Yewcic
Druce	Leh	Rudy	Zug
Durham	Lescovitz	Ryan	
Egolf	Levdansky	Santoni	DeWeese,
Evans	Lloyd	Sather	Speaker
Fairchild	Lucyk	Saurman	

NAYS—1

Lee

NOT VOTING—4

Geist	Oliver	Phillips	Roebuck
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EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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.

FILMING PERMISSION

The SPEAKER. The membership should be alerted that the members of the media are here for the coverage of the next measure of business on the floor. They are John Sanks of WPVI, channel 6; John Dille of House Republican Video; Gary Miller of Associated Press; and Mike Ross of 27 News.

Mr. FAIRCHILD. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman rise? The gentleman is recognized.

Mr. FAIRCHILD. Mr. Speaker, point of parliamentary inquiry or a question of the Chair.

Is there any way that we could have the clerk hold up or paste a cardboard or something on the Speaker's chair so that we can see which amendments we are voting on? I think last—

The SPEAKER. Yes is the answer.

Mr. FAIRCHILD. Thank you.

VOTE CORRECTION

The SPEAKER. Mr. Birmelin is recognized.

Mr. BIRMELIN. Your indulgence, Mr. Speaker. I guess you are going to get a lot of these today because of the voting

machine problems, but I was obviously in my seat and pressing the button and it just was not working, so I would like to be recorded in the affirmative on the Pistella amendment No. 4197 on HB 659. Thank you.

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

RULES SUSPENDED

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

Mr. ITKIN. Mr. Speaker, I move that the rules of the House be suspended for the immediate consideration of HR 205.

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

The following roll call was recorded:

YEAS—190

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

Evans
Fairchild

Levdansky
Lloyd

Ryan
Santoni

DeWeese,
Speaker

NAYS—0

NOT VOTING—8

Colafella
Gamble

Gannon
Marsico

Phillips
Pitts

Sturla
Tomlinson

EXCUSED—5

Bush
Donatucci

Fichter

Hutchinson

Rieger

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, Mr. Caltagirone, from Berks County calls up HR 205, which will be read by the clerk.

The following resolution was read:

House Resolution No. 205

A RESOLUTION

Resolution for appointment of committee and empowering it to make investigation.

BE IT RESOLVED by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, that the Judiciary Committee is hereby authorized to investigate the conduct of the Honorable Rolf Larsen of the Supreme Court of Pennsylvania, and to determine whether the said Rolf Larsen is liable to impeachment for misbehavior in office, and to report to the House the conclusions of the committee in respect thereto with its appropriate recommendations; and be it further

RESOLVED, That the Judiciary Committee shall designate the Subcommittee on Courts to take testimony, review documents or other materials and interview witnesses for the use of the said committee, and said subcommittee is authorized and empowered to make recommendations to said committee. And the said subcommittee while so employed is authorized and empowered to send for persons and papers, to subpoena witnesses, documents, and other materials under the hand and seal of the Subcommittee Chairman; to administer oaths to said witnesses, to take testimony, and to prepare and file pleadings and other legal documents; and be it further

RESOLVED, That upon receipt of the recommendations of the Subcommittee on Courts, the Judiciary Committee is hereby authorized and empowered to send for persons and papers, to subpoena witnesses, documents and other materials under the hand and seal of the chairman; to administer oaths to said witnesses, to take testimony, to prepare and file pleadings and other legal documents and to employ staff; and be it further

RESOLVED, That a sergeant-at-arms, by himself or deputy, shall serve the process of said committee and subcommittee and execute its orders, and the said committee and subcommittee are authorized to sit during the sessions of this House. The expenses of this investigation shall be paid out of an appropriate account of the Chief Clerk. However, if any staff expenses or compensation are to be paid by the Chief Clerk, the approval of the Bipartisan Management Committee is required.

Thomas R. Caltagirone
Jeffrey E. Piccola
Frank Dermody

Jerry Birmelin
 Dennis M. O'Brien
 Chris R. Wogan
 Harold James
 Lita Indzel Cohen
 Timothy F. Hennessey
 Frank LaGrotta
 Frank W. Yandrisevits
 Kathy M. Manderino
 Gregory C. Fajt
 Robert D. Reber, Jr.
 Albert H. Masland
 Daniel F. Clark
 Karen A. Ritter
 Donald W. Snyder
 Christopher K. McNally
 Vincent Hughes

On the question,

Will the House adopt the resolution?

Mr. MIHALICH offered the following amendment:

A RESOLUTION

Resolution for appointment of committee and empowering it to make investigation.

BE IT RESOLVED by the House of Representatives of the General Assembly of the Commonwealth of Pennsylvania, that the Judiciary Committee is hereby authorized to ~~investigate the conduct of the Honorable Rolf Larsen of the Supreme Court of Pennsylvania, and to determine whether the said Rolf Larsen is liable to impeachment for misbehavior in office.~~ FOLLOW THE RECOMMENDATION OF THE GRAND JURY CONTAINED IN ITS REPORT, "THE GRAND JURY STRONGLY RECOMMENDS THAT THE LEGISLATURE AND THE JUDICIAL CONDUCT BOARD REVIEW OUR FINDINGS AND TAKE APPROPRIATE ACTION, INCLUDING POSSIBLE REMOVAL OF JUSTICE LARSEN FROM THE PENNSYLVANIA SUPREME COURT," and to report to the House the conclusions of the committee in respect thereto with its appropriate recommendations; and be it further

RESOLVED, That the Judiciary Committee shall designate the Subcommittee on Courts to take testimony, review documents or other materials and interview witnesses for the use of the said committee, and said subcommittee is authorized and empowered to make recommendations to said committee. And the said subcommittee while so employed is authorized and empowered to send for persons and papers, to subpoena witnesses, documents, and other materials under the hand and seal of the Subcommittee Chairman; to administer oaths to said witnesses, to take testimony, and to prepare and file pleadings and other legal documents; and be it further

RESOLVED, That upon receipt of the recommendations of the Subcommittee on Courts, the Judiciary Committee is hereby authorized and empowered to send for persons and papers, to subpoena witnesses, documents and other materials under the hand and seal of the chairman; to administer oaths to said witnesses, to take testimony, to prepare and file pleadings and other legal documents and to employ staff; and be it further

RESOLVED, That a sergeant-at-arms, by himself or deputy, shall serve the process of said committee and subcommittee and execute its orders, and the said committee and subcommittee are authorized to sit during the sessions of this House. The expenses of this investigation shall be paid out of an appropriate account of the Chief Clerk. However, if any staff expenses or compensation are to be paid by the Chief Clerk, the approval of the Bipartisan Management Committee is required.

On the question,

Will the House agree to the amendment?

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

Mr. MIHALICH. Thank you, Mr. Speaker.

We are about to embark on a path that this House has not taken before for 100 years.

Mr. Speaker, the reason we are here today is to address a very, very serious problem, one that concerns every one of us, every one of our constituents. The integrity of our Supreme Court has been questioned, perhaps rightly so, throughout this whole State by Republicans, by Democrats, and this is not a partisan issue.

This resolution today comes to us by virtue of a feeding frenzy that the media of this State has gone for or engaged in, and let me give you only one example, and I can give you a hundred others.

Today's Patriot said—and I am going to quote from today's Patriot, and you can take this out of a hundred other articles over the past couple weeks—that the grand jury report strongly suggested Justice Larsen be removed from office. Mr. Speaker, that is not entirely correct.

The resolution that we have in front of us today is predicated on the accuracy of the media in reporting what it is that has been strongly recommended by the grand jury. For that reason, let me read the paragraph from the grand jury that addresses their recommendation. I will read it, and it is contained also in the amendment that has been circulated. It says, "The grand jury strongly recommends that the legislature and the Judicial Conduct Board review our findings"—that is, their findings—"and take appropriate action, including possible removal of Justice Larsen from the Pennsylvania Supreme Court." These 23—I think there were 23 members of that grand jury—worked long; they worked hard; they worked diligently, and they were interested, by virtue of their attention, they were interested in doing something about our Supreme Court in Pennsylvania, and it took \$1 million, almost \$1 million, to come to this point in which they asked us to do something.

HR 205 in its current form does not address the request of the grand jury. It ignores the request; it ignores at least 50 percent of the request of the grand jury. The grand jury—and let me repeat, and you can read it; it is in the caps in the amendment that you have before you—they strongly recommend that the legislature review their findings, and I can understand why they would say that. This report is thousands of pages long—not the report, but the testimony—1,000, 1,500 pages, I am told, and they are not all attorneys, they are not all lawmakers, and they did not understand everything there, and they wanted this body to review what they have done. It is perfectly logical. But HR 205 focuses only on half of what the grand jury asked for, and that half is the impeachment of Justice Larsen.

There is another further ramification here that is very, very serious; it may become very, very serious. I do not question the integrity or the intentions of any member of the Judiciary Committee. I do not question the integrity or intentions of anybody who will be engaged in reviewing the grand jury material. But one thing this HR 205 will do in its current form:

If our investigators should find evidence that would raise a question about murder, about thievery, about bribery, or any other crime or action unbecoming a judge, and if it did not deal with Larsen, they are not obliged to report it to the full committee and then to the House of Representatives.

To take this to a next step, you might say then, if that is an interpretation that is possible, you might say that, well, let us get on with HR 205 in its current form, let us take the goat, the sacrificial goat, and cut his throat and forget about anything else that might exist.

I do not think this is what the people of Pennsylvania want. I do not think this is what the grand jury asked for. The grand jury asked for us to review, review their findings and, in their words, take appropriate action after reviewing their findings, and then in another part of the sentence, they said, include the possible removal of Justice Larsen.

HR 205 in its current form does only one thing — it focuses the committee only on those activities involving Justice Larsen. It is much too narrow; the issue is too great; the opportunity is too great. We do not want to throw away the vast part of 1 million dollars' worth of findings. I do not know how much more this is going to cost, but it certainly is not going to be cheap. But we have the opportunity to adopt my amendment, which will in effect take verbatim—if you notice in the amendment, that portion is in quotation marks; that is the whole paragraph from their recommendations dealing with this issue—take the grand jury, take the recommendation of these people, of these high-priced and well-intentioned attorneys, of the Attorney General, in fact, who said this is what they want. They want us to review their findings, and they also say, take a look at the possibility of impeaching Justice Larsen.

HR 205 in its current form only does half of what they have asked for. If we ignore the other very, very important half, we are doing a disservice to this Commonwealth; we are doing a disservice to this body, to the Supreme Court, and we will not eliminate, will not eliminate the suspicions that are always out there. The suspicions will be there. People will editorialize and people are going to talk on the street. Why did this body, why did that committee ignore everything else in 1,500 pages of testimony except the activities of one person? As far as I know—I have not read that whole report; in fact, I had a hard time getting a copy of the report—but the testimony I do not think anybody has seen here.

Which brings me to another point. Our members, we went through a lot of gyrations early this year to adopt new operating rules; we heard impassioned speeches on the floor saying that our members deserve to have at least 24 hours to look at the material we are about to consider. Outside of the members of the Judiciary Committee, I do not know of anybody else who has had the opportunity to read the report. I glanced through part of it, through the courtesy of the chairman of the Judiciary Committee who made sure I had a copy, but I do not know how many other people here have read that report, how many other people here realize that HR 205, without my amendment, does not address the needs,

concerns, and requests of the grand jury. They do not understand perhaps that it is going to leave a cloud, a veil, over this whole transaction, and hopefully not, but leave us open to the charge of business as usual.

We have the opportunity. We have spent \$1 million. We are going to spend a heck of a lot more. Let us do more than what HR 205 says. Let us do what the grand jury recommends.

At first I wanted to make those earlier points and say that we did not have enough time to study it, but I have been around here long enough; I can count noses; you want to vote on it. If you want to vote on it, let us vote on it intelligently, responsibly, and listen to the advice given to us by the grand jury. Thank you, Mr. Speaker.

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

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

It was, I guess, close to 11 months ago that we began this venture, and it was at my insistence that we not proceed so as to afford the grand jury an opportunity to do its work without any interference from the House Judiciary Committee. We did, of course, use due diligence. We were very methodical in our approach. We were very fair in our approach. We have now come to the Rubicon, and it will have to be crossed.

It has been over 182 years since this House of Representatives has dealt with such an issue of impeachment. I can assure the members that both through the subcommittee chairs, Dermody and Clark, the counsels, that appropriate steps will be taken to assure that all of the language embodied in this resolution will be followed to the letter of the law. We are just reacting to the recommendations that have been submitted to us from the grand jury.

I do not think we are going out of the parameters of what we are entitled if not compelled to do as elected officials. Because of the volatility of the situation, I think we owe it to the citizens of this Commonwealth and to the grand jury that sat for all of those months to do a thorough, complete investigation and report those findings back to this chamber.

I would urge that you defeat the amendment and go on to approve HR 205. Thank you.

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

Mr. PICCOLA. Thank you, Mr. Speaker.

I concur with the remarks of the gentleman, Mr. Caltagirone, and I would urge that the Mihalich amendment be defeated.

The gentleman, Mr. Mihalich, in advocating for his amendment, began by saying that we are reacting to a feeding frenzy. I believe those were his exact words.

I cannot more strongly disagree with Mr. Mihalich, and the reason that I so strongly disagree with his analysis is because rarely have I been as proud of this institution, the House of Representatives, and specifically the Committee on the Judiciary, as I have been during what Mr. Mihalich has been characterizing as a feeding frenzy.

As you know, this issue surfaced slightly more than a year ago, and it was formally brought before our committee with a petition, an informal petition for impeachment.

Contrary to what the gentleman, Mr. Mihalich, indicated, the Judiciary Committee exercised extreme restraint in several respects, and Mr. Caltagirone, the chairman of the committee, deserves a great deal of commendation for exercising that restraint and helping the committee to exercise that restraint.

We specifically did not do anything that would have committed the committee or the House of Representatives to one course of action or another, and specifically we did not and we consciously did not interfere with the judicial process that was going on with the impaneled grand jury that had been created and the investigation that was going on by the Office of the Attorney General. We did not respond at all to the alleged feeding frenzy. We allowed that grand jury process to proceed unimpeded and uninterfered with by the legislative process.

It was last month that the grand jury issued its report, and I have read that report, Mr. Speaker, all 249 pages of it, and I know that Mr. Caltagirone and Mr. Dermody have also read that report, and that report is quite detailed and quite lengthy and quite specific.

One of the conclusions of the grand jury was—and the language of the grand jury report is put in the Mihalich amendment—the grand jury strongly recommends that the legislature and the Judicial Conduct Board review their findings and take appropriate action, including the possible removal of Justice Larsen from the Pennsylvania Supreme Court.

Under our Constitution, Mr. Speaker, the appropriate action is an impeachment action, an impeachment proceeding.

Now, this resolution does not call for the impeachment of Justice Larsen; it does not make any conclusions or recommendations as to the allegations that have been made about Justice Larsen. All this resolution does is empower the House Judiciary Committee, with the authority of the House of Representatives, to begin the process, to begin that appropriate action that is recommended by the grand jury report, and it gives us the power, including the subpoena power, to begin that process. It makes no conclusions. It is certainly not reacting to any feeding frenzy, and I think that the committee, given the history of its behavior in this action, will act with deliberate speed but also within its constitutional limits and mandates and within the bounds of fairness and propriety.

This amendment by Mr. Mihalich would only subvert the clear authority that is granted in HR 205 to the Judiciary Committee and the Subcommittee on Courts. It is not an appropriate response to what the grand jury recommended, and it is certainly not an appropriate response to this body's constitutional exercise of the power of impeachment.

We are acting responsibly, we are acting deliberately, and we are acting in accordance with the Constitution with HR 205. It should not be amended. It should be enacted as is, and the Mihalich amendment should be defeated. Thank you, Mr. Speaker.

The SPEAKER. The chairman of the Subcommittee on Courts, Mr. Dermody, is recognized.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I agree with Chairman Caltagirone and Chairman Piccola. If this body, if this House of Representatives is interested in taking the appropriate action as recommended by this grand jury, then it is crucial that the Mihalich amendment be defeated.

The amendment removes the word "impeachment" from our resolution, and as has already been discussed, our constitutional basis for pursuing the investigation, in trying to obtain the documents from the grand jury investigation, is based on our ability and our constitutional duties to impeach. By removing that word from this resolution, you prohibit us from beginning an investigation. As a matter of fact, the arguments can be made that we do not have any standing to even conduct an investigation.

If we are to proceed in an appropriate manner, if we are to proceed in the best interests of the citizens of this Commonwealth to restore integrity and confidence to this court, we must defeat this amendment. Thank you.

The SPEAKER. The gentleman from Westmoreland County for the second time.

Mr. MIHALICH. Mr. Speaker, may I interrogate any one of the other three speakers? Mr. Piccola?

The SPEAKER. The gentleman from Dauphin, Representative Piccola, indicates that he will stand for interrogation. The gentleman may proceed.

Mr. MIHALICH. Mr. Speaker, did I understand you correctly in saying that we should respond appropriately to the grand jury request?

Mr. PICCOLA. What I said, Mr. Speaker, was that the grand jury made a recommendation that, among other things, the legislature take, and I quote, appropriate action which could include the possible removal of Justice Larsen from the Pennsylvania Supreme Court. What I am suggesting is that the appropriate response of the General Assembly and the appropriate action to be taken under the Constitution is impeachment, and that impeachment process begins in the House of Representatives, and we are asking, according to our committee structure, that this House of Representatives authorize the House Judiciary Committee and the Subcommittee on Courts to begin the investigation to determine whether that process should proceed further. So, yes, I do think we should respond to the grand jury report, and I think this resolution is calling for us to respond in the appropriate constitutional manner.

Mr. MIHALICH. Do you consider we should respond to the entire request or only half of the request?

Mr. PICCOLA. Mr. Speaker, you are going to have to clarify as to what you mean as to what that request was, because I think I just read what the request was.

Mr. MIHALICH. Yes. There were two parts in it. One asked for a review of their deliberations and the other half of it was to ask for the study for the possible removal of Justice Larsen.

Mr. PICCOLA. Well, the review of the findings of the grand jury will be part of the process that the House Judiciary Committee and perhaps ultimately the House of

Representatives as a whole will undertake in the process of determining whether or not Justice Larsen should be impeached and removed from office. So we will be engaging in both of those, responding to both of those recommendations.

Mr. MIHALICH. With all due respect, Mr. Speaker, HR 205, as it stands right now, specifies that their investigation should not go beyond anything that does not involve Justice Larsen. Is that not correct?

Mr. PICCOLA. It is accurate to say that the committee is authorized to investigate the conduct of the Honorable Rolf Larsen of the Supreme Court of Pennsylvania and to determine whether or not Rolf Larsen is liable to impeachment for misbehavior in office. That is accurate. There is no other investigation or no other party authorized to be investigated in the context of this resolution.

Mr. MIHALICH. Then during the course of this study or investigation or whatever you might call it—I assume you will be on that committee—if you found evidence of wrongdoing or impropriety in office by anyone, either a justice, an attorney, an officer of the court, the cleaning lady, whomever, it would not be incumbent upon you—I am not saying whether you will or not—but it would not be incumbent upon you to report that fact in your report to the full committee and then to the House.

Mr. PICCOLA. Well, first of all, it would depend upon whether or not the impropriety or the misconduct or the criminal activity that we discovered was relevant to Justice Larsen and his conduct in office. But assuming for the moment that it was not, if it was not relevant to his conduct but it did constitute evidence of a crime or some violation of ethical behavior that some other jurisdiction would have or some other agency would have jurisdiction over, then I think the Judiciary Committee or any member of the Judiciary Committee could formally or informally refer that information to the appropriate law enforcement agency or enforcement agency if that was appropriate. That is not to say we are going to—We certainly are not going to engage in any coverup if we uncover evidence of wrongdoing, but we would probably not make that a part of our report if it did not bear any relationship to Justice Larsen's conduct.

Mr. MIHALICH. My original question to you is, and you still have not answered it, would it be incumbent upon you, would you be required, to put that in your report, some extraneous business, if it did not deal directly with Justice Larsen?

Mr. PICCOLA. We would be required to put it in the report if it was relevant to the recommendations that that committee was making with respect to Justice Larsen. Then we would be required to put it in the report.

Mr. MIHALICH. Thank you.

On that question you have answered me correctly, and that is that it would not be incumbent upon you to report anything else that you might have come across that was not relevant to Justice Larsen. That is one of the major shortcomings.

Then I have heard, as I said before, you want to be responsive to the grand jury and that for the life of me I cannot see why you would not take their words, take their

request. They knew what they were doing. They did an outstanding job, as you pointed out, and I know that the committee did an outstanding job. I know the chairman and I know the vice chairman and I know everybody here, everybody on that committee, to be honorable, hardworking people who read the report. And if the report is so good, why is its conclusion so bad? Why can you not accept their language in this amendment?

Mr. PICCOLA. Because, Mr. Speaker, the language of the report recommends that the legislature take, quote, "appropriate action." They also in the same paragraph include in that appropriate action that the Judicial Conduct Board take appropriate action. The appropriate action for the Judicial Conduct Board is one course of action; it is different. The appropriate action for the General Assembly under the Constitution is impeachment specifically. The resolution speaks to impeachment, because that is in fact the appropriate action for the General Assembly to take.

Mr. MIHALICH. The language in the report uses the word "remove." Is there any other way to remove a Supreme Court Justice from office other than by impeachment or murder or whatever else you want? Tell me what other ways there are.

Mr. PICCOLA. There is a process recently reconstituted by this General Assembly and the voters of the Commonwealth called judicial discipline, and one of the sanctions that is available to the judicial discipline process is removal from office. So that is a possibility as well.

Mr. MIHALICH. Okay. We are not the Judicial Board; we are the House of Representatives, and the answer to my question, if I might paraphrase it, is that there is only one way we can do it as a House of Representatives, and that is by impeachment. To use another lawyer term, ipso facto, removing means impeachment. It is a specious argument to say that it does not call for impeachment because it uses the word "remove."

Mr. PICCOLA. Mr. Speaker, if I could respond to that question. Impeachment does not mean removal from office. Impeachment merely is a phrase that means accusation and recommendation that there is a prima facie case that the person has committed misbehavior in office and should be tried in the Senate of Pennsylvania, and if convicted by the Senate on the impeachment charges, then the person is removed from office. The mere fact of impeachment by the House of Representatives does not remove any civil officer from office.

Mr. MIHALICH. Is it not true though that the Senate cannot act without our impeachment proceedings?

Mr. PICCOLA. That is correct. The Senate cannot act.

Mr. MIHALICH. Right. Okay. Then you are going around the bush, but it means the same thing. If we do not impeach, they cannot convict. Thank you very much, Mr. Speaker.

Mr. Speaker, I want to highlight again the difference between my amendment and HR 205 as it now stands. It is a dangerous one.

One, I think that in our zeal, and I might at this point talk about a feeding frenzy, and what I refer to specifically as a feeding frenzy, and I did not address that to this House, I

addressed it only to those newspapers who used the following quote, and the quote was that the grand jury strongly recommended that Larsen be removed from the bench — strongly recommended.

Now that you have the quote from the report in front of you, there is no one can say that they said that they strongly recommended to remove Larsen. What they strongly recommended and what they emphasize and what they want is for this body to review their findings. That is what they strongly ask for. That is what they emphasize. That is what they need. That is what they want and that is what this Commonwealth deserves, in addition to impeaching Rolf Larsen if he deserves it.

We are not talking about a whole lot of different things here except one narrow thing: If we are going to invest already \$1 million and maybe another million—I do not know how much this is going to go to—why do we not get the full bang for our buck? Why are we going to pass up the treasure trove of information in that grand jury, in their archives, in their files? Why will we ignore anything in there if it does not deal directly with Rolf Larsen? It is an opportunity lost.

This committee in this House of Representatives has a golden opportunity here to help restore the image of the judiciary and, I might add, our own image in Pennsylvania. But if we go after this halfway—and I do not know that anybody here has any bad motives; I am sure of that—but if we go after this halfway, we are going to be held up to further ridicule and the clouds of suspicion will not be dispersed and we will not have done our job.

Mr. Speaker, I strongly urge—this is not a Republican or Democratic issue—I strongly urge that this House have the fortitude to respond to the request by the grand jury and do what they asked us to do and not modify their request. We are all House members here, and this is very serious business. As I said, there is no R and D involved here. Let us respond to their request — their premeditated, their well-thought-out request — of people who were concerned with the integrity of the Supreme Court.

Mr. Speaker, I urge an affirmative vote on my amendment.

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

Mr. GAMBLE. Mr. Speaker, I rise in support of the Mihalich amendment.

To most of you in the House, and I can tell by the feedback from our caucus that you think it is time for action by this House to straighten out the mess in the Supreme Court. Well, it is time for good government, and we can all agree on that. But I respectfully submit that this timing is bad on this action today. I respectfully submit, this is not a good-government issue today; this is a political issue today. Let us look at the facts for one moment.

The attorney general from party B paid a law firm from Philadelphia \$500,000 for his investigation, and the attorney general from party B paid another individual attorney \$330,000, for a total of \$830,000 in legal fees alone. The outcome of that investigation was that the Supreme Court

Justice sent his staff to get prescriptions under their names so he would not be embarrassed by his affliction, and that is what we paid \$830,000 for.

Now, my good friend, the minority leader, said yesterday, well, if you are not going to do it on that side, we are going to do it on this side, and that is the reason for the rush to action. In other words, if you do not do it today, we are going to fry that fish tomorrow, and tomorrow is here.

I am saying that the rush to action is purely political. This investigation is not for zero; it is going to cost money. We already had a thorough investigation with citizens of Pennsylvania involved on the grand jury.

I say to you that the Mihalich amendment is more than a fair compromise on this, and I would urge your support for it.

The SPEAKER. On the amendment, the gentleman, Mr. Clark, is recognized.

Mr. CLARK. Thank you, Mr. Speaker.

I believe and would like to urge the members to defeat the Mihalich amendment.

My understanding is that this resolution will authorize the Judiciary Committee and the Subcommittee on Courts to further investigate the findings of the grand jury report. During that investigation, we will need to review what the grand jury report used in order to reach their conclusions and make our own independent assessment of those transcripts, testimony, investigation, et cetera, and I believe that if during that process we find additional information or evidence regarding the entire Supreme Court system, that we may need to investigate that further, and if we find ourselves in that position, we can address that in any reports or findings which we present to the full House.

I do not believe that we need to be limited by the Mihalich wording, and I believe an investigation of the conduct set forth in the grand jury report and alleged to be performed by Justice Larsen could be expanded as we find other evidence as our investigation continues and as we make an appropriate recommendation to the Judiciary Committee and to the full House.

Therefore, I am against the Mihalich amendment and would like to vote for the resolution as is. Thank you.

The SPEAKER. The gentleman from Westmoreland County has already spoken twice on the amendment.

Are there other individuals who desire to debate? Hearing none, the—

Mr. MIHALICH. May I, Mr. Speaker, under unanimous consent offer one more comment, as a sponsor of the amendment?

The SPEAKER. Under unanimous consent I believe the gentleman would be in order. Hearing no objection to the gentleman, you may proceed.

Mr. MIHALICH. Thank you.

The previous speaker enunciated all the reasons why my amendment should be adopted — so that this committee would have the latitude to do whatever and handle whatever came before it. Without my amendment, the committee is hamstrung. It is focused only on those activities dealing with Justice

Larsen. Not to say that it does not deserve the attention; it does, but there might be other things, Mr. Speaker, that the committee is going to run into, and without my amendment, the committee would not be obliged to address them and neither would the House of Representatives get that information. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—13

DeLuca	Mihalich	Petrarca	Steelman
Gamble	Murphy	Petrone	Tangretti
Gigliotti	Pesci	Scrimenti	Trello
Kukovich			

NAYS—184

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

NOT VOTING—1

Olasz

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

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

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Geist, is recognized. Mr. GEIST. Thank you, Mr. Speaker.

I just want to correct the record in between amendments and voting here.

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

Mr. GEIST. Due to the inoperative switching system here that has been changed, HB 659 on final passage, I would like to be recorded in the affirmative. Thank you.

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

CONSIDERATION OF HR 205 CONTINUED

The SPEAKER. On the resolution, the gentleman from Allegheny County, the majority leader, Mr. Itkin, is recognized.

Mr. ITKIN. Yesterday this House had the happy experience of swearing in two new members. We knew at the time, though, that a sober experience awaited us, and now that time has come. This House must decide whether to move forward with an investigation into the conduct of a member of Pennsylvania's highest court. This is not an easy task, but it is a responsibility which lawmakers accept when they take the oath of office. We are here today to fulfill a responsibility that no one wants but which no one can shirk.

If the House approves this resolution, the Judiciary Committee's Subcommittee on Courts will be authorized to take testimony, subpoena documents, and make recommendations to the full committee based on the results of its investigation. The full committee would then make its recommendations to the House. If any further action is recommended, it will come in the form of a resolution, impeachment or otherwise. If the House adopts an impeachment resolution, Justice Larsen would then have to be tried in the Senate, prosecuted by a three-member commission of House members appointed by the Speaker.

We have not approached this matter lightly, and I have every confidence in the abilities of Chairman Caltagirone, Minority Chairman Piccola, Subcommittee Chairman Dermody, and Minority Subcommittee Chairman Clark to determine the facts and recommend a course of action. If today's resolution

is adopted, it will bring credit to this institution by directing a thorough and impartial investigation.

The minority leader and I have discussed this serious matter, and we agree on this very point: The investigation must be conducted in a bipartisan manner. Mr. Ryan has offered his counsel and support, and I take him up on that offer.

I trust that the subcommittee and committee will perform their duties expeditiously, but they must not sacrifice careful deliberations for the sake of expediency. Yes, we are anxious to put this painful episode behind us, but we cannot let our anxiety overwhelm the need to dispense justice fairly and to keep the good will of the people of Pennsylvania in mind. Thank you very much.

The SPEAKER. Chairman Caltagirone is recognized.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I just would like to make some brief remarks for the record.

As we consider the resolution which is before the House, I believe that it is important that we all remember the oath of office that we have taken and the duty that we owe to the people who have elected us. All public officials owe the highest duty of honesty and integrity to the citizens. When there are allegations of actions which constitute a breach of that trust, the Constitution requires that this body investigate and consider those charges.

It has been over 182 years since this House has been required to undertake the impeachment process. We are attempting to proceed in this matter in a fair, rational, and reasonable process. Our job is not to jump to conclusions but to reach conclusions only after we have completed that process.

This resolution initiates the investigative process so that we may fill our constitutional duty to assure that no public official breaches that public trust demanded of them.

I ask your support for this resolution. Thank you, Mr. Speaker.

The SPEAKER. Mr. Dermody is recognized.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, I am proud of this House for acting so quickly on this resolution. It is essential to the integrity of this body and to the integrity of this court that we proceed with this investigation. I personally assure you that it will be an independent investigation. It will be a thorough investigation. It will be done in a bipartisan manner, and it will be done with the thoroughness that reinstills the public confidence in us and in the judiciary.

It is essential that it be done now and that we take this step. I appreciate your support for this resolution, and we will not let you down. Thank you.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Acosta	Farmer	Maitland	Saurman
Adolph	Fee	Manderino	Saylor

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

NAYS—1

Mihalich

NOT VOTING—1

Bishop

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 1193, PN 1678**, entitled:

An Act amending the act of June 30, 1981 (P. L. 128, No. 43), entitled "Agricultural Area Security Law," prohibiting reallocation of State moneys.

On the question,

Will the House agree to the bill on third consideration?

Mr. LLOYD offered the following amendments No. A4388:

Amend Sec. 1, page 9, line 6, by striking out "14.1(H)" and inserting

14.1(h)(7) and (8)

Amend Sec. 1, page 9, line 8, by striking out "IS AMENDED" and inserting

are amended and the subsection is amended

Amend Sec. 1 (Sec. 14.1), page 9, by inserting between lines 14 and 15

(7) The first annual allocation to a county under paragraphs (3), (4) and (5)(i) shall continue for three county fiscal years occurring after the effective date of this act, and the second and third such annual allocations shall each continue for two county fiscal years occurring after the effective date of this act. Thereafter each such annual allocation shall be for one county fiscal year. Such annual allocations which have not been expended or encumbered at the end of the period for which they were allocated shall be reallocated in the subsequent county fiscal year to a county which used at least 90% of the allocation made to the county at the start of the period. An annual allocation shall be considered to be encumbered and shall not be reallocated if, by December 31 of the year in which that annual allocation was made to the county, the department has received an agreement executed by the landowner and the county to purchase a specific agricultural conservation easement as part of the county board's recommendation for purchase. The reallocation to a county under this paragraph shall be the total amount of the annual allocation available for reallocation under this paragraph multiplied by a percentage equal to the annual appropriation of local moneys appropriated by the county for the purchase of agricultural conservation easements at the start of the county fiscal year in which the annual allocation was made divided by the aggregate of local moneys appropriated by all eligible counties for the purchase of agricultural conservation easements at the start of the county fiscal year in which the annual allocation was made. Money reallocated to a county under this paragraph shall be available for one county fiscal year. Money reallocated to a county under this paragraph that has not been spent or encumbered at the conclusion of one county fiscal year shall be restored to the fund. Such money shall be considered to be encumbered and shall not be restored to the fund if, by December 31 of the year in which a reallocation was made to the county, the department has received an agreement executed by the landowner and the county to purchase a specific agricultural conservation easement as part of the county board's recommendation for purchase.

(8) Initial allocations to counties under paragraphs (2) and (5)(ii) shall continue until the end of the fourth county fiscal year occurring after the effective date of this act. The sum of the total annual allocations of all counties under paragraphs (2) and (5)(ii) which have not been expended or encumbered by the end of the fourth county fiscal year, and every county fiscal year thereafter, occurring after the effective date of this act shall be reallocated in the subsequent county fiscal year to a county which used at least 90% of the allocation made to the county at the start of the period. An annual allocation shall be considered to be encumbered and shall not be reallocated if, by December 31 of the year in which that annual allocation was made to the county, the department has received an agreement executed by the landowner and the county to purchase a specific

agricultural conservation easement as part of the county board's recommendation for purchase. For purposes of determining eligibility for reallocation of funds and the amounts of reallocation, funds allocated to counties will be segregated and accounted for on a county fiscal year basis. Fifty percent of the amount available for allocation under this paragraph shall be reallocated in the manner set forth in paragraph (2), and 50% of the amount available for allocation under this paragraph shall be reallocated in the manner set forth in paragraphs (3), (4) and (5). For purposes of reallocating funds in the manner set forth in paragraph (2), realty transfer tax revenues used to calculate weighted transfer tax revenues shall correspond to the year for which funds are being reallocated and weighted transfer tax revenues shall be calculated only for counties eligible under this paragraph. Money reallocated to a county under this paragraph shall be available for one county fiscal year. Money reallocated to a county under this paragraph that has not been spent or encumbered at the conclusion of one county fiscal year shall be restored to the fund. Such money shall be considered to be encumbered and shall not be restored to the fund if, by December 31 of the year in which a reallocation was made to the county, the department has received an agreement executed by the landowner and the county to purchase a specific agricultural conservation easement as part of the county board's recommendation for purchase.

Amend Bill, page 9, by inserting between lines 26 and 27 Section 2. The provisions of 7 Pa. Code Ch. 138e (relating to Agricultural Conservation Easement Purchase Program), are abrogated insofar as they are inconsistent with this act.

Amend Sec. 2, page 9, line 27, by striking out "2" and inserting

3

Amend Sec. 3, page 9, line 29, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the gentleman, Mr. Lloyd, is recognized.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would provide that starting in 1994 and thereafter, that a county which has money allocated to it under the farmland preservation program or reallocated to it at the beginning of a calendar year would hold on to that money for any projects, any purchase of development rights, if the necessary approval had been obtained from the county board, a necessary agreement had been signed with the farmer, and all of the paperwork had been submitted to the State board by the end of the calendar year.

Mr. Speaker, this is an effort to clarify the process and to give people a clear deadline but also allow them an opportunity to correct any mistakes and allow the State board an opportunity to have reasonable oversight and review of applications.

I ask for an affirmative vote.

The SPEAKER. On the amendment, the gentleman, Mr. Smith, is recognized.

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

This is an agreed-to amendment. I support a long-time fix rather than a temporary fix, and I urge my colleagues to support the amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—4

Carn	Hughes	Josephs	Markosek
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EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

Mr. RYAN. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. RYAN. Mr. Speaker, I think it would be a good idea if you reminded the members again of the difficulty with the voting machines and the method of voting. I am noticing with my machine and I know it is true of some of the others that they are not registering, and if you would reinstruct us or remind us that you should not push the button until everything starts to light up; otherwise, you are not going to be registered and you are not going to be voted. And I forget just what the other idiosyncrasies are at the moment, but I think you should remind us.

The SPEAKER. If at first the light does not display, the Chair is under the impression that one needs to put pressure on the button again after releasing pressure. That is item one. Item two is that the small white appurtenance at the side of the voting box is no longer functional, so you cannot clear your vote by pressing that white button. Now, to clear a vote, one would put pressure on both the red and the green light simultaneously. There are other idiosyncrasies, but I have also forgotten them.

Anybody that does have a question can certainly and appropriately and immediately direct it to the Chair, and the Parliamentarian or the technicians here near the well will be able to describe the remedy.

On the question recurring,

Shall the bill pass finally?

The following roll call was recorded:

YEAS—191

Acosta	Farmer	Lucyk	Rudy
Adolph	Fee	Lynch	Ryan
Allen	Fleagle	Maitland	Santoni
Argall	Flick	Manderino	Sather
Baker	Freeman	Markosek	Saurman
Battisto	Gamble	Marsico	Saylor
Bebko-Jones	Gannon	Masland	Scrimenti
Belardi	Geist	Mayernik	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
Butkowitz	Gruppo	Mihalich	Steighner
Buxton	Haluska	Miller	Steil
Caltagirone	Hanna	Mundy	Stern
Cappabianca	Harley	Murphy	Stetler
Carn	Hasay	Nailor	Stish
Carone	Hennessey	Nickol	Surra
Cawley	Herman	Nyce	Tangretti
Cessar	Hershey	O'Brien	Taylor, E. Z.
Chadwick	Hess	O'Donnell	Taylor, J.
Civera	Hughes	Olasz	Thomas
Clark	Itkin	Oliver	Tigue
Clymer	Jadlowiec	Perzel	Tomlinson
Cohen, L. I.	James	Pesci	Trello
Cohen, M.	Jarolin	Petrarca	Trich
Colaella	Josephs	Petrone	Tulli
Colaizzo	Kaiser	Pettit	Uliana
Conti	Kasunic	Phillips	Vance
Cornell	Keller	Piccola	Van Horne
Corrigan	Kenney	Pistella	Veon
Cowell	King	Pitts	Vitali
Coy	Kirkland	Platts	Washington
Curry	Krebs	Preston	Waugh
Daley	Kukovich	Raymond	Williams
DeLuca	LaGrotta	Reber	Wogan
Dempsey	Laub	Reinard	Wozniak
Dent	Laughlin	Richardson	Wright, D. R.
Dermody	Lawless	Ritter	Wright, M. N.
Druce	Lederer	Roberts	Yandrisevits
Durham	Lee	Robinson	Yewcic
Egolf	Leh	Roebuck	Zug
Evans	Lescovitz	Rohrer	
Fairchild	Levdansky	Rooney	DeWeese,
Fajt	Lloyd	Rubley	Speaker
Fargo			

NAYS—7

Armstrong	Scheetz	Strittmatter	True
Barley	Schuler	Sturla	

NOT VOTING—0

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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.

* * *

The House proceeded to third consideration of **HB 411, PN 1170**, entitled:

An Act amending the act of February 9, 1984 (P.L.3, No.2), known as the Deputy Sheriffs' Education and Training Act, further providing for the Deputy Sheriffs' Education and Training Account.

On the question,

Will the House agree to the bill on third consideration?

Mr. MAYERNIK offered the following amendments No. A4466:

Amend Sec. 1 (Sec. 8), page 1, line 17, by inserting after "first"

and second

Amend Sec. 1 (Sec. 8), page 1, line 18, by inserting after "first"

and second

Amend Bill, page 2, by inserting between lines 9 and 10

Section 2. All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Amend Sec. 2, page 2, line 10, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes David Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

Before I get into my cadre of amendments, I would like to withdraw all amendments with the exception of these four: A4466, A4468, A4469, and A4470. So in essence, we will only be addressing four amendments that I have submitted regarding HB 411, PN 1170.

Mr. Speaker, before I get into defining the amendments and breaking them down, I would like to yield at this time to Kevin Blaum, who is the chairman of the PCCD (Pennsylvania Commission on Crime and Delinquency). There appears to be some confusion regarding the amendments, and if I could yield at this time to let Chairman Blaum have a few words on the amendments.

The SPEAKER. Mr. Mayernik yields, and Mr. Blaum is recognized.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, these amendments have been discussed for several months, and Representative Mayernik has cooperated over the last 48 hours, I believe. Changes have been made, and we have no objection to these amendments, and at this time I would ask the Speaker to recognize Representative Reber.

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

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, I would address these comments to the members of the Republican Caucus. You may recall during caucus there was concern by me relative to a number of the amendments. Those amendments have been withdrawn. PCCD, as you have heard from Representative Blaum, has reviewed these. We are in basic agreement with these amendments now, that they will not prejudice the true intent of HB 411, so I will be withdrawing my objections to the remaining amendments on this. I want you to understand that in light of the prior protestations that I had made concerning the possible amendments that might be offered by Representative Mayernik. These amendments are all right, from my perspective, and will not harm the intent of the bill. Thank you, Mr. Speaker.

I return to Representative Mayernik.

The SPEAKER. In light of your prior protestations, I am glad you illuminated us.

The gentleman, Mr. Mayernik, is recognized.

Mr. MAYERNIK. Thank you, Mr. Speaker.

First, I would like to thank Representative Blaum and Representative Reber for working in a bipartisan manner to forward this issue.

The first amendment, A4466, would extend the collection of this surcharge to the prothonotary of Allegheny County. Presently in the legislation the prothonotary of Philadelphia is collecting the surcharge, and this would permit the prothonotary in Allegheny County to collect the surcharge. It does not affect any other county in this Commonwealth. I have spoken to the prothonotary's staff in Allegheny County, and they do not seem to have any problems with this.

I would ask for an affirmative vote.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—198

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

Dermody	Lederer	Roebuck	Wright, M. N.
Druce	Lee	Rohrer	Yandrisevits
Durham	Leh	Rooney	Yewcic
Egolf	Lescovitz	Rubley	Zug
Evans	Levdansky	Rudy	
Fairchild	Lloyd	Ryan	DeWeese,
Fajt	Lucyk	Santoni	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question,

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

Mr. MAYERNIK offered the following amendments No. A4469:

Amend Title, page 1, line 9, by inserting after "the"
Deputy Sheriffs' Education and Training Board and the

Amend Bill, page 1, lines 12 through 14, by striking out all of said lines and inserting

Section 1. Section 3 of the act of February 9, 1984 (P.L.3, No.2), known as the Deputy Sheriffs' Education and Training Act, is amended to read:

Section 3. The Deputy Sheriffs' Education and Training Board.

(a) Establishment.—There is hereby established within the commission an advisory board to be known as the Deputy Sheriffs' Education and Training Board.

(b) Composition.—The board shall be composed of nine members as follows:

(1) The Attorney General.

(2) Two judges of the courts of common pleas from different counties.

(3) Two sheriffs or chief deputies from different counties with a minimum of six years experience as a sheriff or chief deputy.

(4) Three individuals [from different counties], one of whom is a deputy sheriff with a rank of sergeant or deputy sheriff with a minimum of eight years experience [each] as a deputy sheriff, who is currently employed in the capacity as a deputy sheriff with a rank of sergeant or deputy sheriff, to be appointed by the Governor.

(5) One educator qualified in the field of curriculum design.

(c) Appointments and terms.—All members of the board, other than the Attorney General, who shall be a permanent member, shall be appointed by the Governor for a period of three years except that upon the effective date of this act the Governor shall appoint one judge for a period of two years, one sheriff for a period of two years and one deputy sheriff for a period of one year. Any member of the board shall cease to be a member of said board immediately upon termination of service in the position by which that person was eligible for membership or appointed as a member of the board.

(d) Vacancies.—A member appointed to fill a vacancy created by any reason other than expiration of a term shall be appointed for the unexpired term of the member whom he is to succeed in the same manner as the original appointment.

(e) Expenses.—The members of the board shall serve without compensation but shall be reimbursed the necessary and

actual expenses incurred in attending the meetings of the board and in the performance of their duties under this act.

(f) Removal.—Members of the board, other than the Attorney General, may be removed by the Governor for good cause upon written notice from the Governor specifically setting forth the cause for removal.

(g) Chairman.—The members of the board shall elect a chairman from among the members to serve for a period of one year. A chairman may be elected to serve successive terms. The Governor shall designate the first chairman for organizational purposes only.

(h) Meetings and quorum.—The chairman shall summon the members of the board to the first meeting within 120 days of the effective date of this act. The board shall meet at least four times each year. Special meetings may be called by the chairman of the board or upon written request of three members. A quorum shall consist of five members.

Section 2. Section 8 of the act is amended by adding a subsection to read:

Amend Bill, page 2, line 10, by striking out all of said line and inserting

Section 3. All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Section 4. This act shall take effect as follows:

(1) The addition of section 8(b.1) of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Allegheny County.

Mr. MAYERNIK. Thank you, Mr. Speaker.

This amendment would require that an individual who is hired or appointed as a deputy sheriff prospectively, after the enactment of this legislation, will be required to have a high school education or a GED (general educational development). There is a section 2 in the bill that grandfathers existing employees in, so this is a prospective amendment.

I ask for an affirmative vote, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

Acosta	Fajt	Maitland	Saurman
Adolph	Fargo	Manderino	Saylor
Allen	Farmer	Markosck	Scheetz
Argall	Fee	Marsico	Schuler
Armstrong	Fleagle	Masland	Scrimenti
Baker	Flick	Mayernik	Semmel
Barley	Freeman	McCall	Serafini
Battisto	Gannon	McGeehan	Smith, B.
Bebko-Jones	Geist	McNally	Smith, S. H.
Belardi	Gerlach	Melio	Snyder, D. W.
Belfanti	Gigliotti	Merry	Staback
Birmelin	Gladeck	Michlovic	Stairs
Bishop	Godshall	Micozzie	Steelman
Blaum	Gordner	Mihalich	Steighner
Boyes	Gruitza	Miller	Steil
Brown	Gruppo	Mundy	Stern
Bunt	Haluska	Murphy	Stetler
Butkovitz	Hanna	Nailor	Stish

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

NAYS—0

NOT VOTING—4

Gamble	George	Lucyk	Rohrer
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EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question recurring,

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

Mr. MAYERNIK offered the following amendments No. A4470:

Amend Title, page 1, line 9, by inserting after "the"
Deputy Sheriffs' Education and Training
Program and the

Amend Bill, page 1, lines 12 through 14, by striking out all of said lines and inserting

Section 1. Sections 4 and 5 of the act of February 9, 1984 (P.L.3, No.2), known as the Deputy Sheriffs' Education and Training Act, are amended to read:

Section 4. Powers and duties of the board.

The board, with the review and approval of the commission, shall:

(1) Establish, implement and administer the Deputy Sheriffs' Education and Training Program according to the minimum requirements set forth in this act.

(2) Establish, implement and administer requirements for the minimum courses of study and training for deputy sheriffs. Deputy sheriffs who have successfully completed a course of study equivalent to that set out in the

Municipal Police Officers' Education and Training Program, at a school certified by the Municipal Police Officers' Education and Training Commission for providing such training, shall be deemed to have satisfied 120 of the 160 hours required as the minimum course of study and training.

(3) Establish, implement and administer requirements for courses of study and in-service training for deputy sheriffs appointed prior to the effective date of this act.

(4) Establish, implement and administer requirements for a continuing education program for all deputy sheriffs concerning subjects the board may deem necessary and appropriate for the continued education and training of deputy sheriffs.

(5) Approve or revoke the approval of any school which may be utilized to comply with the educational and training requirements of this act. In all cases where the sheriff of the county chooses to have his deputies receive the municipal police officers' basic training in lieu of the deputy sheriffs' basic training, any school which has been approved for providing basic police training by the Municipal Police Officers' Education and Training Commission shall be deemed to have satisfied the requirements of this paragraph.

(6) Establish the minimum qualifications for instructors and certify instructors. In all cases where the sheriff of the county chooses to have his deputies receive the municipal police officers' basic training in lieu of the deputy sheriffs' basic training, any instructor who has been certified by the Municipal Police Officers' Education and Training Commission shall be deemed to have satisfied the requirements of this paragraph.

(7) Consult and cooperate with universities, colleges, law schools, community colleges and institutes for the development of specialized courses for deputy sheriffs.

(8) Promote the most efficient and economical program for deputy sheriff training by utilizing existing facilities, programs and qualified State and local personnel.

(9) Certify deputy sheriffs who have satisfactorily completed the basic education and training requirements of this act and issue appropriate numbered certificates to them.

(10) Make rules and regulations and perform other duties as may be reasonably necessary or appropriate to administer the education and training program for deputy sheriffs.

(11) Make an annual report to the Governor and to the General Assembly concerning:

(i) The administration of the Deputy Sheriffs' Education and Training Program.

(ii) The activities of the board.

(iii) The costs of the program.

Section 5. Training program.

The Deputy Sheriffs' Education and Training Program shall include appropriate training for a total of 160 hours which content shall be determined by regulation. In all cases where the sheriff of the county chooses to have his deputies receive the municipal police officers' basic training in lieu of the deputy sheriffs' basic training, such training shall be deemed to have satisfied 120 of the 160 hours required by this section.

Section 2. Section 8 of the act is amended by adding a subsection to read:

Amend Bill, page 2, line 10, by striking out all of said line and inserting

Section 3. All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Section 4. This act shall take effect as follows:

(1) The addition of section 8(b.1) of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman, Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

This amendment addresses the configuration of the board. In one subsection (4) of this legislation, it states that three individuals will be appointed by the Governor. This further goes to define that one individual will be a deputy sheriff with the rank of sergeant or above with a minimum of 8 years' experience.

For the first 7 years of existence of this board, the Deputy Sheriffs' Education and Training Board, there were no deputy sheriffs on the board. It seems rather odd that there are no deputy sheriffs on a deputy sheriffs' education and training board. So in the last 2 years, there has been one appointed. We are statutorily saying that a deputy sheriff shall be appointed to this board.

I ask for an affirmative vote, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—193

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

Dent	Lederer	Rohrer	Wright, M. N.
Dermody	Lee	Rooney	Yandrisevits
Druce	Leh	Rubley	Yewcic
Durham	Lescovitz	Rudy	Zug
Egolf	Levdansky	Ryan	
Evans	Lloyd	Santoni	DeWeese,
Fairchild	Lucyk	Sather	Speaker
Fajt	Lynch	Saurman	

NAYS—0

NOT VOTING—5

Bebko-Jones	Jarolin	McGeehan	Micozzie
Hughes			

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question recurring,

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

Mr. MAYERNIK offered the following amendments No. A4468:

Amend Title, page 1, line 9, by inserting after "for" training requirement and for

Amend Sec. 1, page 1, line 12, by striking out "Section 8" and inserting

Sections 7 and 8

Amend Sec. 1, page 1, line 14, by striking out "is" and inserting

are

Amend Sec. 1, page 1, line 14, by striking out "a subsection" and inserting subsections

Amend Sec. 1, page 1, by inserting between lines 14 and 15 Section 7. Training requirement.

(a.1) Diploma.—No person shall be employed or appointed as a deputy sheriff unless the person is a high school graduate or has received a secondary school diploma on the basis of general education development (GED).

Amend Bill, page 2, by inserting between lines 9 and 10

Section 2. The amendment of section 7 of the act shall apply to all deputy sheriffs employed or appointed on or after the effective date of this act.

Amend Sec. 2, page 2, line 10, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the gentleman, Mr. Mayernik, is recognized.

Mr. MAYERNIK. Thank you, Mr. Speaker.

This amendment has basically maintained the status quo or codifying and putting in statute what the commission or the board already does, and there are three issues we are addressing here. One is it requires numbered certificates for the deputy sheriffs' education and training. Two is it also states

that any deputy sheriff that has attended Act 120 training, which is 520 hours of training, will receive a 120-hour credit towards the 160 hours required under Act 2 of 1984. That is a practice that has also been a matter of policy for the last several years by this board or commission. The third issue states that those individuals who are certified to teach under Act 20, the certification will also carry forward into Act 2, and they will accept that certification.

That concludes my amendments, Mr. Speaker. I would ask for an affirmative vote on this amendment also.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—2

Bishop Roebuck

EXCUSED—5

Bush Fichter Hutchinson Rieger
Donatucci

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

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

Dent	Lederer	Rohrer	Wright, M. N.
Dermody	Lee	Rooney	Yandrisevits
Druce	Leh	Rublely	Yewcic
Durham	Lescovitz	Rudy	Zug
Egolf	Levdansky	Ryan	
Evans	Lloyd	Santoni	DeWeese,
Fairchild	Lucyk	Sather	Speaker
Fajt	Lynch		

NAYS—0

NOT VOTING—2

George McNally

EXCUSED—5

Bush Fichter Hutchinson Rieger
Donatucci

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

Mr. GEORGE. Mr. Speaker, I would ask that you be a little bit less hasty when you knock that vote off. My switch is not operating properly, and I would not want the people back home to think I am not voting today. So would you just relax a little bit. My button is not working.

The SPEAKER. The gentleman should be alerted that a reconsideration motion would be appropriate and would be received favorably by the Chair.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair would like to welcome to our midst a former member of the House and a former chairman of one of our committees, from Philadelphia, the gentlelady, Ruth Harper. Ruth is in our midst today, and we welcome her to the hall of the House.

Mr. RYAN. Mr. Speaker?

The SPEAKER. The Chair recognizes the distinguished gentleman from Delaware County.

Mr. RYAN. Have we finished for the day?

The SPEAKER. Will the gentleman yield momentarily.

We do have some additional measures to attend to, Mr. Ryan. I am glad that you have spurred my enthusiasm.

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1336, PN 1475**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Mr. ROBINSON offered the following amendments No. A3966:

Amend Title, page 1, lines 1 through 21, by striking out all of said lines and inserting

Amending the act of March 7, 1901 (P.L.20, No.14), entitled "An act for the government of cities of the second class," providing for land use appeals.

Amend Bill, page 1, lines 24 through 27; pages 2 and 3, lines 1 through 30; page 4, lines 1 through 27, by striking out all of said lines on said pages and inserting

Section 1. The act of March 7, 1901 (P.L.20, No.14), referred to as the Second Class City Law, is amended by adding an article to read:

ARTICLE IX.I.

Land Use Appeals.

Section 1. The procedure set forth in this article shall, notwithstanding any other provision of law, constitute the exclusive mode for securing review of any land use decision rendered pursuant to this act, the act of March 31, 1927 (P.L.98, No.69), referred to as the Second Class City Zoning Law, or a local ordinance.

Section 2. All appeals from all land use decisions rendered pursuant to this act, the act of March 31, 1927 (P.L.98, No.69), referred to as the Second Class City Zoning Law or a local ordinance shall be taken to the court of common pleas of the judicial district wherein the land is located and shall be filed within thirty days after entry of the decision as provided in 42 Pa.C.S. § 5572.

Section 3. (a) Land use appeals shall be entered as of course by the prothonotary or clerk upon the filing of a land use appeal notice which concisely sets forth the grounds on which the appellant relies. The appeal notice need not be verified. The land use appeal notice shall be accompanied by a true copy thereof.

(b) Upon filing of a land use appeal, the prothonotary or clerk shall forthwith, as of course, send to the governing body, board or agency whose decision or action has been appealed, by registered mail, the copy of the land use appeal notice, together with a writ of certiorari commanding said governing body, board or agency, within twenty days after receipt thereof, to certify to the court its entire record in the matter in which the land use appeal has been taken, or a true and complete copy thereof, including any transcript of testimony in existence and available to the governing body, board or agency at the time it received the writ of certiorari.

(c) If the appellant is a person other than the landowner of the land directly involved in the decision or action appealed from, the appellant, within seven days after the land use appeal is filed, shall serve a true copy of the land use appeal notice by mailing said notice to the landowner or his attorney at his last known address. For identification of such landowner, the appellant may rely upon the record of the municipality and, in the event of good faith mistakes as to such identity, may make such service nunc pro tunc by leave of court.

Section 4. Except in the event of an appeal by the municipality, the filing of an appeal in court under this article shall not stay the action appealed from, but the appellant may petition the court having jurisdiction of land use appeals for a stay. If the appellant is a person who is seeking to prevent a use or development of the land of another, whether or not a stay is sought by him, the landowner whose use or development is in question may, except in the event of an appeal by the municipality, petition the court to order the appellant to post bond as a condition to proceeding with the appeal. After the petition for posting a bond is presented, the court shall hold a hearing to determine if the filing of the appeal is frivolous. At the hearing, evidence may be presented on the merits of the case. It shall be the burden of the landowner to prove the appeal is frivolous. After consideration of all evidence presented, if the court determines that the appeal is frivolous, it shall grant the petition for posting

a bond. The municipality shall not be required to post a bond. The right to petition the court to order the appellant to post bond may be waived by the appellee, but such waiver may be revoked by him if an appeal is taken from a final decision of the court. The question of the amount of the bond shall be within the sound discretion of the court. An order denying a petition for bond shall be interlocutory. An order directing the respondent to the petition for posting a bond to post a bond shall be interlocutory. If an appeal is taken by a respondent to the petition for posting a bond from an order of the court dismissing a land use appeal for refusal to post a bond, such responding party, upon motion of petitioner and, after hearing in the court having jurisdiction of land use appeals, shall be liable for all reasonable costs, expenses and attorney fees incurred by petitioner.

Section 5. Within the thirty days first following notice to the city solicitor of the filing of a land use appeal, if the appeal is from a board or agency of a municipality, the municipality and any owner or tenant of property directly involved in the action appealed from may intervene as of course by filing a notice of intervention, accompanied by proof of service of the same, upon each appellant or each appellant's counsel of record. All other intervention shall be governed by the Pennsylvania Rules of Civil Procedure.

Section 2. This act shall apply to appeals filed on or after the effective date of this act.

Section 3. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

The SPEAKER. Does the gentleman seek recognition? The gentleman does not seek recognition.

Does the gentleman, Mr. Petrarca, rise for—

Mr. PETRARCA. HB 1956, PN 2643, we are voting on the amendment now?

The SPEAKER. The gentleman should be aware that we are on page 10 of today's calendar, at the bottom of the page, HB 1336, PN 1475.

The Chair apologizes, but the lack of machinery or at least the lack of operative machinery has caused some confusion.

Mr. PETRARCA. Thank you, Mr. Speaker.

The SPEAKER. We are on HB 1336. In fact we are on HB 1336, amendment A3966. The gentleman, Mr. Robinson, has proposed the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—192

Adolph	Fargo	Manderino	Saylor
Allen	Farmer	Markosek	Scheetz
Argall	Fee	Marsico	Schuler
Armstrong	Fleagle	Masland	Scrimanti
Baker	Flick	Mayernik	Semmel
Barley	Freeman	McCall	Serafini
Battisto	Gamble	McGeehan	Smith, B.
Bebko-Jones	Gannon	McNally	Smith, S. H.
Belardi	Geist	Melio	Snyder, D. W.
Belfanti	George	Merry	Staback
Birmelin	Gerlach	Michlovic	Stairs
Bishop	Gigliotti	Micozzie	Steelman
Blaum	Gladeck	Mihalich	Steighner
Boyes	Godshall	Miller	Steil
Brown	Gordner	Mundy	Stern
Bunt	Gruitza	Murphy	Stetler

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

NAYS—0

NOT VOTING—6

Acosta	Jarolin	Richardson	Roberts
James	Kirkland		

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

Adolph	Farmer	Maitland	Saurman
Allen	Fee	Manderino	Saylor
Argall	Fleagle	Markosek	Scheetz
Armstrong	Flick	Marsico	Schuler
Baker	Freeman	Masland	Scrimanti
Barley	Gamble	Mayernik	Semmel
Battisto	Gannon	McCall	Serafini

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

NAYS—0

NOT VOTING—1

Acosta

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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 1335, PN 1474**, entitled:

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.

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—195

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

NAYS—0

NOT VOTING—3

Bunt	Keller	O'Donnell
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EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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 1738, PN 2013**, entitled:

An Act amending the act of July 7, 1947 (P.L.1368, No.542), known as the Real Estate Tax Sale Law, including cities of the second class A and school districts therein.

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

Coy	Kukovich	Reinard	Waugh
Curry	LaGrotta	Richardson	Williams
Daley	Laub	Ritter	Wogan
DeLuca	Laughlin	Roberts	Wozniak
Dempsey	Lawless	Robinson	Wright, D. R.
Dent	Lederer	Roebuck	Wright, M. N.
Dermody	Lee	Rohrer	Yandrisevits
Druce	Leh	Rooney	Yewcic
Durham	Lescovitz	Rubley	Zug
Egolf	Levdansky	Rudy	
Evans	Lloyd	Ryan	DeWeese,
Fairchild	Lucyk	Santoni	Speaker
Fajt	Lynch	Sather	

NAYS—0

NOT VOTING—1

Krebs

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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 666, PN 2406**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for restrictions on use of *limited access highways*.

On the question,

Will the House agree to the bill on third consideration?

Mr. CESSAR offered the following amendment No. A4031:

Amend Sec. 1 (Sec. 3313), page 1, line 14, by striking out "IN ANY OTHER COUNTY"

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the gentleman from the Fox Chapel area is recognized.

Mr. CESSAR. Ah, the Speaker is absolutely correct.

And now the winning number is 666, Mr. Speaker. This is a technical amendment to this bill which has been agreed to by the prime sponsor, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

Acosta	Farmer	Maitland	Saurman
Adolph	Fee	Manderino	Saylor

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

NAYS—0

NOT VOTING—1

Fajt

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question,

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

Mr. PISTELLA offered the following amendment No. A4480:

Amend Sec. 1 (Sec. 3313), page 1, line 15, by removing the period after "pools" and inserting

except where the department can demonstrate that such use will create a safety hazard.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the gentleman, Mr. Pistella, is recognized.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment will place this proposed legislation in line with the code of Federal regulations concerning the use of limited-access highways by motorcycles. Currently any State that receives Federal funds for this purpose must have a provision included that would provide for the exception or exemption of using motorcycles on these limited-access highways if in fact it was shown or demonstrated to be hazardous. What this language will do is, it will provide the same standards for those limited-access highways that are under the control of the Department of Transportation that do not receive Federal funds so we have a uniform application statewide.

I would appreciate the support of the members.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

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

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

NAYS—0

NOT VOTING—1

Roebuck

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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 1304, PN 1443**, entitled:

An Act designating the interchange at Interstate 79 and Interstate 80 in Mercer County as the Orville DeWayne "O.D." Anderson Interchange.

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	Lynch	Sather
Adolph	Farmer	Maitland	Saurman
Allen	Fee	Manderino	Saylor
Argall	Fleagle	Markosek	Scheetz
Armstrong	Flick	Marsico	Schuler
Baker	Freeman	Masland	Scrimanti

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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 (FRED A. TRELLO) PRESIDING

The House proceeded to third consideration of **HB 1488, PN 2408**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the reissuance of certain inactive personal plate number and letter combinations.

On the question,

Will the House agree to the bill on third consideration?

Mr. CESSAR offered the following amendment No. A4350:

Amend Sec. 2 (Sec. 1341), page 2, lines 3 through 8, by striking out all of said lines and inserting
The department is authorized to reissue a combination of numbers or letters for a personal plate if the department records reveal that no activity, such as renewal or transfer of the personal registration plate, has occurred for a period of five or more consecutive years, and provided that the personal registration plate was never reported as lost or stolen. Whenever the department reissues an inactive personal plate, the department may purge its records of all references to the previous owners of that personal plate. The department shall, however, note upon its records the reissuance of the personal plate and to whom the plate was issued.

On the question,

Will the House agree to the amendment?

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

Mr. CESSAR. Thank you, Mr. Speaker.

This amendment does essentially the same thing as the original intent of the bill. The only thing is that we talked to the Department of Transportation. They gave us some language which would make it more clear as to what we should be doing with this, and it is acceptable to me and to all of the members on the Transportation Committee. I suggest we vote for this. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

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

Chadwick	Hughes	Perzel	Thomas
Civera	Itkin	Pesci	Tigue
Clark	Jadlowiec	Petrarca	Tomlinson
Clymer	James	Petrone	Trello
Cohen, L. I.	Jarolin	Pettit	Trich
Cohen, M.	Josephs	Phillips	True
Colaella	Kaiser	Piccola	Tulli
Colaizzo	Kasunic	Pistella	Uliana
Conti	Keller	Pitts	Vance
Cornell	Kenney	Platts	Van Home
Corrigan	King	Preston	Veon
Cowell	Kirkland	Raymond	Vitali
Coy	Krebs	Reber	Washington
Curry	Kukovich	Reinard	Wagh
Daley	LaGrotta	Richardson	Williams
DeLuca	Laub	Ritter	Wogan
Dempsey	Laughlin	Roberts	Wozniak
Dent	Lawless	Robinson	Wright, D. R.
Dermody	Lederer	Rohrer	Wright, M. N.
Druce	Lee	Rooney	Yandrisevits
Durham	Leh	Rubley	Yewcic
Egolf	Lescovitz	Rudy	Zug
Evans	Levdansky	Ryan	
Fairchild	Lloyd	Santoni	DeWeese,
Fajt	Lucyk	Sather	Speaker
Fargo			

NAYS—0

NOT VOTING—3

Bishop	Oliver	Roebuck
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EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

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

Boyes	Gordner	Miller	Steil
Brown	Gruitza	Mundy	Stern
Bunt	Gruppo	Murphy	Stetler
Butkovitz	Haluska	Nailor	Stish
Buxton	Hanna	Nickol	Strittmatter
<i>Caltagirone</i>	Harley	Nyce	Sturja
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	O'Donnell	Tangretti
Carone	Herman	Olasz	Taylor, E. Z.
Cawley	Hershey	Oliver	Taylor, J.
Cessar	Hess	Perzel	Thomas
Chadwick	Hughes	Pesci	Tigue
Civera	Itkin	Petrarca	Tomlinson
Clark	Jadlowiec	Petrone	Trello
Clymer	James	Pettit	Trich
Cohen, L. I.	Jarolin	Phillips	True
Cohen, M.	Josephs	Piccola	Tulli
Colaella	Kaiser	Pistella	Uliana
Colaizzo	Keller	Pitts	Vance
Conti	Kenney	Platts	Van Horne
Cornell	King	Preston	Veon
Corrigan	Kirkland	Raymond	Vitali
Cowell	Krebs	Reber	Washington
Coy	Kukovich	Reinard	Waugh
Curry	LaGrotta	Richardson	Williams
Daley	Laub	Ritter	Wogan
DeLuca	Laughlin	Roberts	Wozniak
Dempsey	Lawless	Robinson	Wright, D. R.
Dent	Lederer	Rochuck	Wright, M. N.
Dermody	Lee	Rohrer	Yandrisevits
Druce	Leh	Rooney	Yewcic
Durham	Lescovitz	Rubley	Zug
Egolf	Levdanskyy	Rudy	
Evans	Lloyd	Ryan	DeWeese,
Fairchild	Lucyk	Santoni	Speaker
Fajt	Lynch	Sather	

NAYS—0

NOT VOTING—1

Kasunic

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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 1514, PN 1689**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the suspension of operating privileges for failure to respond to a citation.

On the question,

Will the House agree to the bill on third consideration?

Mr. COLAIZZO offered the following amendments No. A4382:

Amend Title, page 1, line 3, by removing the period after "citation" and inserting

and for lack of financial responsibility.

Amend Sec. 1, page 1, line 6, by striking out "Section 1533" and inserting

Sections 1533 and 1786(d)

Amend Sec. 1, page 1, line 7, by striking out "is" and inserting

are

Amend Bill, page 3, line 16, by striking out all of said line and inserting

§ 1786. Required financial responsibility.

* * *

(d) Suspension of registration and operating privilege.—The Department of Transportation shall suspend the registration of a vehicle for a period of three months if it determines the required financial responsibility was not secured as required by this chapter and shall suspend the operating privilege of the owner or registrant for a period of three months if the department determines that the owner or registrant has operated or permitted the operation of the vehicle without the required financial responsibility. The operating privilege shall not be restored until the restoration fee for operating privilege provided by section 1960 (relating to reinstatement of operating privilege or vehicle registration) is paid. Whenever the department revokes or suspends the registration of any vehicle under this chapter, the department shall not restore the registration until the vehicle owner furnishes proof of financial responsibility in a manner determined by the department and submits an application for registration to the department, accompanied by the fee for restoration of registration provided by section 1960. This subsection shall not apply in the following circumstances:

(1) The owner or registrant proves to the satisfaction of the department that the lapse in financial responsibility coverage was for a period of less than 31 days and that the owner or registrant did not operate or permit the operation of the vehicle during the period of lapse in financial responsibility.

(2) The owner or registrant is a member of the armed services of the United States, the owner or registrant has previously had the financial responsibility required by this chapter, financial responsibility had lapsed while the owner or registrant was on temporary, emergency duty and the vehicle was not operated during the period of lapse in financial responsibility. The exemption granted by this paragraph shall continue for 30 days after the owner or registrant returns from duty as long as the vehicle is not operated until the required financial responsibility has been established.

* * *

Section 2. This act shall take effect as follows:

(1) The amendment of 75 Pa.C.S. § 1786(d) shall take effect immediately.

(2) The remainder of this act shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

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

Mr. COLAIZZO. Thank you, Mr. Speaker.

The purpose of this amendment is as a result of the Commonwealth Court, in the case of *Commonwealth v. Marpoe*, which ruled that the provisions of section 1786 of Title 75 authorize a suspension of registration only until new insurance is obtained, not for the 90 days imposed by PennDOT. PennDOT contends that the 90-day suspension penalty set forth in the second clause of the provision applied

to both registration and operating privileges. This amendment authorizes a 90-day vehicle registration suspension once there has been a lapse in insurance coverage in excess of 30 days, as was the case prior to the recent court decision.

I urge the ladies and gentlemen on both sides of the aisle to pass this amendment. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

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

NAYS—7

Dent	Hennessey	Semmel	Yandrisevits
Gruitza	Kenney	Snyder, D. W.	

NOT VOTING—0

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question,

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

Bill as amended 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—193

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

Evans	Lloyd	Rudy	DeWeese,
Fairchild	Lucyk	Ryan	Speaker
Fajt	Lynch	Santoni	

NAYS—3

Kenney	Snyder, D. W.	Yandrisevits
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NOT VOTING—2

Argall	Godshall
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EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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 1892, PN 2410**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. McCALL offered the following amendments No. A4047:

Amend Title, page 1, line 2, by removing the period after "program" and inserting

; and making a repeal.

Amend Sec. 1, page 1, line 5, by striking out "and (b.1)(1)" and inserting

, (b.1)(1) and (c)(1)

Amend Sec. 1 (Sec. 4706), page 4, by inserting between lines 7 and 8

(c) Evidence of emission inspection.—

(1) The department shall issue evidence of emission inspection through an official emission inspection station or an authorized agent of the department, valid until the next scheduled emission inspection, for a subject motor vehicle which meets the following criteria:

(i) The subject vehicle has passed an inspection or a reinspection performed by the emission inspection station[, including an antitampering check,] and all required emission control devices are installed[, except as noted in subparagraph (ii)].

(ii) [For two years from the commencement of the enhanced emission inspection program, a subject vehicle that passes the tailpipe emissions portion of the test but fails the antitampering check portion shall be issued a tampering warning in lieu of a test failure. At the expiration of this time period, the subject vehicle shall meet the requirements of subparagraph (i) or shall be considered to have failed the entire test.

(iii) The subject vehicle is exempt pursuant to the provisions of section 4702(g) (relating to requirement for periodic inspection of vehicles).

* * *

Section 2. For the last year of emission testing in those areas previously designated by the Department of Transportation as requiring emission inspection, the department shall permit one-half of all subject vehicles required to undergo the emission inspection to receive an emission certificate that will expire in a period not to exceed 27 months. Those vehicles selected for a biennial inspection shall be required to undergo a complete enhanced emission inspection before the expiration of the biennial certificate of inspection as provided under this act. The remaining subject vehicles shall undergo a complete basic emission inspection for the last year of the current emission inspection program and, in accordance with the provisions of this act, shall undergo an enhanced emission inspection thereafter. In those areas not previously designated by the department as requiring emission inspection, the department shall require one-half of all subject vehicles to undergo a complete enhanced emission inspection as provided under this act. The remaining subject vehicles shall undergo a complete enhanced emission inspection the following year in accordance with the provisions of this act.

Section 3. (a) The following acts and parts of acts are repealed:

Section 6 of the act of December 16, 1992 (P.L.1250, No.166), entitled "An act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the implementation and administration of an enhanced vehicle emission inspection program; further providing for administrative duties of the Department of Transportation for certain services and the Department of Environmental Resources; providing for an alternative fuels grant program; establishing the Alternative Fuels Incentive Grant Fund; and making an appropriation."

(b) The following acts and parts of acts are repealed to the extent specified:

Section 9(3) of the act of December 16, 1992 (P.L.1250, No.166), entitled "An act amending Title 75 of the Pennsylvania Consolidated Statutes, providing for the implementation and administration of an enhanced vehicle emission inspection program; further providing for administrative duties of the Department of Transportation for certain services and the Department of Environmental Resources; providing for an alternative fuels grant program; establishing the Alternative Fuels Incentive Grant Fund; and making an appropriation," is repealed insofar as it is inconsistent with the effective date of the reenactment of 75 Pa.C.S. § 4704(e) under this act.

Amend Sec. 2, page 4, line 8, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, Act 166 of 1992, which this House passed last year, required that motor vehicles have to undergo auto emission inspection. That was the clean air bill for mobile sources. In part of that program, there is an antitampering provision in the bill. Recently the EPA (Environmental Protection Agency) commented that our State implementation plan for our enhanced I/M (inspection and maintenance), they commented that our antitampering provision is now not required or that we would not garner any extra credits by having it. Therefore, this amendment would repeal that requirement that we placed in Act 166, and I would ask that the members vote in the affirmative on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cessar.

Mr. CESSAR. Mr. Speaker, I do concur with the maker of the amendment, and I think that everybody should vote for this amendment.

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

This is an agreed-to amendment, and members should vote in the affirmative.

The SPEAKER pro tempore. The Chair also thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bush
Donatucci

Fichter

Hutchinson

Rieger

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

On the question,

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

Mr. HANNA offered the following amendments No. A4384:

Amend Title, page 1, line 2, by inserting after "for"

schedule of convictions and points and for

Amend Sec. 1, page 1, line 5, by striking out "Section" where it appears the second time and inserting

Sections 1535(b) and

Amend Sec. 1, page 1, by inserting between lines 7 and 8 § 1535. Schedule of convictions and points.

* * *

(b) Multiple offenses from same act.—If a driver is convicted of [two or more offenses as a result of the same act, points shall be assessed only for the offense for which the greatest number of points may be assessed] an offense under section 3361 (relating to driving vehicle at safe speed) or 3714 (relating to careless driving), in addition to being convicted of another offense committed at the same time and place, no points shall be assigned for violation of section 3361 or 3714 if points are assigned for the other offense.

* * *

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Representative Hanna.

Mr. HANNA. Thank you, Mr. Speaker.

The purpose of this amendment is to correct a problem that has developed with section 1535(b) of the Motor Vehicle Code. That section deals with multiple offenses from the same act. As a result of a Commonwealth Court case, Commonwealth v. Maddesi, the Department of Transportation no longer has the ability to assign points for only one offense when an operator is convicted of multiple offenses that occur at the same place and at the same time.

The amendment would provide for the assignment of points for only the conviction that carries the greatest number of points. It specifically cites careless driving, section 3714, and too fast for conditions, section 3361, as offenses that can be considered multiple offenses. These are violations that are consistently a problem for our drivers.

My amendment would reestablish the original intent of section 1535(b), and the Department of Transportation supports this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Cessar.

Mr. CESSAR. Thank you, Mr. Speaker.

This is a good amendment, and we urge support of this amendment.

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

Mr. LEE. Thank you, Mr. Speaker.

May I briefly interrogate the maker of the amendment?

The SPEAKER pro tempore. The gentleman, Mr. Hanna, is agreeable to the interrogation. The gentleman may proceed.

Mr. LEE. Okay.

I heard your explanation of the amendment, and I am a little confused regarding specifically what this does.

It appears that the law now basically says that "two or more offenses as a result of the same act," generally any two offenses. What this amendment appears to do is take that general provision in the law and make it applicable to only two provisions, those related to driving at a safe speed and related to careless driving. Is that your intent, just to limit it to those two? Any other two acts that might occur at the same time, then you are going to get points for both those offenses?

Mr. HANNA. Well, under the Commonwealth Court ruling, you are going to get points for both of those offenses as the law is written now. What happened, in the decision of the Commonwealth of Pennsylvania, Department of Transportation, Bureau of Driver Licensing v. Shawn Maddesi, the court has held, "In sum, we concluded that the test to be applied is whether each violation requires proof of a fact which the other does not." So essentially, what they have decided and as the department interprets that, there cannot be a situation where you will not get points for both offenses.

Mr. LEE. Okay. I understand what you are trying to do, but your amendment is very limited, though. You are saying that the only time this section will apply is if you have convictions under these two specific sections. Are there any other instances, other than those two specific sections, that you want to cover that you are not? Or is this the only area of the law that we should be giving this provision to?

Mr. HANNA. Under my amendment, those would be the only areas that would be addressed.

Mr. LEE. Okay. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

This is an agreed-to amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

Acosta	Farmer	Maitland	Saurman
Adolph	Fee	Manderino	Saylor
Allen	Fleagle	Markosek	Scheetz
Argall	Flick	Marsico	Schuler
Armstrong	Freeman	Masland	Scrimanti

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

NAYS—0

NOT VOTING—1

Fairchild

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

On the question recurring,

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

Mr. DERMODY offered the following amendments No. A4385:

Amend Title, page 1, line 2, by inserting after "for" drivers' licenses and permits and for

Amend Sec. 1, page 1, line 5, by striking out "Section" where it appears the second time and inserting

Sections 1510(b), 1951 and

Amend Sec. 1, page 1, by inserting between lines 7 and 8 § 1510. Issuance and content of driver's license.

* * *

(b) Identification card.—The department shall, upon payment of the required fee, issue an identification card to any person who has made application therefor in such manner as the department shall prescribe or whose driver's license has been surrendered to the department because of a suspension or revocation of an operating privilege under this or any other title for a period of at least 90 days. The identification card shall have substantially the same content as a driver's license but shall clearly indicate that it is not a driver's license. Upon failure of any person to pass any examination required under section 1514 (relating to expiration and renewal of drivers' licenses), the department shall, where appropriate, issue a complimentary identification card as an expression of gratitude for years of safe driving. The card shall only be issued upon receipt of the person's driver's license.

* * *

§ 1951. Driver's license and learner's permit.

(a) Driver's license.—The annual fee for a driver's license shall be \$5 plus the cost of the photograph required in section 1510(a) (relating to issuance and content of driver's license).

(b) Learner's permit.—The fee for a learner's permit shall be \$5.

(c) Identification card.—The fee for an identification card shall be \$5 plus the cost of the photograph.

(d) Replacement license or card.—The fee for a replacement driver's license or identification card shall be \$5.

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

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

Cowell	Kirkland	Raymond	Vitali
Coy	Krebs	Reber	Washington
Curry	Kukovich	Reinard	Waugh
Daley	LaGrotta	Richardson	Williams
DeLuca	Laub	Ritter	Wogan
Dempsey	Laughlin	Roberts	Wozniak
Dent	Lawless	Robinson	Wright, D. R.
Dermody	Lederer	Roebuck	Wright, M. N.
Druce	Lee	Rohrer	Yandrisvits
Durham	Leh	Rooney	Yewcic
Egolf	Lescovitz	Rubley	Zug
Evans	Levdansky	Rudy	
Fairchild	Lloyd	Ryan	DeWeese,
Fajt	Lucyk	Santoni	Speaker
Fargo	Lynch	Sather	

NAYS—0

NOT VOTING—1

Belfanti

EXCUSED—5

Bush
Donatucci

Fichter

Hutchinson

Rieger

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

On the question recurring,

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

Bill as amended was agreed to.

The SPEAKER 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—195

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

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

NAYS—1

Olasz

NOT VOTING—2

Belfanti Michlovic

EXCUSED—5

Bush Fichter Hutchinson Rieger
Donatucci

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 pro tempore. The Chair recognizes the gentleman, Mr. Reinard.

Mr. REINARD. Mr. Speaker, I would like to submit the following comments as a matter of record.

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

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the Members of the Pennsylvania House of Representatives the names of nine students in the Council Rock School District who recently participated in an essay contest on "Fire Safety in the Home."

Mr. Speaker, the contest was sponsored by the Society of Chartered Property and Casualty Underwriters and was cosponsored by the school district.

Whereas, Fire Safety in the home is an important subject for the entire family to discuss and practice. The knowledge of

understanding what to do in case of a fire can help save a life or prevent serious injury from occurring.

Now therefore, Mr. Speaker and the Members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the names of the outstanding students: Carly Grass, Tim Strickler, Rebecca Batterman, Melissa Clamper, Michael Kelly, Ashleigh Savage, Brooke Braverman, Amanda Denito, Gregory Bailey, Anuj Soni, Chad Batterman, and Jeffrey Schleyer.

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1619, PN 1850**, entitled:

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

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

Cowell	Kirkland	Raymond	Vitali
Coy	Krebs	Reber	Washington
Curry	Kukovich	Reinard	Waugh
Daley	LaGrotta	Richardson	Williams
DeLuca	Laub	Ritter	Wogan
Dempsey	Laughlin	Roberts	Wozniak
Dent	Lawless	Robinson	Wright, D. R.
Dermody	Lederer	Roebuck	Wright, M. N.
Druce	Lee	Rohrer	Yandrisevits
Durham	Leh	Rooney	Yewcic
Egolf	Lescovitz	Rubley	Zug
Evans	Levdansk	Rudy	
Fairchild	Lloyd	Ryan	DeWeese,
Fajt	Lucyk	Santoni	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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 1634, PN 1860**, entitled:

An Act amending the act of March 7, 1901 (P.L.20, No.14), referred to as the Second Class City Law, further providing for competitive bidding on contracts.

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—195

Acosta	Fargo	Maitland	Sather
Adolph	Farmer	Manderino	Saurman
Allen	Fee	Markosek	Saylor
Argall	Fleagle	Marsico	Scheetz
Armstrong	Flick	Masland	Schuler
Baker	Gamble	Mayermik	Scrimenti
Barley	Gannon	McCall	Semmel
Battisto	Geist	McGeehan	Serafini
Bebko-Jones	George	McNally	Smith, B.
Belardi	Gerlach	Melio	Smith, S. H.
Belfanti	Gigliotti	Merry	Snyder, D. W.
Birmelin	Gladeck	Michlovic	Staback
Bishop	Godshall	Micozzie	Stairs
Blaum	Gordner	Mihalich	Steelman
Boyes	Gruitza	Miller	Steighner
Brown	Gruppo	Mundy	Steil

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

NAYS—2

Freeman	Yandrisevits
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NOT VOTING—1

Herman

EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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.

* * *

HB 1956 PASSED OVER

The SPEAKER pro tempore. On page 5 of today's calendar, HB 1956, PN 2643, the Chair recognizes the gentleman, Mr. Cohen.

Mr. COHEN. Mr. Speaker, for a variety of reasons, including the fact that the hour is late and including the fact that members, that legislators, in both parties from northeastern Pennsylvania were concerned about this measure and wanted more time to work out the differences with the Scranton Tissue Bank, I am holding this bill up until we come back.

It is, however, my belief that this is a very, very important piece of legislation, that lives are at stake in its passage. It is my strong intention to work with everybody we can work with and to make a good-faith effort to resolve the differences. However, I feel very strongly that when we come back, we should be running this bill, and I will be doing everything possible to see that we can run this bill when we come back in December. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Belardi.

Mr. BELARDI. Thank you, Mr. Speaker.

Mr. Speaker, I want to express my gratitude to the members of the northeast delegation in this issue and especially to my fellow leader, Mark Cohen, the majority whip, for his understanding to the sensitivity to this issue and certain areas of this legislation that we have some differences with. We pledged to one another to work hard over the next 2 weeks to try to work out those differences. Thank you, Mark; thank you, members of the northeast delegation; and thank you, Mr. Speaker.

The SPEAKER pro tempore. You are welcome.

The Chair thanks the gentleman.

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader for the purpose of removing bills from the table.

Mr. ITKIN. Mr. Speaker, I move that the following bills be removed from the table:

HB 2219;

SB 860; and

HB 690.

On the question,

Will the House agree to the motion?

Motion was agreed to.

STATEMENT BY MR. PETRARCA

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

Mr. PETRARCA. I would like to tell you the real truth why the bill, HB 1956, did not come up today.

We had a meeting yesterday in our caucus; we had a meeting with leadership; we talked for 4 hours. Because the northeast, because the coroners could not sell tissue, they could not make money. That is why we had to table the bill today. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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 2219, PN 2727; and SB 860, PN 1723.

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

Mr. BELFANTI. Mr. Speaker, at the appropriate time, I believe there might be a few members who would like to correct the record, given the problems we have had with the switch. Please indicate when we will have our opportunity to do that.

STATEMENT BY MR. SERAFINI

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

Mr. SERAFINI. Mr. Speaker, I would also like to thank Mr. Cohen for his assistance in saving the Pennsylvania Tissue Bank and correct Mr. Petrarca's erroneous statement.

If he has a chance to listen, he will understand why the Pennsylvania Tissue Bank is an extremely important part of saving lives in Pennsylvania, why it should be saved, and why this bill should be reviewed and, with the help of the leadership on both sides, amended so that we can continue to give lifesaving tissue to the people of Pennsylvania through the efforts of the Pennsylvania Tissue Bank. Thank you very much, and I appreciate the leadership's concern for our concern. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

VOTE CORRECTIONS

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

Mr. FAIRCHILD. Thank you, Mr. Speaker.

On HIB 1892, amendment A4384, my switch failed to function, and I would like to be recorded in the affirmative.

The SPEAKER pro tempore. The gentleman's remarks will be spread on the record.

The Chair recognizes the gentleman, Mr. Snyder.

Mr. SNYDER. Thank you, Mr. Speaker.

The vote on amendment 4384 for HB 1892, I was recorded in the affirmative. I would like my vote to be reflected in the negative. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair now recognizes the gentleman, Mr. Acosta.

Mr. ACOSTA. I would like to be recognized voting "yes" on HB 1335.

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

The Chair recognizes the gentleman, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

On final passage of HB 1514, my switch failed to activate, and I would like to be recorded in the affirmative. Thank you.

RULES SUSPENDED

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

Mr. ITKIN. Mr. Speaker, I move for an immediate suspension of the rules to consider HR 214.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bush
Donatucci

Fichter

Hutchinson

Rieger

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 pro tempore. The gentleman, Mr. Richardson, calls up HR 214.

The following resolution was read:

House Resolution No. 214

A RESOLUTION

Relating to the Low Income Home Energy Assistance Program.

WHEREAS, Representatives of consumer groups, community service organizations, utility management and the Pennsylvania Public Utility Commission participated in the Low Income Home Energy Assistance Program (LIHEAP) Summit Meeting of the Health and Welfare Committee of the House of Representatives to develop short-term and long-term solutions to LIHEAP's funding problems; and

WHEREAS, The federally funded LIHEAP program will again this year receive a reduced Federal appropriation: Pennsylvania's available funding was approximately \$145 million in 1990-1991, reduced to \$130 million in 1991-1992, was only \$110 million in 1992-1993 and the Department of Public Welfare proposes a \$90 million budget for 1993-1994; and

WHEREAS, The number of households experiencing a crisis in paying home energy bills is increasing while the number of such households served by LIHEAP is decreasing, thereby contributing to a Statewide health and safety crisis; and

WHEREAS, Insufficient funding for LIHEAP this year places tens of thousands of Pennsylvanians at risk of homes without heat and even death, having chosen between food and medicine or heat; therefore be it

RESOLVED, That the General Assembly consider funding in an amount sufficient to return funding for energy assistance to the 1992-1993 level, maintaining the income eligibility level of 150% of the Federal Poverty Income Guidelines and without any further cuts to grant amounts; and be it further

RESOLVED, That the House of Representatives urge the Federal Government to provide at least the fiscal year 1990 funding of \$1.437 billion for fiscal year 1994 and sufficient additional funding or advances to ensure constant State funding levels.

David P. Richardson, Jr.
Harold James
Babette Josephs
Andrew J. Carn
James R. Roebuck, Jr.
Anthony Hardy Williams
Frank L. Oliver
LeAnna M. Washington
Louise Williams Bishop
Kathy M. Manderino
Gaynor Cawley
Thaddeus Kirkland
Vincent Hughes

On the question,

Will the House adopt the resolution?

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

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

As you know, the availability of energy assistance for home heating is a life-or-death concern for many Pennsylvanians. I have made the Low-Income Home Energy Assistance Program, known as LIHEAP, a priority for the Health and Welfare Committee every year for the past 5 years. In the past, I have gone to the mat in a struggle to prevent the Department of Public Welfare from lowering the eligibility income level or from changing other program requirements which would reduce the number of households qualifying for the program.

During LIHEAP's last program year, I wrote and met with the Governor's Office of the Budget and the Department of Public Welfare many times asking that a deferred funding mechanism be put in place to offset delayed Federal funding and that funds from settlements in Federal oil overcharge cases be released to prevent the early closing of LIHEAP. After a great deal of effort by a number of individuals and groups, both of these requests were complied with by the administration. Unfortunately, this year the United States Congress conference committee appropriation does not include a provision for advance funding and Pennsylvania's oil overcharge money has been exhausted.

The Federal Government has been steadily decreasing its block-grant funds to the program since 1985 when the program reached its high point. The 1992-93 program year started late, opening on November 30, 1992, and closed early. The cash-grant component closed on January 22, 1993, and crisis closed on April 2, 1993. Although the program served fewer households than in any past program year, as I have mentioned, the department used a larger proportion of the Energy Conservation and Assistance Fund than estimated for fiscal year 1992-93 to keep the program open.

This year is another situation. In anticipation of another drastic reduction in Federal funding to LIHEAP, the department has again announced a further shortened program year with the cash component opening on December 6, 1993, and closing on January 13, 1994. There will also be a reduction in the income eligibility limit from 150 percent of poverty to 135 percent of the Federal poverty income guidelines and other changes in the program requirements further reducing the number of households eligible for participation in the program, and, as I have said, this year offers no possibility of stretching the reduced Federal funding through creative bookkeeping.

After holding Health and Welfare public hearings and a summit meeting with consumer groups, energy service groups, the Public Utility Commission, the Department of Public Welfare, all of the major utility companies to find both short-term and long-term solutions to LIHEAP's funding problem, there is only one conclusion. Pennsylvania needs a comprehensive, State-funded energy assistance program, a program which can meet the energy needs of all low-income consumers regardless of whether they are served by regulated

or nonregulated utilities. The history of LIHEAP shows that we cannot depend on the Federal block-grant funding alone.

So therefore, Mr. Speaker, today I have introduced two bills, one for an emergency supplemental appropriation for this season's LIHEAP program to return funding and eligibility requirements to last year's level and the other authorizes a statewide year-round program funded by a State dedicated fund in the Treasury; also, HR 214, which calls for both short-term and long-term State funding for LIHEAP, along with an urgent request that the Federal Government fund LIHEAP at last year's level.

I ask that you join me in passing HR 214, which is this lifesaving resolution for our citizens within the Commonwealth of Pennsylvania. Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Ryan.

Mr. RYAN. Mr. Speaker, I had a great deal of difficulty hearing the gentleman, Mr. Richardson, and I would appreciate it if we had enough order in the House so that the gentleman, Mr. Richardson, does not have the same degree of difficulty hearing me.

Mr. Speaker, I am going to vote "yes" on this resolution, but I want to make a statement in connection with it.

First off, I am going to ask my members to vote "yes" simply because I think Mr. Richardson's heart is in the right place. The problem, however, should not be construed—The answer to the problem, however, should not be that we are going to pass a resolution that suggests that we consider funding of an amount of \$21 million, I am told, out of State funds to replace Federal funding without considering where we are going to get that money.

Now, I would hope that passage of this particular resolution does not give the Secretary of the Budget some encouragement that he would think that because this resolution urges us to consider this funding, it is also urging him to the point where he is going to set aside the money to do it without taking into consideration all of the other funding that is necessary for this State.

The funding is absent, Mr. Speaker, because President Clinton and a Democrat Congress did not provide it. The people of Pennsylvania have not put this program together. The people of Pennsylvania have not funded this program before this, to my knowledge, and before we assume the responsibility for undertaking a Federal program, I think we should first make sure that programs that are peculiar to Pennsylvania have been funded.

Now, if we believe that everything that is peculiar to Pennsylvania funding is in place and is properly funded, then I think it is time to look at something like this. Other than that, I suspect that the resolution that we draft and consider is one urging Congress, like we do so often—and I am sure they pay a lot of attention to it—urging Congress to fully fund this particular program.

So with those closing remarks and with the best wishes for a happy Thanksgiving season, I would ask that we have a

"yes" vote and get on with the day and let people get on with their business. Thank you, Mr. Speaker.

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

Mr. RICHARDSON. I hope that the same amount of respect that was afforded to the minority leader will also be afforded to myself with respect to a response to the minority leader.

I first want to indicate that on the second page, if you will, of the resolution, there is a very strong "RESOLVED, That the House of Representatives urge the Federal Government to provide at least the fiscal year 1990 funding of \$1.437 billion for fiscal year 1994 and sufficient additional funding or advances to ensure constant State funding levels."

I must also point out that in the past years it has been the Republican administration that in fact lowered the actual amounts of moneys prior to this administration's lowering the amount to try to find some other suitable funding mechanism that they felt needed to be funded. So up to this year I have always fought to make sure that there was adequate funding for the LIHEAP program, regardless of who the President was, which should not be a prerequisite, but also recognizing that in the Commonwealth of Pennsylvania we have many citizens who in fact fall in a particular area of concern, particularly our frail and senior citizens who wind up dying in this Commonwealth because we have not done what we are supposed to do.

This is not totally a federally funded program. The oil overcharge moneys that the State has have dried up. There are no more oil overcharge moneys that we can put in the coffers in this year. I am suggesting very strongly that the House consider looking as other States in this country have done — a funding mechanism by the State to put some funds into a program that is constantly depleting — and I think that if there are reasonable heads, reasonable minds, and those who really understand that there are a lot of people out there who need our assistance, that perhaps maybe we will not be so quick to say that we should not supply any State funding whatsoever to help with this program.

And finally, Mr. Speaker, I think that it would be important for our citizens in the Commonwealth of Pennsylvania to know that we as legislators took an action that was relevant to their concerns, particularly as it relates to LIHEAP, because we have had a number of people that have died in the past, and I do not want to have that blood on our hands here in the Commonwealth of Pennsylvania because we did not do everything we possibly could to make sure that we got adequate funding in the Commonwealth of Pennsylvania, whether it is through a State program, through a Federal program, or both, to make sure that those citizens will in fact not die in the Commonwealth of Pennsylvania.

Mr. Speaker, on that note I ask for a positive vote on HR 214.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, although our minority leader has urged a "yes" vote on this, I at least, for one, would like to record a "no" vote, because this is one of those tyrannies of small decisions that Dr. Pittenger has talked about in so many instances whereby we turn our responsibilities over to the Federal Government, they start a program and they dangle some money in front of us and we get into the program, and then they withdraw the money. They have been doing that. If we now put new money into that, they are going to withdraw it at an even greater rate.

Mr. Speaker, this is a Federal program, federally funded, and I think that we should insist that they continue to fund it as they have, and I certainly agree with that part of the resolution. As a matter of fact, we voted such a resolution from the Federal-State Relations Committee just today. But when we start talking about funding it from State funds, which as the minority leader has already said are needed for so many other programs, I think the time is to say no. This can become an entitlement that will just balloon as other entitlements have and put us into a position where year after year we are going to be funding more and more each year, and I would therefore— I am going to vote "no" and ask anyone who shares my feelings to vote "no" with me. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—190

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

Colafella	Kaiser	Pistella	Vance
Colaizzo	Kasunic	Pitts	Van Home
Conti	Keller	Platts	Veon
Cornell	Kenney	Preston	Vitali
Corrigan	King	Raymond	Washington
Cowell	Kirkland	Reber	Waugh
Coy	Krebs	Reinard	Williams
Daley	Kukovich	Richardson	Wogan
DeLuca	LaGrotta	Ritter	Wozniak
Dempsey	Laub	Roberts	Wright, D. R.
Dent	Laughlin	Robinson	Wright, M. N.
Dermody	Lederer	Roebuck	Yandrisevits
Druce	Lee	Rooney	Yewcic
Durham	Lescovitz	Rubley	Zug
Egolf	Levdanskyy	Rudy	
Evans	Lloyd	Ryan	DeWeese,
Fairchild	Lucyk	Santoni	Speaker

NAYS—6

Lawless	Marsico	Saurman	Stish
Leh	Rohrer		

NOT VOTING—2

Curry	Harley
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EXCUSED—5

Bush	Fichter	Hutchinson	Rieger
Donatucci			

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

COMMITTEE MEETING

The SPEAKER pro tempore. I would like to make an announcement for Chairman Evans that the select committee on violence prevention as per HR 192's first meeting will be tomorrow morning at 11 o'clock in room 512E.

At this time, the Chair recognizes the majority leader.

Mr. ITKIN. I would just like to— I would like to yield to the minority caucus chairman, Mr. Geist.

ANNOUNCEMENT BY MR. GEIST

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

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

For those members who have been inquiring as to the condition of Representative Fichter's wife, she is in unsatisfactory but stable condition right now in Hahnemann Hospital. So I would ask that all the prayers of the members and the people that are listening to this over the microphone be extended to Representative Fichter's wife in her time of need.

The SPEAKER pro tempore. The Chair thanks the gentleman. I am sorry to hear about the accident.

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

Mr. ITKIN. Mr. Speaker, we are saddened by Representative Fichter's wife's experience. We hope that she improves her condition.

For the rest of us, I would just like to thank you for your perseverance this afternoon. We accomplished our work, and I wish you a very enjoyable, healthy, and happy Thanksgiving recess.

See you on December 6. Tomorrow will be a token session day. There will be no further votes today and none will be taken tomorrow.

VOTE CORRECTION

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

Mr. KASUNIC. Mr. Speaker, because of a mechanical malfunction, my switch failed to operate on final passage of HB 1488. I wish to be recorded in the affirmative.

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

BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED

HB 2013, PN 2461

By Rep. GAMBLE

A Supplement to the act of June 28, 1993 (P.L.134, No.31), known as the Capital Budget Act of 1993-1994 providing for a public improvement project for the restoration and preservation of the Great House at Old Economy Village; and making a repeal.

TOURISM AND RECREATIONAL DEVELOPMENT.

VOTE CORRECTIONS

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

Mr. OLASZ. Mr. Speaker, on HB 1892, final passage, the new computer system failed to function. I wish to be recorded in the affirmative. Thank you.

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

The Chair recognizes Representative Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I would like to correct the record.

On SB 1193, amendment 4388, I would like to be recorded in the affirmative.

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

The Chair recognizes Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, this new switch system malfunctioned on HB 1892. I would like to be recorded in the affirmative and would like to suggest we bring the old system back ASAP (as soon as possible).

The SPEAKER pro tempore. Multi dittos.

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

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

Mr. JAMES. Thank you, Mr. Speaker.

I just want to briefly state in reference and regards to HB 411 that the sheriff of Philadelphia, John Green, was here

yesterday, which he thought it may be voted on, and I just wanted to put on the record that he was for it and supported it and we thank the House that it passed.

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

The Chair recognizes the gentleman, Mr. Bunt, who wants to complain about the new system.

Mr. BUNT. Thank you, Mr. Speaker.

The vote on HB 1335 was not reflected. I would like to have my vote recorded in the affirmative.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes Representative Herman.

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

Despite having pressed my switch five or six times in the affirmative on HB 1634, the switch malfunctioned and did not record my vote. I would like to be recorded in the affirmative on HB 1634, final passage.

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

BILLS SIGNED BY SPEAKER

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

HB 829, PN 1180

An Act designating a bridge over the Allegheny River in Allegheny County, as the Jonathan Hulton Memorial Bridge.

SB 565, PN 1521

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," providing an additional exclusion from sales tax; defining "investment company"; further defining "dividends" and "taxable income"; further providing for net gains or income from disposition of property; providing for the taxation of certain government obligations; and making a repeal.

SB 845, PN 1471

An Act amending the act of July 1, 1981 (P. L. 191, No. 57) entitled, as amended, "Register of Wills Fee Law," providing for the establishment and modification of fees; and providing for the imposition of an additional fee.

SB 1015, PN 1241

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, adding provisions relating to fraudulent transfers; and making repeals.

SB 1099, PN 1255

An Act amending Title 9 (Burial Grounds) of the Pennsylvania Consolidated Statutes, further providing for initial deposits by existing cemetery companies and for periodic deposits.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER pro tempore. The Chair acknowledges receipt of additions and deletions for sponsorships of bills, which the clerk will include in the record.

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

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 RECOMMITTED

Pursuant to House rule 71, **HB 587**, **PN 638**, and **HB 1720**, **PN 1998**, having been listed on the House calendar for 15 consecutive legislative days, were automatically recommitted to the Committee on Appropriations.

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the lady, Kathy Manderino, who offers the following adjournment motion.

Ms. MANDERINO. Mr. Speaker, I move that this House do now adjourn until Wednesday, November 24, 1993, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and wishes everybody a happy Thanksgiving.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:25 p.m., e.s.t., the House adjourned.