

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, FEBRUARY 7, 1994

SESSION OF 1994

178TH OF THE GENERAL ASSEMBLY

No. 10

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.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:

O Lord our God, we rejoice in being members of this legislature and are very proud of our forefathers who founded, established, and made this one of the greatest States in our Nation. Their accomplishments are staggering and unimaginable.

And, O God, as You were with them, so be with us, for the torch has been passed to each one of us; or in common parlance, "The ball is in our court, and we must continually score if we are to win."

So, Lord, help us to always do our best, not counting the cost but working every day as if it were our last. We remember Your servant and our Governor, reminding us that the power is in our hands; what will we do now that it is ours?

We pray that we will never shirk our responsibility, for finally we are accountable to You and to You alone for all of our labors. For it is in Your dear name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Wednesday, February 2, 1994, will be postponed until printed. The Chair hears no objections.

#### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 245 By Representatives WILLIAMS,  
WASHINGTON, JAMES and THOMAS

A Concurrent Resolution directing the Joint State Government Commission to investigate the use of certain automatic and semiautomatic weapons; and creating a task force.

Referred to Committee on RULES, February 7, 1994.

No. 246 By Representative ITKIN

A Resolution establishing a select committee of the House of Representatives to investigate the illegal proliferation and use of firearms including semiautomatic weapons.

Referred to Committee on RULES, February 7, 1994.

No. 247 By Representatives DeWEESE, RYAN and ITKIN

A Concurrent Resolution to authorize the Speaker of the House of Representatives to enter into an agreement to perform necessary duties and responsibilities to prepare for the 1997 National Conference of State Legislatures Annual Meeting in Philadelphia, Pennsylvania.

Referred to Committee on RULES, February 7, 1994.

#### SENATE MESSAGE

#### HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to SB 701, PN 1844; and SB 705, PN 1757.

#### BILL REMOVED FROM TABLE

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

Mr. ITKIN. Madam Speaker, I move that HB 2187 be removed from the table.

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

#### BILL ON SECOND CONSIDERATION

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

HB 2187, PN 2716.

**CALENDAR****BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1856, PN 2922**, entitled:

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, further providing for penalties for acting without certificate of authority; providing for the licensing of insurance administrators; and further providing for issuance of certificate of qualification and for certain penalties.

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

**BILL TABLED**

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

Mr. ITKIN. Madam Speaker, I move that HB 1856 be placed on the table.

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

**BILL REMOVED FROM TABLE**

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

Mr. ITKIN. Madam Speaker, I move that HB 1856 be removed from the table and placed on the calendar.

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

\*\*\*

The House proceeded to third consideration of **HB 908, PN 2920**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for certain costs and fees and the collection and disposition thereof; and further providing for judicial salaries.

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

**BILL TABLED**

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

Mr. ITKIN. Madam Speaker, I move that HB 908 be placed on the table.

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

**BILL REMOVED FROM TABLE**

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

Mr. ITKIN. Madam Speaker, I move that HB 908 be removed from the table and placed on the calendar.

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

\*\*\*

The House proceeded to third consideration of **HB 1933, PN 2402**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, extending contempt of court powers to district justices and judges of the Traffic Court of Philadelphia and clarifying their subpoena powers.

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

**BILL TABLED**

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

Mr. ITKIN. Madam Speaker, I move that HB 1933 be placed on the table.

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

**BILL REMOVED FROM TABLE**

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

Mr. ITKIN. Madam Speaker, I move that HB 1933 be removed from the table and placed on the calendar.

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

\*\*\*

The House proceeded to third consideration of **HB 2198, PN 2723**, entitled:

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

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

**BILL TABLED**

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

Mr. ITKIN. Madam Speaker, I move that HB 2198 be placed on the table.

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

**BILL REMOVED FROM TABLE**

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

Mr. ITKIN. Madam Speaker, I move that HB 2198 be removed from the table and placed on the calendar.

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

**RESOLUTION**

Mr. ITKIN called up **HR 99, PN 1875**, entitled:

A Concurrent Resolution memorializing Congress to call a Constitutional Convention to propose an amendment to the Constitution of the United States to provide the states with the authority to declare an act of Congress null and void.

On the question,  
Will the House adopt the resolution?

**RESOLUTION TABLED**

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

Mr. ITKIN. Madam Speaker, I move that HR 99 be placed on the table.

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

**RESOLUTION REMOVED FROM TABLE**

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

Mr. ITKIN. Madam Speaker, I move that HR 99 be removed from the table and placed on the calendar.

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

**LEAVES OF ABSENCE**

The SPEAKER pro tempore. The Chair recognizes Mr. Perzel for leaves of absence.

Mr. PERZEL. Thank you, Madam Speaker.

We request a leave of absence for the gentlelady from Montgomery, Mrs. HARLEY, for the day, and the gentleman from Lycoming, Mr. BUSH, for the week.

The SPEAKER pro tempore. Without objection, leaves will be granted.

The Chair recognizes Tony Williams, chairman of the Philadelphia delegation, for leaves of absence.

Mr. WILLIAMS. Thank you, Madam Speaker.

The Democratic whip requests leaves of absence for the following members: the lady from Philadelphia County, Ms. JOSEPHS; the lady from Centre County, Mrs. RUDY; the gentleman from Delaware County, Mr. KIRKLAND; and the gentleman from Philadelphia County, Mr. THOMAS.

Thank you, Madam Speaker.

The SPEAKER pro tempore. Without any further objections, leaves will be granted.

**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—195**

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Bush	Josephs	Rudy	Thomas
Harley	Kirkland		

FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise members that she has given permission to Bob Esposito and Sid Michaels to film the Dallas High School football team on the floor of the House.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2419, PN 3206 (Amended)

By Rep. COWELL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for nonresident child placed in home of resident, for liability for tuition and for payments on account of tuition and enforcement of payment, for cost of tuition; and making editorial changes.

EDUCATION.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of SB 1404, PN 1700, entitled:

A Supplement to the act of June 28, 1993 (P. L. 134, No. 31), entitled "Highway Supplement to the Capital Budget Act of 1993-1994," itemizing public highway projects to be constructed by current revenues of the Department of Transportation, together with the estimated financial costs; and making appropriations.

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	Fajt	Lucyk	Sather
Adolph	Fargo	Lynch	Saurman
Allen	Farmer	Maitland	Saylor
Argall	Fee	Manderino	Scheetz
Armstrong	Fichter	Markosek	Schuler
Baker	Fleagle	Marsico	Scrimenti
Barley	Flick	Masland	Semmel
Battisto	Freeman	Mayernik	Serafini
Bebko-Jones	Gamble	McCall	Smith, B.
Belardi	Gannon	McGechan	Smith, S. H.
Belfanti	Geist	McNally	Snyder, D. W.
Birmelin	George	Melio	Staback

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Bush	Josephs	Rudy	Thomas
Harley	Kirkland		

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

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

ANNOUNCEMENT BY MINORITY LEADER

Mr. RYAN. Madam Speaker?

The SPEAKER pro tempore. For what reason does the gentleman, Mr. Ryan, rise?

Mr. RYAN. Madam Speaker, I wonder if I could have order for a moment, please.

Thank you, Madam Speaker.

This is particularly information that I would like to share with our caucus. It may be that the Democratic Caucus has or

has not— I do not know whether the Democratic Caucus has caucused on this particular amendment or not.

I am going to suggest that the members of the caucus listen to an explanation that is about to be given on an amendment to HB 2495. It has to do with assessments in cities of the first and second class. If there is a problem with it and we require a caucus, tell me so that we do not run this particular amendment and we go to caucus. Other than that, Mr. Cessar of our caucus has requested me to run this bill and the amendment at this time.

So with that, Madam Speaker, I believe the gentleman, Mr. Gamble, has the amendment to offer, or Mr. Fajt; I am sorry.

**RULES SUSPENDED**

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

Mr. ITKIN. Madam Speaker, I move to suspend the rules for consideration of HB 2495.

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

The following roll call was recorded:

**YEAS—177**

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

Donatucci	Leh	Rubley	Zug
Druce	Lescovitz	Ryan	
Durham	Levdansky	Santoni	DeWeese,
Egolf	Lloyd	Sather	Speaker
Evans	Lucyk	Saurman	

**NAYS—18**

Armstrong	Freeman	Lynch	Platts
Boyes	Hanna	Maitland	Scheetz
Carone	Hutchinson	Masland	Steil
Dent	Krebs	Nyce	True
Fleagle	Lee		

**NOT VOTING—0**

**EXCUSED—6**

Bush	Josephs	Rudy	Thomas
Harley	Kirkland		

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.

\* \* \*

The House proceeded to third consideration of **HB 2495, PN 3163**, entitled:

An Act amending the act of December 13, 1988 (P.L.1190, No.146), known as the First and Second Class County Property Tax Relief Act, further providing for deferral or exemption authority and for conditions of deferral or exemption; and providing for applications for relief.

On the question,  
Will the House agree to the bill on third consideration?  
Mr. FAJT offered the following amendment No. A0388:

Amend Title, page 1, line 5, by inserting after "provisions,""  
further defining "longtime owner-occupant";  
Amend Title, page 1, line 6, by striking out "and" where it appears the second time  
Amend Title, page 1, line 7, by removing the period after "relief" and inserting  
; and further providing for data used to determine eligibility.

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. The definition of "longtime owner-occupant" in section 3 of the act of December 13, 1988 (P.L.1190, No.146), known as the First and Second Class County Property Tax Relief Act, is amended to read:  
Section 3. Definitions.

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

"Longtime owner-occupant." [Any] For counties of the first class, any person who for at least ten continuous years has owned and has occupied the same dwelling place as a principal residence and domicile, or any person who for at least five years has owned and occupied the same dwelling as a principal residence and domicile if that person received assistance in the acquisition of the property as part of a government or nonprofit housing program. For counties of the second class, any person who for at least three continuous years has owned and has occupied the same dwelling place as a principal residence and domicile.

\* \* \*

Section 2. Sections 4 and 5 of the act are amended to read:  
 Amend Sec. 1 (Sec. 4), page 1, line 13, by inserting brackets before and after "Deferral or exemption" and inserting immediately thereafter

Exemption

Amend Sec. 1 (Sec. 4), page 1, lines 17 and 18, by inserting brackets before and after "a deferral or exemption or combination thereof" and inserting immediately thereafter

an exemption

Amend Sec. 1 (Sec. 5), page 2, line 20, by inserting brackets before and after "deferral or"

Amend Sec. 1 (Sec. 5), page 2, line 21, by striking out all of said line and inserting

(a) General rule.—Any [deferral or] exemption of payment of an increase in real property taxes granted pursuant to this act shall be limited to real property which meets all of the following conditions:

(1) The property is owned and occupied by a longtime owner-occupant.

(2) The property is the principal residence and domicile of the longtime owner-occupant.

[(b) Penalties and interest.—No penalties and interest shall accrue on the portion of the deferral pursuant to this act.

Amend Sec. 1 (Sec. 5), page 2, line 22, by striking out the bracket before "(c)"

Amend Sec. 1 (Sec. 5), page 2, line 30, by striking out "(c)" and inserting

(b)

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

3

Amend Bill, page 3, by inserting between lines 9 and 10

Section 4. Section 6 of the act is amended to read:

Section 6. Retroactive application.

Data used by the governing body of a county of the first and second class to determine if the principal residence of a longtime owner-occupant is eligible for [either] a tax [deferral or] exemption under the provisions of this act may be applied retroactively to November 6, 1984.

Amend Sec. 3, page 3, line 10, by striking out "3" and inserting

5

Amend Sec. 4, page 3, line 14, by striking out "4" and inserting

6

Amend Sec. 5, page 3, line 21, by striking out "5" and inserting

7

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes Mr. Fajt.

Mr. FAJT. Thank you, Madam Speaker.

This amendment, briefly, will apply only to Allegheny County, and in essence it will say that if somebody has owned their property and lived on that property for 3 years or more, their property taxes cannot go up more than 5 percent.

Again, it applies only to Allegheny County. It is an agreed-to amendment with the prime sponsor of the bill, Representative Gamble. It is also an agreed-to amendment with my Allegheny County colleagues on the other side of the aisle. Specifically, Representative Cessar has been very helpful with this amendment.

Thank you, Madam Speaker, and I would like to ask for an affirmative vote.

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

Mr. CESSAR. Thank you, Madam Speaker.

Did the gentleman explain the amendment, what it did? Did you explain what the amendment did? Okay.

I support the amendment and ask everyone on this side of the aisle to also vote in the affirmative. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—194

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

NAYS—1

Michlovic

NOT VOTING—0

EXCUSED—6

Bush	Josephs	Rudy	Thomas
Harley	Kirkland		

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—195

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

Durham	Lescovitz	Ruble	
Egolf	Levdansky	Ryan	DeWeese,
Evans	Lloyd	Santoni	Speaker
Fairchild			

NAYS—0

NOT VOTING—0

EXCUSED—6

Bush	Josephs	Rudy	Thomas
Harley	Kirkland		

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.

SB 1404 RECONSIDERED

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion filed by Mr. Smith, who moves that SB 1404, PN 1700, which was passed on the 7th day of February, be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Bush	Josephs	Rudy	Thomas
Harley	Kirkland		

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

On the question recurring,  
Shall the bill pass finally?

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

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

I simply want to go on record, this access road goes through my legislative district, and it is an access road for DDRE (Defense Distribution Region East). I simply wanted to go on record as being displeased and dissatisfied with the tactics of the Pennsylvania Turnpike Commission which resulted in this access road being proposed as it is now proposed before you. It is located in Fairview Township, which is the largest municipality in my legislative district, and they oppose this access road.

I am going on record as being opposed to the Turnpike Commission and their delaying tactics that have brought us to this point where we either vote and pass this bill as is or millions of dollars will be lost.

I thank you for your attention, and I do intend to vote "no." Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes Mr. Nailor.

Mr. NAILOR. Thank you, Madam Speaker.

Madam Speaker, I stand in support of this bill, and while standing in support of this bill, I recognize the problems that the previous speaker has with the bill. I share his frustrations in the way this was handled. However, Madam Speaker, it is important that we pass this bill now in order to receive Federal funds for an access road to the Army Depot in New Cumberland.

We are talking about over 3,000 jobs. It does affect some homes, unfortunately. However, sound barriers have been

committed. Funds have been committed to keep a ballfield open. Many commitments have been made by the Federal and State governments on their behalf.

I ask my colleagues, please, to support this bill at this time so that we can receive the Federal funding that we are due to continue with this access road. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman, Mr. Coy.

Mr. COY. Thank you, Madam Speaker.

Just on behalf of Representative Nailor and other Representatives from Cumberland County, I join in support of this legislation. I think the point he made about the number of jobs at the Parts Control Center is important.

So for members on this side of the aisle, I join in support of the legislation and ask for an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—193

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



Daley	Kukovich	Rieger	Wozniak
DeLuca	LaGrotta	Ritter	Wright, D. R.
Dempsey	Laub	Roberts	Wright, M. N.
Dent	Laughlin	Robinson	Yandrisevits
Dermody	Lawless	Roebuck	Yewcic
Donatucci	Lederer	Rohrer	Zug
Druce	Lee	Rooney	
Durham	Leh	Rubley	DeWeese,
Egolf	Lescovitz	Ryan	Speaker
Evans	Levdansky	Santoni	

NAYS—2

Nickol Smith, B.

NOT VOTING—0

EXCUSED—6

Bush Josephs Rudy Thomas  
Harley Kirkland

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

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

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

**DALLAS HIGH SCHOOL  
FOOTBALL TEAM PRESENTED**

The SPEAKER. The Chair would like to introduce Representative Phyllis Mundy to introduce some men and women from her home area, some gridiron gladiators who participated in a statewide football championship.

The House will please come to order momentarily. This is only going to take 1 minute. These young men have been in the Capitol Complex during the day. They are trying to learn about our democracy, and Phyllis would like to recognize them.

Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

Ladies and gentlemen, a few weeks ago in this chamber we honored the Philadelphia Phillies. Today Representative George Hasay and I bring you the championship football team from Dallas - Dallas, Pennsylvania, that is.

Here at the podium with us are Gerald Wycallis, superintendent of the Dallas Area School District; Frank Galicki, principal of the Dallas High School; head football coach Ted Jackson; Brian Brady, John Howe, and Ed Mattei, cocaptains of the team.

The Dallas Mountaineers compiled an impressive record of 14 wins and only 1 loss last year and went on to win the PIAA class AA State football championship in December.

Representative Hasay and I welcome our champions to the hall of the House. We ask that you join us in honoring the

Mountaineers of Dallas Area High School for their championship season. Thank you.

Mr. HASAY. Mr. Speaker?

The SPEAKER. The Chair recognizes Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Once again from the great northeast, one of the great counties in the northeast, the great Luzerne County, not only this year State champions but also last year the Berwick Bulldogs AAA football champions that comprise part of Luzerne County as well as Columbia. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. Does the gentleman, Mr. Tangretti, seek to make an announcement?

Mr. TANGRETTI. Thank you, Mr. Speaker.

At the request of Chairman Evans, there will be an Appropriations meeting at the call of the recess in the majority caucus room.

The SPEAKER. The Chair thanks the gentleman.

Is that an immediate meeting?

Mr. TANGRETTI. At the call of the recess.

The SPEAKER. At the call of the recess. An Appropriations Committee meeting at the call of the recess in the House majority caucus room.

**RULES COMMITTEE MEETING**

**DEMOCRATIC CAUCUS**

Mr. COY. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. COY. Whenever it is convenient to make an announcement, about that room. Several meetings will have to take place in that room.

The SPEAKER. The gentleman may proceed with his announcement. It is appropriate at this time.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, the schedule for the balance of the day—

The SPEAKER. The schedule for the day is being announced by Mr. Coy; the schedule for the day.

Mr. COY. Mr. Speaker, immediately upon the declaration of the recess, the Appropriations Committee will meet first in the majority caucus room; followed at 2:15 by a meeting of the Rules Committee in the majority caucus room; followed at 2:30 by a meeting of the Democratic Caucus in the majority caucus room.

The Democratic Caucus will be meeting on the subject of local tax reform and other legislation which will take place later in this week's schedule.

So the Appropriations Committee will meet first, then the Rules Committee at 2:15, and then the Democratic Caucus at 2:30.

Mr. Geist may have an announcement, I suspect.

**REPUBLICAN CAUCUS**

The SPEAKER. Mr. Geist is recognized for an announcement.

Mr. GEIST. Thank you, Mr. Speaker.

The Republicans will caucus at 2:30, and we will caucus as long as it takes to get through what we have to get through to get back to the floor. So try to be there promptly at 2:30, please.

The SPEAKER. The Chair thanks Mr. Geist.

**FINANCE COMMITTEE MEETING**

The SPEAKER. The gentleman, Mr. Trello, is recognized for an announcement.

Mr. TRELLO. Thank you, Mr. Speaker.

The House Finance Committee will meet immediately at the call of the recess in room 40E for a very brief meeting. I would appreciate if all attend.

Mr. COY. Mr. Speaker?

The SPEAKER. Mr. Coy is recognized.

Mr. COY. Just to clarify for the sake of the members, we do not intend to return to the floor for the balance of today. Votes will take place tomorrow, not anymore today.

The SPEAKER. The Chair thanks the gentleman.

**STATEMENT BY MR. HASAY**

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

Mr. HASAY. Unanimous consent to make some comments.

The SPEAKER. The gentleman asks for unanimous consent. Mr. Hasay announces he would like to speak on unanimous consent. The gentleman is recognized.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I just want to call to the attention of this General Assembly an amendment that was adopted unanimously last November. That amendment established a wildlife license plate that started from this chamber here. As of today, the wildlife license plate has outsold any other special license plate in the Commonwealth of Pennsylvania, including the Penn State Alumni. As of today, we have sold over 35,000 of those wildlife license plates. That not only helps PennDOT but also helps the Wildlife Fund.

I want to thank each member here who supported the amendment unanimously and the leadership as well, and I just want to say thank you, Pennsylvanians, who are purchasing the plate. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Itkin, who announces a Committee of Rules meeting at 2:15, at 2:15 in the majority caucus room.

**RECESS**

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

**AFTER RECESS**

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

**THE SPEAKER PRO TEMPORE  
(PHYLLIS MUNDY) PRESIDING****BILLS REMOVED FROM TABLE**

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

Mr. ITKIN. Madam Speaker, I move that SB 702 and SB 703 be removed from the tabled calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS TABLED**

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

Mr. ITKIN. Madam Speaker, I move to place SB 702 and SB 703 on the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**ADDITIONS AND DELETIONS OF SPONSORS**

The SPEAKER pro tempore. The Chair acknowledges receipt of additions and deletions of sponsors, which the clerk will file.

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

**BILL REREPORTED AND REREFERRED  
TO COMMITTEE ON URBAN AFFAIRS****HB 132, PN 143**

By Rep. EVANS

An Act amending the act of August 1, 1975 (P.L.169, No.87), entitled "An act relating to pensions for employees of the City of Pittsburgh," further providing for the membership of the pension board.

**APPROPRIATIONS.****BILLS REREPORTED FROM COMMITTEE****HB 162, PN 179**

By Rep. EVANS

An Act providing procedures for the consolidation or merger of municipalities; establishing procedures for allocation of assets and liabilities; and making repeals.

**APPROPRIATIONS.**

**HB 1973, PN 3210 (Amended)**

By Rep. EVANS

An Act amending the act of July 14, 1961 (P.L.637, No.329), known as the Wage Payment and Collection Law, providing for duty of successor employer to pay back wages; and further providing for enforcement.

## APPROPRIATIONS.

**HB 2202, PN 3141**

By Rep. EVANS

An Act authorizing counties to impose sales and use or personal income taxes or in certain circumstances a combination of both; authorizing municipalities to impose personal income and municipal service taxes; empowering municipalities to require county sales and use taxes; authorizing school districts to impose taxes on personal income; providing for the levying, assessment and collection of such taxes; and providing for the powers and duties of the Department of Community Affairs, the Department of Revenue and the State Treasurer.

## APPROPRIATIONS.

**BILLS ON SECOND CONSIDERATION**

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

**HB 1973, PN 3210; and HB 2202, PN 3141.**

**RESOLUTION REPORTED  
FROM COMMITTEE****HR 242, PN 3169**

By Rep. EVANS

A Concurrent Resolution establishing a select committee of the General Assembly to investigate the use of certain automatic and semiautomatic weapons.

## APPROPRIATIONS.

**RECESS**

The SPEAKER pro tempore. This House is in recess until the call of the Chair.

**AFTER RECESS**

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

**THE SPEAKER PRO TEMPORE  
(GREGORY C. FAJT) PRESIDING****RESOLUTIONS REPORTED  
FROM COMMITTEE****HR 229, PN 3083**

By Rep. ITKIN

A Resolution designating May 6, 1994, as "55 Alive/Mature Driving Day" in Pennsylvania.

## RULES.

**HR 238, PN 3198**

By Rep. ITKIN

A Resolution committing State government to the reduction of violence.

## RULES.

**HR 239, PN 3199**

By Rep. ITKIN

A Resolution proclaiming the week of February 7 through 11, 1994, as "School Counseling Week" in Pennsylvania.

## RULES.

**HR 244, PN 3211 (Amended)**

By Rep. ITKIN

A Resolution memorializing the Senate Foreign Relations Committee and the House Foreign Affairs Committee in Congress to hold open general hearings regarding the plight of the men, women and children caught in the war in Bosnia, Hercegovina.

## RULES.

**HR 245, PN 3203**

By Rep. ITKIN

A Concurrent Resolution directing the Joint State Government Commission to investigate the use of certain automatic and semiautomatic weapons; and creating a task force.

## RULES.

**HR 246, PN 3204**

By Rep. ITKIN

A Resolution establishing a select committee of the House of Representatives to investigate the illegal proliferation and use of firearms including semiautomatic weapons.

## RULES.

**HR 247, PN 3205**

By Rep. ITKIN

A Concurrent Resolution to authorize the Speaker of the House of Representatives to enter into an agreement to perform necessary duties and responsibilities to prepare for the 1997 National Conference of State Legislatures Annual Meeting in Philadelphia, Pennsylvania.

## RULES.

**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.

**ADJOURNMENT**

The SPEAKER pro tempore. Representative Kathy Manderino of Philadelphia County is recognized.

Ms. MANDERINO. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 8, 1994, at 10:40 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

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