

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MAY 2, 1995

SESSION OF 1995

179TH OF THE GENERAL ASSEMBLY

No. 37

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

REV. B. PENROSE HOOVER, senior pastor of Salem Lutheran Church, Lebanon, Pennsylvania, offered the following prayer:

Let us pray:

Holy God, You have established in our Nation lawmaking powers dedicated to upholding order and liberty. Bless and preserve our form of government in our State and our Nation. Grant that all the elected members of this Assembly may be ever mindful of the welfare of all their constituents and conscious of the high office of public trust to which they have been called. May they be guided to serve unselfishly the common good of the people. Preserve all elected officials and Representatives from pettiness and corruption. Protect those liberties of rule by representation which are the cornerstone of our government.

We thank You for the freedom preserved in our Nation's heritage. May we give proof of our gratitude in seeking the welfare of our Commonwealth, in using our privileges of ballot and freedom of speech for the improvement and uplifting of our community, our State, and our Nation.

Bless this House and all the work that is done here, that it may in turn be a blessing for all of Pennsylvania's citizens. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, May 1, 1995, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence.

The Chair recognizes the majority whip, Mr. Barley, for the purpose of taking leaves.

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to request leave of absence for the gentleman from Lancaster County for the day, Mr. ARMSTRONG.

The SPEAKER. Without objection, leave will be granted. The Chair hears no objection.

The Chair recognizes the gentleman from Luzerne, Mr. Blaum, for the purpose of taking leaves of absence.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I would like to request a leave for the gentleman from Allegheny, Mr. MICHLOVIC; the gentleman from Armstrong, Mr. PESCI; and the gentleman from Philadelphia, Mr. EVANS.

The SPEAKER. The Chair thanks the gentleman.

Without objection, leaves will be granted. The Chair hears no objection.

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
May 1, 1995

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, May 22, 1995, 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, May 8, 1995, unless sooner recalled by the Speaker of the House of Representatives; and be it further

RESOLVED, That when the House of Representatives adjourns the week of May 8, 1995, it reconvene on Monday, May 22, 1995, 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.

COMMUNICATION**LOBBYIST LIST PRESENTED**

The SPEAKER. 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

May 1, 1995

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 April 1, 1995 through April 30, 1995 inclusive, for the 179th 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

Ted Mazia, Chief Clerk
House of Representatives

(For list, see Appendix.)

The SPEAKER. The Chair at this time asks the gentleman, Mr. DeWeese, to temporarily preside for the purpose of introducing the Bituminous Coal Queen, who happens to be a resident of his legislative district.

The gentleman, Mr. DeWeese.

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

COAL QUEEN PRESENTED

The SPEAKER pro tempore. I would like to thank the gentleman, Mr. Ryan, for this rare privilege.

I would like to introduce a young lady from my hometown, Christina Reyes, the daughter of Dr. and Mrs. Jack Reyes. Please come to the podium and be recognized as the 1994-95 Bituminous Coal Queen.

For many, many years, southwestern Pennsylvania — Greene, Fayette, Washington Counties — has welcomed the Coal Queen. This is a tradition, and I am happy to continue it today.

Ms. REYES. Good afternoon, everyone.

My parents and I thank you for inviting us here today. It is an honor. I have had a lot of fun so far and everybody has been so nice to me.

I am currently a senior at Waynesburg Central High School, and I am soon to be a freshman at the University of Notre Dame this August. Majoring in chemistry, I intend to proceed to medical school, help keep America healthy, and provide health care to the elderly.

So, Mr. DeWeese, I may not be able to run against you because of my chosen profession, but when you get older, I am going to be the one to take care of you.

Again, it has been a pleasure. I have had a lot of fun. I have never been to the capital before, and I am really enjoying myself. Thank you.

The SPEAKER pro tempore. I would like to thank Mr. Ryan again for the privilege and thank the Reyes family for visiting with us here in Harrisburg.

**THE SPEAKER (MATTHEW J. RYAN)
PRESIDING**

The SPEAKER. The Chair thanks the gentleman for presiding.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. I would like to remind all of the members, if you wish to purchase a copy of the House photograph, you must do so by Friday, May 5; you must do so by Friday, May 5. See Denise Johnson in the Chief Clerk's Office to place your order. I will remind everyone once again later today.

GUESTS INTRODUCED

The SPEAKER. We have a special group of undergraduate students, political science majors from Villanova University, students of Representative Sheehan of Montgomery County. They are seated at the rear of the House. I would appreciate it if they would rise. They are our special guests today. I have already introduced myself to them as a 10-year resident of Villanova.

In the gallery with us today, as guests of Representative Art Hershey, we have the Parkesburg Area Senior Citizens. Becky Semple is their leader. Would the guests please rise.

And from East Pennsboro School District, as the guests of Representative Patricia Vance, Stephanie Rawlings and Eddie Preston. Would these guests please rise. They are guest pages seated right here before me.

We have another guest page, Stephen Todd, here today as the guest of Representative Lita Cohen of Montgomery County. He is here with his mother, Carol, his brother, John, and his father, John. Would these guests please rise.

Representative Larry Sather has a guest page with him, a 10th grade student at Juniata Valley High School, here as part of Career Shadowing Day sponsored by the American Association of University Women. The guest page's name is Greg Jackson. Greg, would you please rise.

CALENDAR**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 1474, PN 1775; HB 1475, PN 1724; HB 1476, PN 1725; HB 1477, PN 1726; HB 1478, PN 1727; HB 1479, PN 1728; HB 1480, PN 1729; HB 1414, PN 1778; and HB 1334, PN 1522.

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER. HB 36. This bill is not called up. It is over for the day.

On page 4 of today's calendar, HB 729 is over. HB 961 is over.

BILLS PASSED OVER TEMPORARILY

The SPEAKER. The Chair passes over temporarily the balance of the bills on page 4 and the first three bills on page 5.

MASTER ROLL CALL

The SPEAKER. The Chair at this time is going to take the master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT-199

Table listing names of members present: dolph, Allen, Argall, Baker, Bard, Barley, Battisto, Bebko-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Carn, Carone, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Colaizzo, Conti, Cornell, Corpora, Corrigan, Cowell, Fairchild, Fajt, Fargo, Farmer, Feese, Fichter, Fleagle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Gruitza, Gruppo, Habay, Haluska, Hanna, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Itkin, Jadlowiec, James, Jarolin, Josephs, Kaiser, Keller, Kenney, King, Lynch, Maitland, Major, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, Melio, Merry, Micozzie, Mihalich, Miller, Mundy, Nailor, Nickol, Nyce, O'Brien, Olasz, Oliver, Perzel, Petrarca, Petrone, Pettit, Phillips, Piccola, Pistella, Pitts, Platts, Preston, Ramos, Raymond, Readshaw, Reber, Reinard, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stish, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, True, Tulli, Vance, Van Horne, Veon, Vitali, Walko, Washington, Waugh.

Table listing names of members: Coy, Curry, Daley, DeLuca, Dempsey, Dent, Dermody, DeWeese, DiGirolamo, Donatucci, Druce, Durham, Egolf, Kirkland, Krebs, Kukovich, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lloyd, Lucyk, Richardson, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Rubley, Rudy, Sainato, Santoni, Sather, Williams, Wogan, Wozniak, Wright, D. R., Wright, M. N., Yewcic, Youngblood, Zimmerman, Zug, Ryan, Speaker.

ADDITIONS-0

NOT VOTING-0

EXCUSED-4

Table listing names of members: Armstrong, Evans, Michlovic, Pesci.

LEAVES ADDED-1

Washington

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 943, PN 1052, entitled:

An Act designating Exit 43 of Interstate Route 80 as the Richard Petty Exit.

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-199

Table listing names of members: Adolph, Allen, Argall, Baker, Bard, Barley, Battisto, Bebko-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Fairchild, Fajt, Fargo, Farmer, Feese, Fichter, Fleagle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Gruitza, Gruppo, Habay, Haluska, Hanna, Lynch, Maitland, Major, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, Melio, Micozzie, Mihalich, Miller, Mundy, Mundy, Nailor, Nickol, Nyce, O'Brien, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stish, Strittmatter, Sturla, Surra.

Cappabianca	Harhart	Olasz	Tangretti
Carn	Hasay	Oliver	Taylor, E. Z.
Carone	Hennessey	Perzel	Taylor, J.
Cawley	Herman	Petrarca	Thomas
Chadwick	Hershey	Petrone	Tigue
Civera	Hess	Pettit	Travaglio
Clark	Horshey	Phillips	Trello
Clymer	Hutchinson	Piccola	Trich
Cohen, L. I.	Itkin	Pistella	True
Cohen, M.	Jadlowiec	Pitts	Tulli
Colaafella	James	Platts	Vance
Colaizzo	Jarolin	Preston	Van Home
Conti	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corpora	Keller	Readshaw	Walko
Corrigan	Kenney	Reber	Washington
Cowell	King	Reinard	Waugh
Coy	Kirkland	Richardson	Williams
Curry	Krebs	Rieger	Wogan
Daley	Kukovich	Roberts	Wozniak
DeLuca	LaGrotta	Robinson	Wright, D. R.
Dempsey	Laughlin	Roebuck	Wright, M. N.
Dent	Lawless	Rohrer	Yewcic
Dermody	Lederer	Rooney	Youngblood
DeWeese	Leh	Rubley	Zimmerman
DiGirolamo	Lescovitz	Rudy	Zug
Donatucci	Levdansky	Sainato	
Druce	Lloyd	Santoni	Ryan,
Durham	Lucyk	Sather	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-4

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

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

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The House proceeded to third consideration of **SB 11, PN 1017**, entitled:

An Act limiting environmental liability for economic development agencies, financiers and fiduciaries.

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-199

Adolph	Fairchild	Lynch	Saylor
Allen	Fajt	Maitland	Schroder
Argall	Fargo	Major	Schuler
Baker	Farmer	Manderino	Scrimenti
Bard	Feese	Markosek	Semmel
Barley	Fichter	Marsico	Serafini
Battisto	Fleagle	Masland	Shaner
Bebko-Jones	Flick	Mayernik	Sheehan
Belardi	Gamble	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Birmelin	Geist	McGill	Snyder, D. W.
Bishop	George	Melio	Staback
Blaum	Gigliotti	Merry	Stairs
Boscola	Gladeck	Micozzie	Steelman
Boyes	Godshall	Mihalich	Steil
Brown	Gordner	Miller	Stern
Browne	Gruitza	Mundy	Stetler
Bunt	Gruppo	Nailor	Stish
Butkovitz	Habay	Nickol	Strittmatter
Buxton	Haluska	Nyce	Sturla
Caltagirone	Hanna	O'Brien	Surra
Cappabianca	Harhart	Olasz	Tangretti
Carn	Hasay	Oliver	Taylor, E. Z.
Carone	Hennessey	Perzel	Taylor, J.
Cawley	Herman	Petrarca	Thomas
Chadwick	Hershey	Petrone	Tigue
Civera	Hess	Pettit	Travaglio
Clark	Horshey	Phillips	Trello
Clymer	Hutchinson	Piccola	Trich
Cohen, L. I.	Itkin	Pistella	True
Cohen, M.	Jadlowiec	Pitts	Tulli
Colaafella	James	Platts	Vance
Colaizzo	Jarolin	Preston	Van Home
Conti	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corpora	Keller	Readshaw	Walko
Corrigan	Kenney	Reber	Washington
Cowell	King	Reinard	Waugh
Coy	Kirkland	Richardson	Williams
Curry	Krebs	Rieger	Wogan
Daley	Kukovich	Roberts	Wozniak
DeLuca	LaGrotta	Robinson	Wright, D. R.
Dempsey	Laughlin	Roebuck	Wright, M. N.
Dent	Lawless	Rohrer	Yewcic
Dermody	Lederer	Rooney	Youngblood
DeWeese	Leh	Rubley	Zimmerman
DiGirolamo	Lescovitz	Rudy	Zug
Donatucci	Levdansky	Sainato	
Druce	Lloyd	Santoni	Ryan,
Durham	Lucyk	Sather	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-4

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

Ordered, That the clerk 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.

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The House proceeded to third consideration of **SB 12, PN 1018**, entitled:

An Act providing grants for conducting assessments of abandoned industrial sites; establishing a fund; providing for funding; and imposing duties upon the Department of Commerce.

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-199

Adolph	Fairchild	Lynch	Saylor
Allen	Fajt	Maitland	Schroder
Argall	Fargo	Major	Schuler
Baker	Farmer	Manderino	Scrimenti
Bard	Feese	Markosek	Semmel
Barley	Fichter	Marsico	Serafini
Battisto	Fleagle	Masland	Shaner
Bebko-Jones	Flick	Mayernik	Sheehan
Belardi	Gamble	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Birmelin	Geist	McGill	Snyder, D. W.
Bishop	George	Melio	Staback
Blaum	Gigliotti	Merry	Stairs
Boscola	Gladeck	Micoozzie	Steelman
Boyes	Godshall	Mihalich	Steil
Brown	Gordner	Miller	Stern
Browne	Gruitza	Mundy	Stetler
Bunt	Gruppo	Nailor	Stish
Butkovitz	Habay	Nickol	Strittmatter
Buxton	Haluska	Nyce	Sturla
Caltagirone	Hanna	O'Brien	Surra
Cappabianca	Harhart	Olasz	Tangretti
Carn	Hasay	Oliver	Taylor, E. Z.
Carone	Hennessey	Perzel	Taylor, J.
Cawley	Herman	Petrarca	Thomas
Chadwick	Hershey	Petrone	Tigue
Civera	Hess	Pettit	Travaglio
Clark	Horshey	Phillips	Trello
Clymer	Hutchinson	Piccola	Trich
Cohen, L. I.	Itkin	Pistella	True
Cohen, M.	Jadlowiec	Pitts	Tulli
Colafella	James	Platts	Vance
Colaizzo	Jarolin	Preston	Van Horne
Conti	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corpora	Keller	Readshaw	Walko
Corrigan	Kenney	Reber	Washington
Cowell	King	Reinard	Waugh
Coy	Kirkland	Richardson	Williams
Curry	Krebs	Rieger	Wogan
Daley	Kukovich	Roberts	Wozniak
DeLuca	LaGrotta	Robinson	Wright, D. R.
Dempsey	Laughlin	Roebuck	Wright, M. N.
Dent	Lawless	Rohrer	Yewcic
Dermody	Lederer	Rooney	Youngblood
DeWeese	Leh	Rubley	Zimmerman
DiGirolamo	Lescovitz	Rudy	Zug
Donatucci	Levdansky	Sainato	
Druce	Lloyd	Santoni	Ryan,
Durham	Lucyk	Sather	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-4

Armstrong Evans Michlovic Pesci

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.

RESOLUTIONS

Mr. **MICOZZIE** called up **HR 74, PN 1074**, entitled:

A Resolution memorializing the Congress of the United States to enact legislation to provide for medical care savings accounts.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Fairchild	Lynch	Saylor
Allen	Fajt	Maitland	Schroder
Argall	Fargo	Major	Schuler
Baker	Farmer	Manderino	Scrimenti
Bard	Feese	Markosek	Semmel
Barley	Fichter	Marsico	Serafini
Battisto	Fleagle	Masland	Shaner
Bebko-Jones	Flick	Mayernik	Sheehan
Belardi	Gamble	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Birmelin	Geist	McGill	Snyder, D. W.
Bishop	George	Melio	Staback
Blaum	Gigliotti	Merry	Stairs
Boscola	Gladeck	Micoozzie	Steelman
Boyes	Godshall	Mihalich	Steil
Brown	Gordner	Miller	Stern
Browne	Gruitza	Mundy	Stetler
Bunt	Gruppo	Nailor	Stish
Butkovitz	Habay	Nickol	Strittmatter
Buxton	Haluska	Nyce	Sturla
Caltagirone	Hanna	O'Brien	Surra
Cappabianca	Harhart	Olasz	Tangretti
Carn	Hasay	Oliver	Taylor, E. Z.
Carone	Hennessey	Perzel	Taylor, J.
Cawley	Herman	Petrarca	Thomas
Chadwick	Hershey	Petrone	Tigue
Civera	Hess	Pettit	Travaglio
Clark	Horshey	Phillips	Trello
Clymer	Hutchinson	Piccola	Trich
Cohen, L. I.	Itkin	Pistella	True
Cohen, M.	Jadlowiec	Pitts	Tulli
Colafella	James	Platts	Vance
Colaizzo	Jarolin	Preston	Van Horne
Conti	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corpora	Keller	Readshaw	Walko
Corrigan	Kenney	Reber	Washington
Cowell	King	Reinard	Waugh
Coy	Kirkland	Richardson	Williams
Curry	Krebs	Rieger	Wogan
Daley	Kukovich	Roberts	Wozniak
DeLuca	LaGrotta	Robinson	Wright, D. R.

Dempsey	Laughlin	Roebuck	Wright, M. N.
Dent	Lawless	Rohrer	Yewcic
Dermody	Lederer	Rooney	Youngblood
DeWeese	Leh	Rubley	Zimmerman
DiGirolamo	Lescovitz	Rudy	Zug
Donatucci	Levdansky	Sainato	
Druce	Lloyd	Santoni	Ryan,
Durham	Lucyk	Sather	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-4

Armstrong	Evans	Michlovic	Pesci
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

Mr. MICOZZIE called up **HR 101, PN 1698**, entitled:

A Resolution memorializing the Congress of the United States to enact legislation to allow Federal income tax deductions on medical expenditures and health insurance premiums purchased by the self-employed and other individuals.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-197

Adolph	Egolf	Maitland	Schroder
Allen	Fairchild	Major	Schuler
Argall	Fajt	Manderino	Scrimenti
Baker	Fargo	Markosek	Semmel
Bard	Farmer	Marsico	Serafini
Barley	Feese	Masland	Shaner
Battisto	Fichter	Mayernik	Sheehan
Bebko-Jones	Fleagle	McCall	Smith, B.
Belardi	Flick	McGeehan	Smith, S. H.
Belfanti	Gamble	McGill	Snyder, D. W.
Birmelin	Gannon	Melio	Staback
Bishop	Geist	Merry	Stairs
Blaum	George	Micozzie	Steelman
Boscola	Gigliotti	Mihalich	Steil
Boyes	Gladeck	Miller	Stern
Brown	Godshall	Mundy	Stetler
Browne	Gordner	Nailor	Stish
Bunt	Gruitza	Nickol	Strittmatter
Butkovitz	Gruppo	Nyce	Sturla
Buxton	Habay	O'Brien	Surra
Caltagirone	Haluska	Olasz	Tangretti
Cappabianca	Hanna	Oliver	Taylor, E. Z.
Carn	Harhart	Perzel	Taylor, J.
Carone	Hasay	Petrarca	Thomas
Cawley	Hennessey	Petrone	Tigue
Chadwick	Herman	Pettit	Travaglio
Civera	Hershey	Phillips	Trello
Clark	Hess	Piccola	Trich
Clymer	Horsey	Pistella	True
Cohen, L. I.	Hutchinson	Pitts	Tulli
Cohen, M.	Itkin	Platts	Vance
Colafella	Jadlowiec	Preston	Van Horne

Colaizzo	James	Ramos	Veon
Conti	Jarolin	Raymond	Vitali
Cornell	Josephs	Readshaw	Walko
Corpora	Keller	Reber	Washington
Corrigan	Kenney	Reinard	Waugh
Cowell	King	Richardson	Williams
Coy	Kirkland	Rieger	Wogan
Curry	Krebs	Roberts	Wozniak
Daley	Kukovich	Robinson	Wright, D. R.
DeLuca	LaGrotta	Roebuck	Wright, M. N.
Dempsey	Laughlin	Rohrer	Yewcic
Dent	Lawless	Rooney	Youngblood
Dermody	Lederer	Rubley	Zimmerman
DeWeese	Leh	Rudy	Zug
DiGirolamo	Lescovitz	Sainato	
Donatucci	Lloyd	Santoni	Ryan,
Druce	Lucyk	Sather	Speaker
Durham	Lynch	Saylor	

NAYS-2

Kaiser	Levdansky
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NOT VOTING-0

EXCUSED-4

Armstrong	Evans	Michlovic	Pesci
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

Mr. ZUG called up **HR 106, PN 1521**, entitled:

A Resolution relating to maintaining the status quo of forces and training at Fort Indiantown Gap, Pennsylvania.

On the question,
Will the House adopt the resolution ?

Mr. FLEAGLE offered the following amendment No. **A2132**:

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

; and maintaining the status quo at Letterkenny Army Depot, Pennsylvania.

Amend Resolution, page 3, line 4, by striking out "therefore be it" and inserting and

WHEREAS, The base closure process has affected Letterkenny Army Depot four times since 1988 resulting in the loss of 2,075 jobs to date; and

WHEREAS, Letterkenny Army Depot is the only installation to provide interservicing of missile systems and is the first in the Department of Defense to have a teaming arrangement with the private sector collocated on the depot; and

WHEREAS, The interservicing and teaming are two concepts not addressed in the military value analysis or COBRA model; and

WHEREAS, The impact of further realignment at Letterkenny Army Depot would include the loss of an additional 4,126 jobs (2,090 direct jobs and 2,036 indirect jobs) over the 1996 to 2001 period in Franklin County, increasing the area's unemployment rate by as much as an estimated 6.6%; therefore be it

Amend First Resolve Clause, page 3, line 10, by inserting after "facility"

and to maintain the interservicing and teaming missions at Letterkenny Army Depot

Amend Second Resolve Clause, page 3, line 13, by inserting after "Indiantown Gap"

and Letterkenny Army Depot

Amend Third Resolve Clause, page 3, line 19, by removing the period after "Pennsylvania" and inserting

, and to maintain the status quo at Letterkenny Army Depot, Pennsylvania.

On the question,

Will the House agree to the amendment?

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

Mr. FLEAGLE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank Representative Zug for being supportive of my attempts to add Letterkenny Army Depot to this resolution, which calls for the saving of Fort Indiantown Gap.

As many of you know, these installations are important, not only to our districts but to all of Pennsylvania. We ask that they be saved not so much just for the jobs that are generated from them, and as you well know, there are thousands and thousands of jobs and auxiliary jobs that are generated from these installations.

This coming Thursday is a very important day because the BRAC (Base Closure and Realignment) Commission is meeting for hearings in Baltimore to hear the testimony that we have for these bases.

We ask your support today not only for this amendment but for the testimony that is to be presented. We ask, Mr. Speaker, that the BRAC Commission view these bases not so much for their effect on our districts, which they certainly do have, but for their military value. We feel that both these bases have a military value that has been overlooked greatly with flawed analysis by the BRAC Commission.

We ask that you support this amendment and support these bases. Thank you, Mr. Speaker.

The SPEAKER. On the question of the amendment, the Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the fact that this resolution is being offered, and further, that the amendment concerning Letterkenny Army Depot is being considered.

I think all of us realize that this is a Federal and not a State issue. However, because of the economic impact and the jobs impact that it has in our area and in the parts of the State that are affected by these bases, I think it is obvious that we need to comment about it.

Very frankly, I think one of the things that disturbs many of us about the plans of the BRAC recommendation is that it simply transfers jobs. It takes jobs from certain depots and moves them to other depots. And so it seems to be a faulty argument in terms of actually reducing costs, and while it is being purported as reducing costs, it simply transfers from one depot to another.

Those of us who represent districts that include depots that would take a loss, like Fort Indiantown Gap and Letterkenny and others, find a bit of chagrin in the argument that this is a cost-saving measure. It is not. It has not been proven. It has not met the test of proof, and I am confident that those who will testify at the BRAC hearing in Baltimore this Thursday will lead the BRAC Commission to that

same conclusion — that the arguments are indeed faulty, that they have not done their homework.

The SPEAKER. Will the gentleman yield.

Conferences on the side aisle will break up.

There are entirely too many staff members on the floor.

The gentleman may proceed.

Mr. COY. Thank you, Mr. Speaker.

I appreciate the fact that the Speaker is attempting to bring attention to this matter. The truth is that we will deal with several other environmental-type bills today which will be considered as helping our economy in Pennsylvania, as helping a jobs effort in Pennsylvania. This, while this is only a resolution, I think speaks volumes in terms of also saving jobs and helping the economy of Pennsylvania.

As I was saying before, the BRAC hearing, which will take place in Baltimore this Thursday, I think needs to prove to the Department of the Army and the Department of Defense that the recommendations that have been made concerning the closure of these depots and the simple transfer of jobs to other depots is not cost-saving, is not in the best interests of either the economy or the Nation, and is certainly not in the best interests of the depots and the areas that are going to be severely affected if the downsizing takes place.

So I support the amendment and I support the resolution, and I encourage the members of the House of Representatives to do the same. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Luzerne County, Mr. Tighe.

Mr. TIGHE. Thank you, Mr. Speaker.

Mr. Speaker, I do not really oppose the resolution or the amendment, but the sponsor of the amendment in his comments mentioned that we will support the testimony before the BRAC Commission, and I am just trying to caution people and put, I guess, on the record for myself that I do not know what that testimony is. What I am concerned about is that before the BRAC Commission, Letterkenny or Tobyhanna or Philadelphia Naval Yard or some military base who is now on the list is going to testify that they should remain open and close one of the other bases like Indiantown Gap, and I do not support that. I do not support keeping one of these bases open at the cost of closing another one in someone else's district.

So I would ask that those of you consider that, and keep in mind that we do not know what the testimony is. The BRAC Commission has already come out with a list of places to look at. Hopefully, we cannot have it both ways. We cannot have balanced budgets; we cannot do things and then say we should have no cuts.

So I would just, as a note of caution, say that I do not have any problems supporting this as long as we are not talking about saving ourselves and cutting someone else explicitly in the recommendations. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-192

Adolph	Durham	Maitland	Saylor
Allen	Egolf	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Baker	Fajt	Markosek	Scrimenti
Bard	Fargo	Marsico	Semmel
Barley	Farmer	Masland	Serafini
Battisto	Feese	Mayernik	Shaner
Bebko-Jones	Fichter	McCall	Sheehan
Belardi	Fleagle	McGeehan	Smith, B.
Belfanti	Flick	McGill	Smith, S. H.
Birmelin	Gamble	Melio	Snyder, D. W.
Bishop	Gannon	Merry	Staback
Blaum	Geist	Micozzie	Stairs
Boscola	George	Mihalich	Steelman
Boyes	Gigliotti	Miller	Steil
Brown	Gladeck	Nailor	Stern
Browne	Godshall	Nickol	Stetler
Bunt	Gordner	Nyce	Stish
Butkovitz	Gruitza	O'Brien	Strittmatter
Buxton	Gruppo	Olasz	Sturla
Caltagirone	Habay	Oliver	Surra
Cappabianca	Haluska	Perzel	Tangretti
Carn	Harhart	Petrarca	Taylor, E. Z.
Carone	Hasay	Petrone	Taylor, J.
Cawley	Hennessey	Pettit	Thomas
Chadwick	Herman	Phillips	Tigue
Civera	Hershey	Piccola	Travaglio
Clark	Hess	Pistella	Trello
Clymer	Horsey	Pitts	Trich
Cohen, L. I.	Hutchinson	Platts	True
Cohen, M.	Itkin	Preston	Tulli
Colafella	Jadlowiec	Ramos	Vance
Colaizzo	Jarolin	Raymond	Van Home
Conti	Kaiser	Readshaw	Vitali
Cornell	Keller	Reber	Walko
Corpora	Kenney	Reinard	Waugh
Corrigan	King	Richardson	Williams
Cowell	Kirkland	Rieger	Wogan
Coy	Krebs	Roberts	Wozniak
Curry	LaGrotta	Robinson	Wright, D. R.
Daley	Laughlin	Roebuck	Wright, M. N.
DeLuca	Lawless	Rohrer	Yewcic
Dempsey	Lederer	Rooney	Youngblood
Dent	Leh	Rubley	Zimmerman
Dermody	Lescovitz	Rudy	Zug
DeWeese	Levdansky	Sainato	
DiGirolamo	Lloyd	Santoni	Ryan,
Donatucci	Lucyk	Sather	Speaker
Druce	Lynch		

NAYS-4

Hanna	Josephs	Kukovich	Mundy
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NOT VOTING-3

James	Veon	Washington
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EXCUSED-4

Armstrong	Evans	Michlovic	Pesci
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,
Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS-192

Adolph	Durham	Major	Saylor
Allen	Egolf	Manderino	Schroder
Argall	Fairchild	Markosek	Schuler
Baker	Fajt	Marsico	Scrimenti
Bard	Fargo	Masland	Semmel
Barley	Farmer	Mayernik	Serafini
Battisto	Feese	McCall	Shaner
Bebko-Jones	Fichter	McGeehan	Sheehan
Belardi	Fleagle	McGill	Smith, B.
Belfanti	Flick	Melio	Smith, S. H.
Birmelin	Gamble	Merry	Snyder, D. W.
Bishop	Gannon	Micozzie	Staback
Blaum	Geist	Mihalich	Stairs
Boscola	George	Miller	Steelman
Boyes	Gigliotti	Mundy	Steil
Brown	Gladeck	Nailor	Stern
Browne	Godshall	Nickol	Stetler
Bunt	Gordner	Nyce	Stish
Butkovitz	Gruitza	O'Brien	Strittmatter
Buxton	Gruppo	Olasz	Sturla
Caltagirone	Habay	Oliver	Surra
Cappabianca	Haluska	Perzel	Tangretti
Carn	Harhart	Petrarca	Taylor, E. Z.
Carone	Hasay	Petrone	Taylor, J.
Cawley	Hennessey	Pettit	Thomas
Chadwick	Herman	Phillips	Tigue
Civera	Hershey	Piccola	Travaglio
Clark	Hess	Pistella	Trello
Clymer	Horsey	Pitts	Trich
Cohen, L. I.	Hutchinson	Platts	True
Cohen, M.	Itkin	Preston	Tulli
Colafella	Jadlowiec	Ramos	Vance
Colaizzo	Jarolin	Raymond	Van Home
Conti	Kaiser	Readshaw	Vitali
Cornell	Keller	Reber	Walko
Corpora	Kenney	Reinard	Waugh
Corrigan	King	Richardson	Williams
Cowell	Kirkland	Rieger	Wogan
Coy	Krebs	Roberts	Wozniak
Curry	LaGrotta	Robinson	Wright, D. R.
Daley	Laughlin	Roebuck	Wright, M. N.
DeLuca	Lawless	Rohrer	Yewcic
Dempsey	Lederer	Rooney	Youngblood
Dent	Leh	Rubley	Zimmerman
Dermody	Lescovitz	Rudy	Zug
DeWeese	Lloyd	Sainato	
DiGirolamo	Lucyk	Santoni	Ryan,
Donatucci	Lynch	Sather	Speaker
Druce	Maitland		

NAYS-4

Hanna	Josephs	Kukovich	Levdansky
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NOT VOTING-3

James	Veon	Washington
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EXCUSED-4

Armstrong	Evans	Michlovic	Pesci
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution as amended was adopted.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House, as the guests of the gentleman from Delaware, Mr. Adolph, a group of senior citizens from St. Francis Church here in the balcony. Would these friends of Bill Adolph's please stand.

We have with us to the left of the Speaker, as the guest of Representative Lescovitz, from the Eastern Regional Conference of the Council of State Governments, Alan Sokolow, who is the director of the eastern office. Would Alan please rise.

RESOLUTION PURSUANT TO RULE 35

Mrs. TAYLOR called up **HR 129, PN 1706**, entitled:

A Resolution memorializing the Governor to proclaim May 1995 as "Celebrate to Live Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the lady from Chester County, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, I just remind the members that this resolution that we are about to pass is one that we can remind our young people who will be graduating, who will be attending proms and parties, that they should enjoy this special time of life but they should celebrate and enjoy responsibly. In other words, celebrate to live.

Thank you, Mr. Speaker.
The SPEAKER. It seems reasonable.

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

The following roll call was recorded:

YEAS-197

Adolph	Fairchild	Lynch	Saylor
Allen	Fajt	Maitland	Schroder
Argall	Fargo	Major	Schuler
Baker	Farmer	Manderino	Scrimenti
Bard	Feese	Markosek	Semmel
Barley	Fichter	Marsico	Serafini
Battisto	Fleagle	Masland	Shaner
Bebko-Jones	Flick	Mayernik	Sheehan
Belardi	Gamble	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Birmelin	Geist	McGill	Snyder, D. W.
Blaum	George	Melio	Staback
Boscola	Gigliotti	Merry	Stairs
Boyes	Gladeck	Micozzie	Steelman
Brown	Godshall	Mihalich	Steil
Browne	Gordner	Miller	Stern
Bunt	Gruitza	Mundy	Stetler
Butkovitz	Gruppo	Nailor	Stish
Buxton	Habay	Nickol	Strittmatter
Caltagirone	Haluska	Nyce	Sturla
Cappabianca	Hanna	O'Brien	Surra
Carn	Harhart	Olasz	Tangretti
Carone	Hasay	Oliver	Taylor, E. Z.
Cawley	Hennessey	Perzel	Taylor, J.
Chadwick	Herman	Petrarca	Thomas
Civera	Hershey	Petrone	Tigue
Clark	Hess	Pettit	Travaglio

Clymer	Horsley	Phillips	Trello
Cohen, L. I.	Hutchinson	Piccola	Trich
Cohen, M.	Itkin	Pistella	True
Colaifella	Jadlowiec	Pitts	Tulli
Colaizzo	James	Platts	Vance
Conti	Jarolin	Preston	Van Horne
Cornell	Josephs	Ramos	Vitali
Corpora	Kaiser	Raymond	Walko
Corrigan	Keller	Readshaw	Washington
Cowell	Kenney	Reber	Waugh
Coy	King	Reinard	Williams
Curry	Kirkland	Richardson	Wogan
Daley	Krebs	Rieger	Wozniak
DeLuca	Kukovich	Roberts	Wright, D. R.
Dempsey	LaGrotta	Robinson	Wright, M. N.
Dent	Laughlin	Roebuck	Yewcic
Dermody	Lawless	Rohrer	Youngblood
DeWeese	Lederer	Rooney	Zimmerman
DiGirolamo	Leh	Rublely	Zug
Donatucci	Lescovitz	Rudy	
Druce	Levdansky	Saimato	Ryan,
Durham	Lloyd	Santoni	Speaker
Egolf	Lucyk	Sather	

NAYS-0

NOT VOTING-2

Bishop Veon

EXCUSED-4

Armstrong Evans Michlovic Pesci

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. CURRY called up **HR 133, PN 1779**, entitled:

A Resolution commemorating May 5, 1995, as "Child Care Awareness Day."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

Adolph	Fairchild	Lynch	Saylor
Allen	Fajt	Maitland	Schroder
Argall	Fargo	Major	Schuler
Baker	Farmer	Manderino	Scrimenti
Bard	Feese	Markosek	Semmel
Barley	Fichter	Marsico	Serafini
Battisto	Fleagle	Masland	Shaner
Belardi	Flick	Mayernik	Sheehan
Belfanti	Gamble	McCall	Smith, B.
Birmelin	Gannon	McGeehan	Smith, S. H.
Bishop	Geist	McGill	Snyder, D. W.
Blaum	George	Melio	Staback
Boscola	Gigliotti	Merry	Stairs
Boyes	Gladeck	Micozzie	Steelman
Brown	Godshall	Mihalich	Steil

Browne	Gordner	Miller	Stern
Bunt	Gruitza	Mundy	Stetler
Butkovitz	Gruppo	Nailor	Stish
Buxton	Habay	Nickol	Strittmatter
Caltagirone	Haluska	Nyce	Sturla
Cappabianca	Hanna	O'Brien	Surra
Carn	Harhart	Olasz	Tangretti
Carone	Hasay	Oliver	Taylor, E. Z.
Cawley	Hennessey	Perzel	Taylor, J.
Chadwick	Herman	Petrarca	Thomas
Civera	Hershey	Petrone	Tigue
Clark	Hess	Pettit	Travaglio
Clymer	Horsey	Phillips	Trello
Cohen, L. I.	Hutchinson	Piccola	Trich
Cohen, M.	Itkin	Pistella	True
Colafella	Jadlowiec	Pitts	Tulli
Colaizzo	James	Platts	Vance
Conti	Jarolin	Preston	Van Horne
Cornell	Josephs	Ramos	Veon
Corpora	Kaiser	Raymond	Vitali
Corrigan	Keller	Readshaw	Walko
Cowell	Kenney	Reber	Washington
Coy	King	Reinard	Waugh
Curry	Kirkland	Richardson	Williams
Daley	Krebs	Rieger	Wogan
DeLuca	Kukovich	Roberts	Wozniak
Dempsey	LaGrotta	Robinson	Wright, D. R.
Dent	Laughlin	Roebuck	Wright, M. N.
Dermody	Lawless	Rohrer	Yewcic
DeWeese	Lederer	Rooney	Youngblood
DiGirolamo	Leh	Rubley	Zimmerman
Donatucci	Lescovitz	Rudy	Zug
Druce	Levdansky	Sainato	
Durham	Lloyd	Santoni	Ryan,
Egolf	Lucyk	Sather	Speaker

NAYS-0

NOT VOTING-1

Bebko-Jones

EXCUSED-4

Armstrong Evans Michlovic Pesci

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

Mr. LYNCH called up **HR 134, PN 1780**, entitled:

A Resolution congratulating the Township of Pine Grove, Warren County, Pennsylvania, on its 200th Anniversary.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-199

Adolph	Fairchild	Lynch	Saylor
Allen	Fajt	Maitland	Schroder
Argall	Fargo	Major	Schuler
Baker	Farmer	Manderino	Scrimenti
Bard	Feese	Markosek	Semmel
Barley	Fichter	Marsico	Serafini

Battisto	Fleagle	Masland	Shaner
Bebko-Jones	Flick	Mayernik	Sheehan
Belardi	Gamble	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Birmelin	Geist	McGill	Snyder, D. W.
Bishop	George	Melio	Staback
Blaum	Gigliotti	Merry	Stairs
Boscola	Gladeck	Micozzie	Steelman
Boyes	Godshall	Mihalich	Steil
Brown	Gordner	Miller	Stern
Browne	Tigue	Mundy	Stetler
Bunt	Gruppo	Nailor	Stish
Butkovitz	Habay	Nickol	Strittmatter
Buxton	Haluska	Nyce	Sturla
Caltagirone	Hanna	O'Brien	Surra
Cappabianca	Harhart	Olasz	Tangretti
Carn	Hasay	Oliver	Taylor, E. Z.
Carone	Hennessey	Perzel	Taylor, J.
Cawley	Herman	Petrarca	Thomas
Chadwick	Hershey	Petrone	Tigue
Civera	Hess	Pettit	Travaglio
Clark	Horsey	Phillips	Trello
Clymer	Hutchinson	Piccola	Trich
Cohen, L. I.	Itkin	Pistella	True
Cohen, M.	Jadlowiec	Pitts	Tulli
Colafella	James	Platts	Vance
Colaizzo	Jarolin	Preston	Van Horne
Conti	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corpora	Keller	Readshaw	Walko
Corrigan	Kenney	Reber	Washington
Cowell	King	Reinard	Waugh
Coy	Kirkland	Richardson	Williams
Curry	Krebs	Rieger	Wogan
Daley	Kukovich	Roberts	Wozniak
DeLuca	LaGrotta	Robinson	Wright, D. R.
Dempsey	Laughlin	Roebuck	Wright, M. N.
Dent	Lawless	Rohrer	Yewcic
Dermody	Lederer	Rooney	Youngblood
DeWeese	Leh	Rubley	Zimmerman
DiGirolamo	Lescovitz	Rudy	Zug
Donatucci	Levdansky	Sainato	
Druce	Lloyd	Santoni	Ryan,
Durham	Lucyk	Sather	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-4

Armstrong Evans Michlovic Pesci

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

Mr. LYNCH called up **HR 135, PN 1781**, entitled:

A Resolution congratulating the City of Warren on its 200th Anniversary.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-199

Adolph	Fairchild	Lynch	Saylor
Allen	Fajt	Maitland	Schroder
Argall	Fargo	Major	Schuler
Baker	Farmer	Manderino	Scrimenti
Bard	Feese	Markosek	Semmel
Barley	Fichter	Marsico	Serafini
Battisto	Fleagle	Masland	Shaner
Bebko-Jones	Flick	Mayermik	Sheehan
Belardi	Gamble	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Birmelin	Geist	McGill	Snyder, D. W.
Bishop	George	Melio	Staback
Blaum	Gigliotti	Merry	Stairs
Boscola	Gladeck	Micozzie	Steelman
Boyes	Godshall	Mihalich	Steil
Brown	Gordner	Miller	Stern
Browne	Gruitza	Mundy	Stetler
Bunt	Gruppo	Nailor	Stish
Butkovitz	Habay	Nickol	Strittmatter
Buxton	Haluska	Nyce	Sturla
Caltagirone	Hanna	O'Brien	Surra
Cappabianca	Harhart	Olasz	Tangretti
Carn	Hasay	Oliver	Taylor, E. Z.
Carone	Hennessey	Perzel	Taylor, J.
Cawley	Herman	Petrarca	Thomas
Chadwick	Hershey	Petrone	Tigue
Civera	Hess	Pettit	Travaglio
Clark	Horsey	Phillips	Trello
Clymer	Hutchinson	Piccola	Trich
Cohen, L. I.	Itkin	Pistella	True
Cohen, M.	Jadlowiec	Pitts	Tulli
Colaella	James	Platts	Vance
Colaizzo	Jarolin	Preston	Van Horne
Conti	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corpora	Keller	Readshaw	Walko
Corrigan	Kenney	Reber	Washington
Cowell	King	Reinard	Waugh
Coy	Kirkland	Richardson	Williams
Curry	Krebs	Rieger	Wogan
Daley	Kukovich	Roberts	Wozniak
DeLuca	LaGrotta	Robinson	Wright, D. R.
Dempsey	Laughlin	Roebuck	Wright, M. N.
Dent	Lawless	Rohrer	Yewcic
Dermody	Lederer	Rooney	Youngblood
DeWeese	Leh	Rubley	Zimmerman
DiGirolamo	Lescovitz	Rudy	Zug
Donatucci	Levdansky	Sainato	
Druce	Lloyd	Santoni	Ryan,
Durham	Lucyk	Sather	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-4

Armstrong	Evans	Michlovic	Pesci
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

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Mr. GODSHALL called up **HR 136, PN 1782**, entitled:

A Resolution recognizing the week of May 7 through 13, 1995, as "Tourist Promotion Week" in Pennsylvania.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-199

Adolph	Fairchild	Lynch	Saylor
Allen	Fajt	Maitland	Schroder
Argall	Fargo	Major	Schuler
Baker	Farmer	Manderino	Scrimenti
Bard	Feese	Markosek	Semmel
Barley	Fichter	Marsico	Serafini
Battisto	Fleagle	Masland	Shaner
Bebko-Jones	Flick	Mayermik	Sheehan
Belardi	Gamble	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Birmelin	Geist	McGill	Snyder, D. W.
Bishop	George	Melio	Staback
Blaum	Gigliotti	Merry	Stairs
Boscola	Gladeck	Micozzie	Steelman
Boyes	Godshall	Mihalich	Steil
Brown	Gordner	Miller	Stern
Browne	Gruitza	Mundy	Stetler
Bunt	Gruppo	Nailor	Stish
Butkovitz	Habay	Nickol	Strittmatter
Buxton	Haluska	Nyce	Sturla
Caltagirone	Hanna	O'Brien	Surra
Cappabianca	Harhart	Olasz	Tangretti
Carn	Hasay	Oliver	Taylor, E. Z.
Carone	Hennessey	Perzel	Taylor, J.
Cawley	Herman	Petrarca	Thomas
Chadwick	Hershey	Petrone	Tigue
Civera	Hess	Pettit	Travaglio
Clark	Horsey	Phillips	Trello
Clymer	Hutchinson	Piccola	Trich
Cohen, L. I.	Itkin	Pistella	True
Cohen, M.	Jadlowiec	Pitts	Tulli
Colaella	James	Platts	Vance
Colaizzo	Jarolin	Preston	Van Horne
Conti	Josephs	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corpora	Keller	Readshaw	Walko
Corrigan	Kenney	Reber	Washington
Cowell	King	Reinard	Waugh
Coy	Kirkland	Richardson	Williams
Curry	Krebs	Rieger	Wogan
Daley	Kukovich	Roberts	Wozniak
DeLuca	LaGrotta	Robinson	Wright, D. R.
Dempsey	Laughlin	Roebuck	Wright, M. N.
Dent	Lawless	Rohrer	Yewcic
Dermody	Lederer	Rooney	Youngblood
DeWeese	Leh	Rubley	Zimmerman
DiGirolamo	Lescovitz	Rudy	Zug
Donatucci	Levdansky	Sainato	
Druce	Lloyd	Santoni	Ryan,
Durham	Lucyk	Sather	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-4

Armstrong	Evans	Michlovic	Pesci
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House a group of guests from Bucks County, here as the guests of Representative Paul Clymer, including Erica Maxwell, Devon Taylor, Trisha Slemmer, students from the Quakertown School District, and they are here with Mr. Clymer's administrative assistant, Ethel Setman. Would these guests please rise. They are to the left of the Speaker.

**INTERGOVERNMENTAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman, Mr. Flick, for the purpose of an announcement.

Mr. FLICK. Thank you, Mr. Speaker.

At the break the House Intergovernmental Affairs Committee will meet in the back of the hall to consider HR 45. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Does the gentleman, Mr. Lescovitz, desire recognition?

Mr. LESCOVITZ. Yes. Thank you, Mr. Speaker.

I have written remarks on SB 11 I would like to submit for the record.

The SPEAKER. The gentleman is in order and may submit them for the record.

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

About 2 years ago, as chairman of the Business and Economic Development Committee, I became very interested in the issue of providing liability protection for lenders who make loans to persons developing industrial sites. Under the current system, lenders bear an unfair portion of liability for cleaning up pollution which they did not cause. Since they bear this risk, they do not provide loans to prospective developers or even foreclose on properties.

In order to solve this problem, I began working with the Pennsylvania Bankers Association, environmental lawyers, DER (Department of Environmental Resources), and members of industry. We had various meetings to resolve this issue. This issue needed to be resolved so that loans will flow again and development of old industrial sites may happen.

These meetings resulted in the concepts which are embodied in SB 11. The passage of SB 11 will provide liability protection to lenders, and hopefully, permit more loans to be made.

The SPEAKER. Are there any further announcements?

Would the floor leaders listen.

It is my understanding that it has been agreed that we will break now until 1:15. Is that in accord with the wishes of the two floor leaders?

GUESTS INTRODUCED

The SPEAKER. We have with us today, as the guests of Tim Hennessey, the fourth and fifth grades of the Coatesville Catholic Elementary School from Coatesville, Pennsylvania. They are in the balcony, and we do not want to neglect you guys. Please stand up. You are welcome to be here.

The Chair recognizes the gentleman, Mr. Melio.

Mr. MELIO. Mr. Speaker, just for your information, there is a Red Mass at 12 o'clock. Could we have an extension on the time to eat?

The SPEAKER. Without objection, the House will stand in recess until 1:30. The Chair hears no objection.

RECESS

The SPEAKER. This House is now in recess.

RECESS EXTENDED

The SPEAKER. The House will remain in recess for an additional 15 minutes in hopes that a number of problems will be worked out with respect to the afternoon schedule.

AFTER RECESS

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

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1516 By Representatives GORDNER, ALLEN, MUNDY, BUNT, MAYERNIK, STABACK, GIGLIOTTI, BELFANTI, VAN HORNE, COY, MELIO, PRESTON, J. TAYLOR, TRELLO, DeLUCA and YOUNGBLOOD

An Act amending the act of June 3, 1937 (P.L. 1333, No. 320), known as the Pennsylvania Election Code, providing for write-in ballots.

Referred to Committee on STATE GOVERNMENT, May 2, 1995.

No. 1517 By Representatives ADOLPH, RAYMOND, GEORGE, FICHTER, JAROLIN, OLASZ, L. I. COHEN, SAYLOR, CAWLEY, COLAIZZO, STERN, DALEY, BUNT, DeLUCA, LUCYK, STABACK, SERAFINI, SCHRODER, M. COHEN, PESCI, E. Z. TAYLOR, MELIO, MICOZZIE, MERRY, SCHULER, SEMMEL, SHANER, BROWNE, GIGLIOTTI, HENNESSEY, BOSCOLA, SURRA, STEELMAN and TRELLO

An Act amending the act of March 4, 1971 (P.L. 6, No. 2), known as the Tax Reform Code of 1971, further providing for transfers not subject to inheritance tax.

Referred to Committee on FINANCE, May 2, 1995.

No. 1518 By Representatives ADOLPH, RAYMOND, CIVERA, MICOZZIE, GANNON, TRELLO, DALEY, McGEEHAN and YOUNGBLOOD

An Act requiring identification for check cashing; and imposing a penalty.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, May 2, 1995.

No. 1519 By Representatives ADOLPH, RAYMOND, MICOZZIE, GEORGE, FARMER, FICHTER, PLATTS, LEVDANSKY, STISH, L. I. COHEN, MARSICO, HERMAN, CAWLEY, CARONE, STERN, BUNT, DeLUCA, RUBLEY, LUCYK, STABACK, TIGUE, ROBERTS, TANGRETTI, REINARD, MUNDY, TRICH, LEH, SCHRODER, NYCE, LEDERER, TULLI, KELLER, BATTISTO, E. Z. TAYLOR, MELIO, SCRIMENTI, MERRY, FARGO, SCHULER, SEMMEL, SHANER, KAISER, VAN HORNE, BROWNE, BELARDI, MILLER, HALUSKA, GIGLIOTTI, HENNESSEY, TRAVAGLIO, BOSCOLA and TRELLO

An Act amending the act of August 14, 1991 (P.L.342, No.36), known as the Lottery Fund Preservation Act, further defining "income."

Referred to Committee on FINANCE, May 2, 1995.

No. 1520 By Representatives READSHAW, JAROLIN, GIGLIOTTI, DeLUCA, M. COHEN, VAN HORNE, STABACK, BELARDI, BEBKO-JONES, TRELLO, PESCI, HORSEY, JOSEPHS, HENNESSEY, HALUSKA, BELFANTI, RICHARDSON, MERRY, YOUNGBLOOD, OLASZ, WALKO, COLAFELLA and ITKIN

An Act establishing standards for certain motor vehicle leases; providing for additional duties of the Bureau of Consumer Protection and for enforcement and penalties.

Referred to Committee on CONSUMER AFFAIRS, May 2, 1995.

No. 1521 By Representatives RUBLEY, SURRA, McGILL, CIVERA, CLARK, KAISER, HERMAN, BELARDI, COY, MAYERNIK, ROONEY, ARGALL, FICHTER, GIGLIOTTI, STABACK, NAILOR, PLATTS, McCALL, KUKOVICH, MANDERINO, BEBKO-JONES, DALEY, COWELL, STEELMAN, NYCE, PISTELLA, STAIRS, LEVDANSKY, BOSCOLA, REBER, COLAIZZO, CURRY, GODSHALL, E. Z. TAYLOR, MUNDY, BELFANTI, MELIO, ROBINSON, PESCI, JOSEPHS, ITKIN, STURLA, L. I. COHEN, DERMODY, LAUGHLIN, MICHLOVIC, PETRARCA, ROEBUCK, VAN HORNE, STEIL, FAJT, PETRONE, BATTISTO, CAPPABIANCA, TRELLO, PETTIT, HENNESSEY, TRAVAGLIO, RUDY, ADOLPH, DeLUCA, SANTONI, WALKO, YOUNGBLOOD, SCHRODER, RICHARDSON, BARD, GRUPPO, DENT, DeWEESE, VEON and BAKER

An Act providing for advance notification of pesticide application within schools, school grounds, athletic fields and playgrounds.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 2, 1995.

No. 1523 By Representatives MILLER, MERRY, ARMSTRONG, FICHTER, CALTAGIRONE, FLICK, BELARDI, DENT, TRELLO, FARMER, MANDERINO, JOSEPHS, M. N. WRIGHT, ARGALL, TIGUE, YEWIC, HENNESSEY, E. Z. TAYLOR, PLATTS, KENNEY, LAUGHLIN, LEDERER, RICHARDSON, YOUNGBLOOD, TULLI, DeLUCA, RUBLEY, O'BRIEN, BOSCOLA, L. I. COHEN and ITKIN

An Act authorizing local taxing authorities to establish a real estate tax deferral program for certain persons.

Referred to Committee on LOCAL GOVERNMENT, May 2, 1995.

No. 1524 By Representatives PETTIT, MARKOSEK, CAPPABIANCA, FARMER, VAN HORNE, COLAFELLA, FARGO, ZUG, LAUGHLIN, HERSHEY, COLAIZZO, ROONEY, BELARDI, TRELLO, COWELL, GEIST, ITKIN, BARD and MELIO

An Act amending the act of November 24, 1992 (P.L.732, No.111), known as the Pennsylvania Quality Improvement Act, authorizing funding by the Commonwealth.

Referred to Committee on APPROPRIATIONS, May 2, 1995.

No. 1525 By Representatives COWELL, STAIRS, ROBINSON, BATTISTO, TULLI, MUNDY, STURLA, DeWEESE, ITKIN, E. Z. TAYLOR, FARMER, BELARDI, BAKER, SEMMEL, READSHAW, MARKOSEK, CARONE, FAJT, STABACK, ROONEY, TRELLO, MELIO, CAPPABIANCA, TRAVAGLIO, MAYERNIK, PISTELLA, JOSEPHS, MICHLOVIC, DERMODY, GIGLIOTTI, LEVDANSKY, PETTIT, KUKOVICH, SHANER, HALUSKA, DeLUCA, RICHARDSON, VAN HORNE, YOUNGBLOOD, PRESTON, PETRONE, LAUGHLIN, BOSCOLA, GAMBLE, KAISER, OLASZ, WALKO and HABAY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further defining "community college."

Referred to Committee on EDUCATION, May 2, 1995.

No. 1526 By Representatives BUTKOVITZ, FARMER, NAILOR, THOMAS, GIGLIOTTI, YOUNGBLOOD, KELLER, LEDERER, WOGAN, DeLUCA, OLIVER, LUCYK, BATTISTO, L. I. COHEN, FICHTER, SANTONI, ROEBUCK, CARN, McGEEHAN, J. TAYLOR, PRESTON, VITALI, PETRONE, VAN HORNE, KAISER, GAMBLE, READSHAW, FAJT, WALKO, MARKOSEK, COLAIZZO, BUXTON, TIGUE, STABACK, ITKIN, WOZNIAK, HANNA, KREBS, STEELMAN, MELIO, CAPPABIANCA, BEBKO-JONES, TRELLO, CURRY, RUDY, MIHALICH, TANGRETTI, PISTELLA, KIRKLAND, MANDERINO, HORSEY, CAWLEY, SCRIMENTI, TRICH, DALEY, CORRIGAN, LEVDANSKY, RICHARDSON, BISHOP, STETLER, GRUITZA, YEWIC, M. COHEN, BOSCOLA, CORPORA, RUBLEY, BARD, ROBERTS, JAROLIN, COLAFELLA and BOYES

An Act amending the act of August 14, 1991 (P.L.342, No.36), known as the Lottery Fund Preservation Act, further providing for pharmaceutical assistance eligibility.

Referred to Committee on FINANCE, May 2, 1995.

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bills for concurrence:

SB 857, PN 907

Referred to Committee on APPROPRIATIONS, May 2, 1995.

SB 859, PN 909

Referred to Committee on APPROPRIATIONS, May 2, 1995.

SB 860, PN 910

Referred to Committee on APPROPRIATIONS, May 2, 1995.

SB 861, PN 911

Referred to Committee on APPROPRIATIONS, May 2, 1995.

SB 862, PN 912

Referred to Committee on APPROPRIATIONS, May 2, 1995.

SB 863, PN 913

Referred to Committee on APPROPRIATIONS, May 2, 1995.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, on page 4 of today's tabled bill calendar, I move that HB 941, PN 1766, be removed from the table.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 941, PN 1766, be recommitted to the Committee on Appropriations.

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

RESOLUTION REPORTED FROM COMMITTEE

HR 45, PN 613

By Rep. FLICK

A Resolution memorializing the President and the Congress of the United States to maintain the current Low-Income Home Energy Assistance Program funding.

INTERGOVERNMENTAL AFFAIRS.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. I have been asked once again to remind the members that if you wish to purchase the House photograph, you must do so by May 5. Please see Ms. Johnson in the Chief Clerk's Office to place your order. May 5 is the deadline.

For the information of the members, the reason for this recess, apparently the gentleman from Delaware, Mr. Vitali, and the gentleman from Montgomery, Mr. Reber, have worked out a number of differences on SB 1, and the gentleman, Mr. Vitali, has indicated that if another amendment is submitted successfully, the long list of amendments that he has submitted will be withdrawn.

That is my understanding. Is that accurate, Mr. Vitali?

Mr. Vitali indicates that is accurate, and I think that is well worth some delay in recess, to save the time for what appears to be about 20 amendments.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 220, PN 1797 (Amended)

By Rep. CLYMER

An Act providing for the observance of the first Thursday in May of each year as "Commonwealth Day of Prayer."

STATE GOVERNMENT.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel.
Mr. PERZEL. Mr. Speaker, I move that HB 220 be taken from the table.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel.
Mr. PERZEL. Mr. Speaker, I move that HB 220 be recommitted to the Committee on Rules.

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

RECESS

The SPEAKER. We are still awaiting a print of the proposed amendment, so while we are waiting, I am going to put the regular session in recess, open up the special session. There will be no votes in the special session, but it is necessary under the rules for me to open it.

With that, I declare the regular session in recess.

AFTER RECESS

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

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Hanna.

Mr. HANNA. Is it appropriate to make a correction of the record at this time?

The SPEAKER. In regular session it would be appropriate.

Mr. HANNA. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. HANNA. Thank you.

Last week on IIR 128, I was not in my seat and was not recorded as voting. I would like to have been recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record. The Chair thanks the gentleman.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. While we are awaiting the arrival of the amendments, I would like to take this opportunity to remind the members of the House that this afternoon from 5 until 7:30 there will be a reception in the E building for the opening of the new Welcome Center, the new tourist center, for the legislative, really, well, it is for the executive and the legislative, but it is particularly the legislative branch of this government.

I have not seen it yet. I have heard reports on it. I am told it is outstanding. It is the type thing that we will be very proud of, by all reports, highly advanced, highly technical, and something that all of our constituents apparently will get a great deal of pleasure from viewing and using, and there will be a reception there today from 5 until 7:30. It is on the ground floor of the E building just around the corner from the cafeteria, across from the atrium.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. DeWeese, who asks that the lady from Philadelphia, Ms. WASHINGTON, be added to the leave of absence list. Without objection, the leave is granted.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1, PN 1019**, entitled:

An Act providing for the recycling of existing industrial and commercial sites; further defining the cleanup liability of new industries and tenants; establishing a framework for setting environmental remediation standards; establishing the Voluntary Cleanup Loan Fund and the Industrial Land Recycling Fund to aid industrial site cleanups; assigning powers and duties to the Environmental Quality Board and the Department of Environmental Resources; and making repeals.

On the question,

Will the House agree to the bill on third consideration?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Mr. Speaker, I ask that the rules of the House be suspended so that amendments A2206 and A2339 may be considered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—187

Adolph	Durham	Lucyk	Sather
Allen	Egolf	Major	Saylor
Argall	Fairchild	Manderino	Schroder
Baker	Fajt	Markosek	Schuler
Bard	Fargo	Marsico	Scrimenti
Barley	Farmer	Masland	Semmel
Battisto	Feese	Mayernik	Shaner
Bebko-Jones	Fichter	McCall	Sheehan
Belardi	Fleagle	McGeehan	Smith, B.
Belfanti	Flick	McGill	Smith, S. H.
Birmelin	Gamble	Melio	Snyder, D. W.
Bishop	Gannon	Merry	Staback
Blaum	Geist	Micozzie	Stairs
Boscola	George	Mihalich	Steil
Boyes	Gigliotti	Miller	Stern
Brown	Gladeck	Mundy	Stetler
Browne	Godshall	Nailor	Stish
Bunt	Gordner	Nickol	Strittmatter
Butkovitz	Gruitza	Nyce	Sturla
Buxton	Gruppo	O'Brien	Surra
Caltagirone	Habay	Olasz	Tangretti
Cappabianca	Haluska	Oliver	Taylor, E. Z.
Carn	Harhart	Perzel	Taylor, J.
Carone	Hennessey	Petrarca	Thomas
Cawley	Herman	Pettit	Travaglio
Chadwick	Hershey	Phillips	Trello
Civera	Hess	Piccola	Trich
Clymer	Horsey	Pistella	True
Cohen, L. I.	Hutchinson	Pitts	Tulli
Cohen, M.	Itkin	Platts	Vance
Colafella	Jadlowiec	Preston	Van Home
Colaizzo	James	Ramos	Veon
Conti	Josephs	Raymond	Vitali
Cornell	Kaiser	Readshaw	Walko
Corpora	Keller	Reber	Waugh

Corrigan	Kenney	Reinard	Williams
Cowell	King	Richardson	Wogan
Coy	Kirkland	Rieger	Wozniak
Curry	Kukovich	Roberts	Wright, D. R.
Daley	LaGrotta	Robinson	Wright, M. N.
DeLuca	Laughlin	Roebuck	Yewcic
Dempsey	Lawless	Rohrer	Youngblood
Dent	Lederer	Rooney	Zimmerman
Dermody	Leh	Rubley	Zug
DeWeese	Lescovitz	Rudy	
DiGirolamo	Levdansky	Sainato	Ryan,
Donatucci	Lloyd	Santoni	Speaker
Druce			

NAYS-10

Clark	Jarolin	Maitland	Steelman
Hanna	Krebs	Serafini	Tigue
Hasay	Lynch		

NOT VOTING-1

Petrone

EXCUSED-5

Armstrong	Michlovic	Pesci	Washington
Evans			

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.

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

Mr. **LESCOVITZ** offered the following amendment No. **A2206**:

Amend Table of Contents, page 2, lines 21 through 23, by striking out all of said lines and inserting
Section 702. Industrial Sites Cleanup Fund.
Section 703. Fees.

Amend Sec. 102, page 4, line 28, by inserting after "WHENEVER" technically and economically

Amend Sec. 102, page 4, line 29, by inserting after "FEASIBLE" as determined under the provisions of this act

Amend Sec. 702, page 45, lines 11 through 30; page 46, lines 1 through 23, by striking out all of said lines on said pages

Amend Sec. 703, page 46, line 24, by striking out "703" and inserting 702

Amend Sec. 703, page 48, line 21, by inserting after "TRANSFERRED"
upon approval of the Governor

Amend Sec. 703, page 48, lines 28 through 30; page 49, line 1, by striking out "THE" in line 28, all of lines 29 and 30, page 48 and "EFFECTIVE DATE OF THIS ACT." in line 1, page 49

Amend Sec. 704, page 49, line 12, by striking out "704" and inserting 703

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

The **SPEAKER**. On the question of the adoption of the amendment, the Chair recognizes the gentleman.
Mr. **LESCOVITZ**. Thank you, Mr. Speaker.

This is a change in the bill which will strike out \$5 million out of the Industrial Sites Cleanup Fund for any site and leaves the \$15 million in the legislation for existing industrial sites for the loan program and the grant program.

I believe this is agreed to. The Budget Office and the administration is in support of this amendment.

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

Mr. **REBER**. Thank you, Mr. Speaker.

The prior speaker is correct. This is an agreed-to amendment. It rectifies a technical problem in the drafting of an earlier amendment. I urge its adoption. Thank you.

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

The following roll call was recorded:

YEAS-198

Adolph	Egolf	Lucyk	Sather
Allen	Fairchild	Lynch	Saylor
Argall	Fajt	Maitland	Schroder
Baker	Fargo	Major	Schuler
Bard	Farmer	Manderino	Scrimenti
Barley	Feese	Markosek	Semmel
Battisto	Fichter	Marsico	Serafini
Bebko-Jones	Fleagle	Masland	Shaner
Belardi	Flick	Mayernik	Sheehan
Belfanti	Gamble	McCall	Smith, B.
Birmelin	Gannon	McGeehan	Smith, S. H.
Bishop	Geist	McGill	Snyder, D. W.
Blaum	George	Melio	Staback
Boscola	Gigliotti	Merry	Stairs
Boyes	Gladeck	Micozzie	Steelman
Brown	Godshall	Mihalich	Steil
Browne	Gordner	Miller	Stern
Bunt	Gruitza	Mundy	Stetler
Butkovitz	Gruppo	Nailor	Stish
Buxton	Habay	Nickol	Strittmatter
Caltagirone	Haluska	Nyce	Sturla
Cappabianca	Hanna	O'Brien	Surra
Carn	Harhart	Olasz	Tangretti
Carone	Hasay	Oliver	Taylor, E. Z.
Cawley	Hennessey	Perzel	Taylor, J.
Chadwick	Herman	Petrarca	Thomas
Civera	Hershey	Petrone	Tigue
Clark	Hess	Petit	Travaglio
Clymer	Horsey	Phillips	Trello
Cohen, L. I.	Hutchinson	Piccola	Trich
Cohen, M.	Itkin	Pistella	True
Colafella	Jadlowiec	Pitts	Tulli
Colaizzo	James	Platts	Vance
Conti	Jarolin	Preston	Van Horne
Cornell	Josephs	Ramos	Veon
Corpora	Kaiser	Raymond	Vitali
Corrigan	Keller	Readshaw	Walko
Cowell	Kenney	Reber	Waugh
Coy	King	Reinard	Williams
Curry	Kirkland	Richardson	Wogan
Daley	Krebs	Rieger	Wozniak
DeLuca	Kukovich	Roberts	Wright, D. R.
Dempsey	LaGrotta	Robinson	Wright, M. N.
Dent	Laughlin	Roebuck	Yewcic
Dermody	Lawless	Rohrer	Youngblood
DeWeese	Lederer	Rooney	Zimmerman
DiGirolamo	Leh	Rubley	Zug
Donatucci	Lescovitz	Rudy	
Druce	Levdansky	Sainato	Ryan,
Durham	Lloyd	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-5

Armstrong Michlovic Pesci Washington
Evans

The majority having voted in the affirmative, 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. VITALI offered the following amendment No. A2339:

Amend Sec. 505, page 44, line 2, by striking out "or"
Amend Sec. 505, page 44, line 13, by striking out all of said line and inserting
act; or

- (5) (i) the release occurred after the effective date of this act on a site not used for industrial activity prior to the effective date of this act;
- (ii) the remedy relied in whole or in part upon institutional or engineering controls instead of treatment or removal of contamination; and
- (iii) treatment, removal or destruction has become technically and economically feasible on that part.

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

This amendment amends subsection (5), which deals with the issue of release of liability. This deals with the greenfields issue to a degree, and the amendment basically states that with regard to the contamination of greenfields, if the remedy relied upon used institutional or engineering controls and at a future date treatment, removal, or destruction become feasible, then the landowner would have to go back and engage in those practices.

I think it improves the bill. Again, it is part of the agreement you have made reference to, and I believe we have the support of the majority environmental chair.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery County, Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, this particular amendment, amendment 2339 offered by Representative Vitali and myself, is an agreed-to amendment. It really is an amendment that goes to the reopener clause, which is an identical scenario that has taken place in many States. The limitation, of course, is relative to the greenfields area, where the release occurs after the effective date of the act on a site that was not used for industrial activity prior to the effective date of the act.

I think this is a reasonable compromise. I think that everyone that enters into a site-specific or a particular health or statewide remediation plan or whatever the case may be in the future on a greenfields will be fully aware of the import of this act and can appropriately act accordingly.

I think this is a rational and sane way to conclude this particular debate, and I would urge its adoption. Thank you very much.

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

- | | | | |
|--------------|------------|------------|---------------|
| dolph | Egolf | Lucyk | Sather |
| Allen | Fairchild | Lynch | Saylor |
| Argall | Fajt | Maitland | Schroder |
| Baker | Fargo | Major | Schuler |
| Bard | Farmer | Manderino | Scrimanti |
| Barley | Feese | Markosek | Semmel |
| Battisto | Fichter | Marsico | Serafini |
| Bebko-Jones | Fleagle | Masland | Shaner |
| Belardi | Flick | Mayernik | Sheehan |
| Belfanti | Gamble | McCall | Smith, B. |
| Birmelin | Gannon | McGeehan | Smith, S. H. |
| Bishop | Geist | McGill | Snyder, D. W. |
| Blaum | George | Melio | Staback |
| Boscola | Gigliotti | Merry | Stairs |
| Boyes | Gladeck | Micozzie | Steelman |
| Brown | Godshall | Mihalich | Steil |
| Browne | Gordner | Miller | Stern |
| Bunt | Gruitza | Mundy | Stetler |
| Butkovitz | Gruppo | Nailor | Stish |
| Buxton | Habay | Nickol | Strittmatter |
| Caltagirone | Haluska | Nyce | Sturla |
| Cappabianca | Hanna | O'Brien | Surra |
| Carr | Harhart | Olasz | Tangretti |
| Carone | Hasay | Oliver | Taylor, E. Z. |
| Cawley | Hennessey | Perzel | Taylor, J. |
| Chadwick | Herman | Petrarca | Thomas |
| Civera | Hershey | Petrone | Tigue |
| Clark | Hess | Pettit | Travaglio |
| Clymer | Horsey | Phillips | Trello |
| Cohen, L. I. | Hutchinson | Piccola | Trich |
| Cohen, M. | Itkin | Pistella | True |
| Colafrilla | Jadlowiec | Pitts | Tulli |
| Colaizzo | James | Platts | Vance |
| Conti | Jarolin | Preston | Van Horne |
| Cornell | Josephs | Ramos | Veon |
| Corpora | Kaiser | Raymond | Vitali |
| Corrigan | Keller | Readshaw | Walko |
| Cowell | Kenney | Reber | Waugh |
| Coy | King | Reinard | Williams |
| Curry | Kirkland | Richardson | Wogan |
| Daley | Krebs | Rieger | Wozniak |
| DeLuca | Kukovich | Roberts | Wright, D. R. |
| Dempsey | LaGrotta | Robinson | Wright, M. N. |
| Dent | Laughlin | Roebuck | Yewcic |
| Dermody | Lawless | Rohrer | Youngblood |
| DeWeese | Lederer | Rooney | Zimmerman |
| DiGiralamo | Leh | Rublely | Zug |
| Donatucci | Leseovitz | Rudy | |
| Druce | Levdansky | Sainato | Ryan, |
| Durham | Lloyd | Santoni | Speaker |

NAYS-0

NOT VOTING-0

EXCUSED-5

Armstrong
Evans

Michlovic

Pesci

Washington

The majority having voted in the affirmative, 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?

The SPEAKER. It is the Chair's understanding all other amendments have been withdrawn. Is that accurate?

Has the gentleman, Mr. George, withdrawn his amendments, or do you have amendments to offer, sir?

Mr. GEORGE. No, Mr. Speaker, that is not accurate. I intend to offer my amendment because of the significance and the importance of it.

The SPEAKER. The Chair apologizes to the gentleman.

On the question recurring,

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

Mr. **GEORGE** offered the following amendment No. **A2246**:

Amend Sec. 301, page 16, by inserting between lines 9 and 10

(d) Limitation on site-specific standard.—Notwithstanding any other provision of this act, the site-specific standard set forth in section 304 shall not be applicable to a property on which no industrial activities were conducted prior to the effective date of this act.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the George amendment, the gentleman is recognized.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, my amendment is a quite simple amendment. If we are attempting to lend a hand to those who wish to develop old, abandoned industrial sites, I have no quarrel whatsoever with that intent. What I do have a quarrel with, however, Mr. Speaker, is the fact that this legislation does not stop there.

As drafted, SB 1 will allow future developments and developers to choose between the same set of remediation standards that we are allowing to be utilized in the remediation of the old sites. Specifically, what we will do if we do not pass this amendment, Mr. Speaker, we will be allowing the future polluters to clean up degradation to the weakest of the three standards. The site-specific option is something that should not be offered to those that will contaminate or degradate 5 years down the road. The plain undeniable fact is, Mr. Speaker, that if they want to represent a lowering of cleanup standards, that is what they will be doing if they do not pass this amendment.

This is for final sites that we are trying to lure developers. It is not for those who develop 10 years from now. Those people who know the rules should abide by those rules.

My amendment does not do anything to hurt the industrial development of those sites that were polluted before the law, those

sites that were inadvertently affected because somebody went bankrupt. This is exactly what we have been wanting to do. This is what we have been telling DER (Department of Environmental Resources) should be done.

But by the same token, we should not allow the polluters of tomorrow to be able to adopt site-specific standards that will allow them to be completely off the so-called hook. My amendment will remove that option, and that is all it does. The site-specific cleanup will not be on the menu of the possibilities of future developers after the effective date of this legislation.

I ask that we adopt the amendment.

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, would the author of this amendment stand for interrogation?

The SPEAKER. The gentleman, Mr. George, indicates he will stand for interrogation. The gentleman, Mr. Thomas, may begin.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, you indicated that this amendment is extremely important and that there could be major consequences if this amendment is not adopted. Would you explain that, please?

Mr. GEORGE. Mr. Speaker, if I may, the bill as intended allows three versions of cleanup. One is statewide standards that will be placed into effect by DER and the Environmental Quality Board; the second will be the old standards that are now placed in law; and the third will be site-specific, which means, Mr. Speaker, that if DER should insist that all that is needed is a fence and there is no other concern, then a fence will be allowed to be put up as a reasonable approach to contain the degradation.

Now, Mr. Speaker, the amendment that we passed a moment ago, even though there will be some that will want to insist that it alleviates our concern, will not. All it does is, again, allows DER to make that decision on site-specific and then gives the polluter a chance to appeal it, which could go on for years. So all this amendment does is say, Mr. Speaker, from the date that this legislation goes into effect, any pollution that is determined or caused after the effect will not be allowed to use the special condition of site-specific. That is all it does.

Mr. THOMAS. And to that end, Mr. Speaker, this is extremely important?

Mr. GEORGE. Mr. Speaker, as you know, I have been a critic of DER for many years, and I have been a critic in that I thought that the department ought to be more friendly, more understanding, and I have criticized the department over the years because I believe they were very selective, and now I look at a bill that has been brought forward that will go a long way to cleaning up industrial sites, but unfortunately, what it does, it goes too far. It allows the polluters of tomorrow to be left off the hook, and I would urge that you would vote for this amendment.

Mr. THOMAS. Mr. Speaker, I appreciate that explanation. I think you did an admirable job in explaining the intent of your amendment, and as always, I will give full attention to the explanation that you have offered, and all I ask is that in the future we learn to do likewise. Thank you.

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

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, I must respectfully disagree with the amendment that has been offered by the minority chairman of the House Environmental Committee.

With all due respect, Mr. Speaker, this amendment creates a double standard in the Commonwealth of Pennsylvania for cleanups. The practical impact of this amendment is simple. If we have two identical spills, one that occurred on property used before the effective date in the amendment and another on an adjoining property that occurred on property developed after the effective date, the cleanup standards for those two properties would be different.

Over the years, Mr. Speaker, on this particular issue, we have often talked about the problems with DER being consistent or inconsistent, as the case might be. Let us not, by the adoption of this amendment, create an inconsistency within the law itself relative to remediation.

We also talked, Mr. Speaker, about creating jobs and having new economic opportunities here in the Commonwealth. With or without SB 1, there still will be significant development on the greenfields areas of the State, the sites around the State that this amendment attempts to address, but, Mr. Speaker, I do not believe this is the way to go about that.

We should be aware that there are laws on the books right now to require permitting for new facilities. There are aggressive fines amounting to up to \$25,000 a day. There is an aggressive enforcement policy. There is new technology that was not known many decades ago when our so-called brownfields came about, and I think, Mr. Speaker, the most important thing that the members should be aware of is the action that we took in committee that requires the use of either background standards or health risk standards where in fact a convicted polluter does in fact cause a release that is regulated or some other form of contamination that is regulated under any of the environmental statutes in the Commonwealth of Pennsylvania. The polluter will not be, under this legislation, permitted to use the site-specific standard as a result of his criminal conviction.

Now, let us go one step further, Mr. Speaker. Many people say, not every polluter is criminally convicted. I would say though that every polluter ultimately gets a notice of violation from the department; every polluter ultimately may be charged with a criminal violation. I think anyone that has done any defense work knows that in the bill we have section 905, paragraph (D), which will be part and parcel of any negotiated plea, of any consent agreement by the department. There will be an aggressive opportunity even when there is not a criminal conviction elicited pursuant to paragraph (D), that still the mandates of this section can be the intended part and parcel result of a consent decree or a negotiated settlement or a plea agreement or anything of that nature. So to say that merely a criminal conviction takes place in a few instances does not give true, honest, intellectual discussion to the way the real world reacts when you are dealing with environmental degradation and enforcement statutes.

Mr. Speaker, I think the cleanup standards that we talk about are in fact correct as they are delineated in the statute. I think the House Environmental Committee has gone very, very far to protect the integrity of these environmental statutes, and I think the bill, as it has now been amended and is before the House, is in the best possible shape to bring about all the equities that have to come in to a general and honest discussion on this issue.

I would respectfully urge defeat of the George amendment. Thank you.

The SPEAKER. The gentleman from Allegheny County, Mr. Levdansky, is recognized on the George amendment.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the amendment offered by Representative George. I do so because, like many members here and like many people in the business and environmental community across Pennsylvania, we recognize that our industrial heritage in Pennsylvania has resulted in an environmental degradation because of past business practices; many of those practices, I might add, that were in process long before the advent of modern environmental legislation and regulations.

This legislation initially sought to recognize that brownfields, that industrial sites in the heartland of Pennsylvania, need some special consideration if we are going to be truly effective at promoting economic growth in those communities, and let me point out, I think for me, the real gist and the real issue of why we are here to address this issue is stated in the first point in the declaration of policy in this bill, and let me quote: "The reuse of industrial land is an important component of a sound land-use policy that will help prevent the needless development of prime farmland, open-space areas and natural areas...."

Mr. Speaker, many people have criticized this amendment as an effort to sort of indirectly try to manage land-use policy in our Commonwealth. Mr. Speaker, right in the content of the bill is the most explicit description of a front-end attempt to control land use and to do so by promoting the redevelopment and reindustrialization of abandoned mill sites. That is explicit. If our goal is to truly promote business growth, job-generation activities, capital formation on abandoned industrial sites in the Commonwealth, it is absolutely critical, if that is going to happen, that the amendment offered by Representative George be accepted and sustained.

Let me point out, Mr. Speaker, that brownfields are traditionally very old sites that lack modern infrastructure, contrary to a lot of thinking and a lot of statements that have been made out there. That is not the case. Brownfield sites in the Mon Valley, where I come from, have tremendous access to rivers, have tremendous access to rails, but that is the infrastructure that was necessary for industry back from about 1900 to about 1950. That has changed significantly. Today you need separate utility lines — gas, water, electric. You need fiber-optic telecommunications if you are going to attract the new generation of jobs and businesses in Pennsylvania. That is the kind of infrastructure that you need in today's economy.

Unfortunately, all too many times, our own State programs lend assistance to greenfield development. Environmental remediation is but one factor that influences the business decisionmaking process. There are many other factors, a host of factors, that business people look at and consider when deciding where they are going to invest their capital to create their enterprises. Mr. Speaker, without this critical amendment to make that distinction between greenfields and brownfields, I would really have a very difficult time supporting this legislation.

Again, let me also point out that the reason why we are here considering this legislation is because, as I said, we recognize that business practices prior to the advent of modern environmental legislation often contaminated ground, air, and water, and that it is unrealistic to expect that that pollution that occurred prior to the advent of environmental legislation be cleaned up to background, to pristine, to very difficult standards.

Let me point out, Mr. Speaker, that that modern era of environmental legislation was ushered in in Pennsylvania and across

our Nation in the period of about 1976 to 1980. In 1976 the Resource Conservation and Recovery Act was passed in Congress and placed into law. In 1978 the Toxic Substances Control Act was passed in Congress. In 1978 the U.S. Clean Water Act became law. In 1980 the Pennsylvania Clean Streams Act became law. In 1980 our Solid Waste Management Act in Pennsylvania took effect, and in 1980 Superfund, the Federal Superfund, came into being. What I am trying to say, Mr. Speaker, is between 1976 and 1980, if a business polluted before that, there is some rationale to enable them to have lower standards.

However, it is a whole other story to pollute the ground, the air, or the water after the advent of modern environmental legislation, and this amendment, I think, strikes a very fair, a more than generous balance for those that are looking for a line of demarcation, not a dual standard but a line of demarcation, to say that if industrial activity occurred on a site prior to the effective date of the passage of this bill, then the provisions of SB 1 shall govern. However, if it is a greenfield that is going to be developed next month, next week, next year, then we ought to hold that development to a bit of a higher standard in the interest of protecting the health and safety of our communities as well as the environment.

Mr. Speaker, this amendment is absolutely critical if one is serious, absolutely serious, about helping to form capital and job generation on abandoned industrial sites across Pennsylvania. This is the most critical amendment that is offered here today, and I urge your support for the George amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Elk County, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the George amendment.

Mr. Speaker, I think everybody in this chamber agrees that we have to encourage the cleanup of old industrial sites, and that is what I thought this was about, Mr. Speaker. This is the old industrial sites reuse bill.

Mr. Speaker, without the George amendment, we will be allowing polluters of the future to get off the hook. Without removing the site-specific standard for future industrial sites, Mr. Speaker, we will allow future polluters to merely put a fence up and cap over pollution on an industrial site, and that is their obligation.

Mr. Speaker, it has been mentioned that we should not have differentials between industrial sites. If you are really serious about developing old industrial sites that have been degraded in the past, we need that differential; we must have that differential.

Mr. Speaker, people who have polluted sites now are looking at this legislation as relief, and possibly banks and investors can go in and clean up an old site, but we ought not be about the business, Mr. Speaker, of allowing future pollution to occur.

Mr. George's amendment is a simple amendment, Mr. Speaker, and I encourage the members to vote for it. Thank you.

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

Mr. MIHALICH. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. MIHALICH. I will not take up the House's time to repeat the arguments made by the two previous speakers except to cap it off by saying that one of the things that the George amendment will do is to prevent brown sites from occurring in the greenfield sites, of which we have so many in Pennsylvania. Pennsylvania is still a beautiful State, has a lot of pristine sites, and I do not think anybody here, if they think about it in that context, wants us to change the law to make

their beautiful greenfields and their green vistas into industrial brown sites.

So in the real world, as the previous speaker said, in the realistic view of this, we need two standards, because we have to realistically understand, as a previous speaker said, that many of these sites were contaminated by people who were adhering to the laws that existed at that time. The laws have changed, times have changed. Our citizens demand cleaner air, cleaner water, and protection against environmental polluters. Since that is the case, we realistically must recognize that there is a BP, before pollution, and an AP, after pollution, area in law enforcement.

For that reason I think the George amendment is realistic. It lives in the real world, and it takes into consideration real problems, and if you want to protect your area, if you like the area, your nice green areas and fields, as I do mine, you will vote for the George amendment because it will protect you in the future. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Sturla, does he desire recognition? The Chair recognizes the gentleman.

Mr. STURLA. Mr. Speaker, will the gentleman, Mr. Reber, stand for a brief interrogation?

The SPEAKER. The gentleman, Mr. Reber, indicates he will stand for interrogation. You may begin.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, earlier the gentleman had said that there would be fines and prosecutions and remediation if there was pollution that occurred on a site that was currently a greenfield site that was turned into an industrial site. Is that correct?

Mr. REBER. Mr. Speaker, not only will there be fines and penalties and criminal prosecutions, if warranted, on a pollution on a greenfield site, anywhere in the Commonwealth of Pennsylvania, if I am the Attorney General or I am the prosecuting attorney, where there is degradation — brownfield, greenfield, redfield, yellowfield — there will be criminal prosecutions advanced. Let us not forget, we are out to protect the entire Commonwealth — retrofitted brownfields, polluted brownfields that may continue to migrate off-site. We are out to protect greenfields with the most vigorous prosecutions you have ever seen. That is the way that we developed this bill in committee. That is the way we enhanced the bill from whence it came in the Senate.

Mr. Speaker, if you look at paragraph (D), there is enhancement as to the criminal convictions as well as the manner in which the cleanup can be carried out. Site-specific cleanup is precluded.

Yes, you are correct that greenfields will be prosecuted.

Mr. STURLA. Thank you, Mr. Speaker.

One followup question then.

Given that just about any business activity that occurs these days creates some small level of increase in pollutants — I mean, the fact that if I put a parking lot on my site and the oil pans from those cars drip a couple drops of oil a year — I mean, at some point in time, almost any activity, in this day and age where we can measure almost anything, there is some increased level of pollution to any site that gets used for an industrial purpose. Would you agree with that premise or not?

Mr. REBER. I cannot really necessarily just generally agree to any kind of premise without knowing the particular statute, the particular toxic substance involved, the manner in which, the intent behind it. Things of that nature come into play. It is really a much, much too broad and open-ended question for a simple yes or no.

Mr. STURLA. Okay. I guess what I am trying to get at here — and it is critical in my decision as to whether to support the George amendment or not — my concern is that if I take a pristine site — we will call it pristine for all intents and purposes — which is well below any health standard that we are currently setting forth in SB 1 or well below any other standard that we are going to set in SB 1, if I have that site and over a period of years of industrial use where I have no spills, where I have met every law, where I am within the guidelines of every EPA (Environmental Protection Agency) regulation, there still will probably be some accumulation of pollutants on that site, and so 10, 20, 30 years later, if I go from pristine site to one that maybe has some accumulation as a result of being used, I will probably still be okay. I will probably still come under any of the guidelines that we set forth in SB 1. My concern is that if I take a brownfield site which is currently polluted way beyond any standard that we are going to set in SB 1 and I remediate it to the standards that we set in SB 1, my concern is that 10 or 20 or 30 years later, through no violation of law, if I went back in and tested on that site, I would be above some of those standards, just from day-to-day use of that site. Would I then be prosecuted on that brownfield site for being over those standards, or would I need to remediate on those brownfield sites as a result of being over those standards?

Mr. REBER. With that explanation, Mr. Speaker, I would suggest that I am sure that the department, if in fact there was a violation, a minimal violation, would give notice of the violation. That is the reason why there has to be flexibility in this legislation.

If you look at the site-specific standards in section 304, there is a plethora of criteria that go into the manner in which the remediation is carried out. The reason for such flexibility is to allow where there is the noncriminal intent, the non-gross negligent activities of an individual that you are sort of discussing in the scenario that you have set forth. That is the reason why on a greenfield out into the future, the department, so they do have the discretion to handle that on a case-by-case basis, but yet do not deemphasize the fact that the site-specific criteria is very voluminous and there are hurdles that you have to go through, even though you may not be criminally prosecuted because there is not that criminal intent that could be proved on that particular type of release or discharge or contamination that you have expressed.

Mr. STURLA. Okay. One concluding statement.

I understand what you are saying in terms of the greenfields, and I agree with that principle. I guess my concern, as somebody who represents only an area that has brownfields — we do not have vacant greenfields to develop, for the most part — with those brownfields, do I get in trouble 10 or 20 or 30 years down the road for just routine use, because I will be above some of those standards 10 or 20 or 30 years from now. Is there a prevention in there if we keep the standard the same for everyone?

Mr. REBER. No. I think the standards that would apply — and that is the reason for the concern of not developing a double standard — you want uniformity, and once in fact you go in and remediate that brownfield site and at some time in the future if there is negligible type of contamination or a negligible type of release, that is not to say that you would be criminally prosecuted. Again, it is a case-by-case approach. There would be that discretion in the department. It could be remediated, and it would be done by the particular individual property owner, and I do not think that person is going to be criminally prosecuted in that kind of situation.

Mr. STURLA. Okay. Thank you, Mr. Speaker.

The SPEAKER. On the question, does the gentleman, Mr. Olasz, desire recognition at this time?

Mr. OLASZ. Yes, I do, Mr. Speaker.

The SPEAKER. The gentleman is recognized. The gentleman may proceed.

Mr. OLASZ. Mr. Speaker, I am proud of the record I have accomplished in standing up and supporting business. In fact, I think I have, according to their own statistics, probably the highest percentage of any Democrat in supporting business.

But just recently there was an article that appeared in a local paper and it contradicts paragraph (2) in section 1 that says no taxpayer funds will be needed, and what I am referring to is a gob pile in Washington County, in western Pennsylvania, that covers approximately 700 acres. This gob pile exceeds 100, 200 feet or so in the air. It is a tremendous polluter out there, and in that article, it states that the Governor is promoting the sale of \$190 million in bonds to clean up that gob pile. Now, that is the result of someone making tremendous amounts of money through the years in the coal-mining industry, but not only are they using taxpayers' dollars to clean up that gob pile, they are forcing West Penn Power, which has the lowest industrial rate of any electrical power unit in western Pennsylvania, to purchase that power at a much higher rate than they currently charge their industrial users.

Now, we are supposed to be encouraging development in western Pennsylvania, and I ask, why is a power company being forced to purchase this power that is going to be generated in reducing this gob pile? You are going to raise the rates of all those industrial consumers out there. West Penn Power stated they do not want it. So when you make a decision, I hope you support the George amendment, because contrary to what is said in this particular section, there is money, taxpayers' money, going to be used, and I might add that I also brought this up at the Appropriations hearings held approximately 3 or 4 weeks ago.

So once again I ask you to support the George amendment, and think about the dear old Love Canal when you cast your vote. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. George, for the second time on the question.

Mr. GEORGE. Mr. Speaker, even if you allowed a third time, I would not insist on it. I think by now we all know what is going to happen. I am not going to take issue with my colleague, the majority chairman, but some of the statements that he made a moment ago just are not as accurate as I would believe he could have made them. I am going to limit very greatly what I say in rebuttal, since it seems he is going to run for Attorney General in about 10 years. I would not want to come under that bludgeon.

But I simply want to say to Democrats and Republicans, here we are. What Mr. Reber is trying to tell us is that a \$10,000 fine cleans up \$2 million of degradation. That is not so. That is why we have the millions of dollars in degradation that is not cleaned up. So now we apply whatever genius we possess, and we say, look, private industry is the only way that we can get some application to the remediation in order to clean up some of these old industrial sites, and that is true. But Mr. Reber talked three or four times about brownfields, brownfields. There are as many Democrats over here, including myself, that want to remediate brownfields, but we do not want to inflict greenfields.

Now, he states that anyone guilty of a criminal prosecution will be forced to clean up. If you read section 905, it says the judge "may"

force a cleanup – “may.” Again, the jargon that DER and most departments use, “may” rather than “shall.”

It is very simple. This is important enough for me to talk all night, but it will not sway one vote. You leave it up to your conscience. If in fact 2 years from now or 3 years from now a site develops that is extremely dangerous and if the wrong department or the wrong issue or the wrong decision is applied and DER comes in and says, well, just put a fence around it because you are allowed to use site-specific, then you go tell the neighbors below that fence that there is nothing you can do because you helped pass a bill that eliminates the possibility of you being able to protect their water supply. If you want to see people move like Love Canal, then how in the world can responsible citizens and legislators honestly accept what we have today?

My amendment only says one simple thing: Do not allow a site-specific to apply to a greenfield, an area that is not yet violated, because I do not want DER, whether it is under a Republican administration or a Democratic administration, to come in and scratch their head and say, well, I think we can contain this by putting up a fence. If there are going to be statewide regulations, let it apply to all of those that pollute in the future.

I thank you for your indulgence.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the Democratic floor leader, the gentleman, Mr. DeWeese, on the amendment.

Mr. DeWEESE. On the amendment, Mr. Speaker, I would like to offer only one comment, and that would be that if a brownfield in 1999 or 2000 or 2001 was a greenfield today, it makes no sense that the scientific standards that we apply to that newly created brownfield are being diminished. It makes no sense to my friends who represent suburban communities for them to potentially jeopardize their water, their air, and their lovely suburban landscapes by applying less scientific standards 5, 8, 10 years from now than would be applied otherwise.

It is a very fundamental nub of the argument, but I think it needs to be adhered to, and I hope that it will be a consideration. When we vote on the George amendment, I would think that an affirmative vote would be appropriate. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady, Ms. Carone.

Ms. CARONE. Thank you, Mr. Speaker.

I would like to preface my remarks first to indicate how much I appreciate Chairman Reber’s efforts to take SB 1 and not pass it immediately but instead have hearings and discussions and include amendments, both in committee and on the House floor, something that was discouraged earlier in the moving of this particular bill.

However, I would like to argue in favor of the amendment now, asking for the support of this amendment, because as I have studied the issue, as I have tried to decide what makes the greatest sense for Pennsylvania’s growth economically, I truly believe that we need to focus on those brownfields. I will name Butler, New Castle, Ellwood City, Aliquippa – none in the 12th Legislative District but all of them very important to all of us in our area because they have blights, they are ugly in many ways, because their communities have industrial sites that can be great places to put new business bases and increase the economy of our part of our State, western Pennsylvania, and the same is in other parts of Pennsylvania as well.

I do not believe that the amendment offered by Democrat Chairman Bud George denigrates the major purpose of the bill, which is to take sites that cannot be sold now and be used effectively

and now can be, once this bill becomes law, so I encourage the support of the amendment. Thank you.

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

Mr. WALKO. Thank you, Mr. Speaker.

I rise in support of the George amendment.

Just yesterday we made a commitment to make tenants more responsible to their landlord. Well, on earth we are the tenants and God is our landlord, and I see no reason that we should make polluters less responsible for their action as tenants on earth, and that is what SB 1 will do.

Now, we are also trustees, not just tenants, and as trustees, we owe a further duty, but we are not perfect. I support the brownfield changes, but as a trustee who endeavors to be better, I say, let us live up to the commitment we have to our beneficiaries for new sites, newly developed sites. They have time; they have notice. Let us make them be responsible tenants. Let us live up to the trust for our beneficiaries – my child, his children and grandchildren. Thank you, Mr. Speaker.

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

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, first of all, let me thank the lady, Ms. Carone, for those very kind comments.

Mr. Speaker, there was some discussion about the issue of fencing. I think it is important for the members to be aware that the House Environmental Committee, on page 29 of the bill, very specifically changed the language that said, “The department shall disapprove a site-specific remediation plan that consists solely of fencing...” That was a concern that we had, and we were very concerned that the other criteria set forth in the “site-specific” section 304 be adhered to and that site-specific fencing only could not take place under the bill.

Mr. Speaker, I think the debate has been long, I think the debate has been focused, and I think in the best interest that we move forward and reject the George amendment. Thank you very much.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-97

Bebko-Jones	Fairchild	Manderino	Sainato
Belardi	Fajt	Markosek	Santoni
Belfanti	Gamble	Mayernik	Sather
Bishop	George	McCall	Schuler
Blaum	Gigliotti	McGeehan	Scrimenti
Boscola	Gruitza	Melio	Shaner
Butkovitz	Haluska	Mihalich	Staback
Caltagirone	Hanna	Mundy	Steelman
Cappabianca	Horsey	Nailor	Sturla
Carn	Itkin	Olasz	Surra
Carone	James	Oliver	Tangretti
Cawley	Jarolin	Petrarca	Thomas
Cohen, M.	Josephs	Petrone	Tigue
Colafella	Kaiser	Pistella	Travaglio
Colaizzo	Keller	Preston	Trello
Corpora	Kirkland	Ramos	Trich
Corrigan	Kukovich	Readshaw	Vance
Cowell	LaGrotta	Richardson	Van Horne
Coy	Laughlin	Rieger	Veon
Curry	Lederer	Roberts	Vitali

Daley	Lescovitz	Robinson	Walko
DeLuca	Levdanský	Roebuck	Williams
Dermody	Lloyd	Rooney	Wright, D. R.
DeWeese	Lucy	Rudy	Youngblood
Donatucci			

NAYS-99

Adolph	Farmer	Maitland	Serafini
Allen	Feese	Major	Sheehan
Argall	Fichter	Marsico	Smith, B.
Baker	Fleagle	Masland	Smith, S. H.
Bard	Flick	McGill	Snyder, D. W.
Barley	Geist	Merry	Stairs
Battisto	Gladeck	Micozzie	Steil
Birmelin	Godshall	Miller	Stern
Boyes	Gordner	Nickol	Stetler
Brown	Gruppo	Nyce	Stish
Browne	Habay	O'Brien	Strittmatter
Bunt	Harhart	Perzel	Taylor, E. Z.
Buxton	Hasay	Pettit	Taylor, J.
Chadwick	Hennessey	Phillips	True
Civera	Herman	Piccola	Tulli
Clark	Hershey	Pitts	Waugh
Clymer	Hess	Platts	Wogan
Cohen, L. I.	Hutchinson	Raymond	Wozniak
Conti	Jadlowiec	Reber	Wright, M. N.
Cornell	Kenney	Reinard	Yewcic
Dempsey	King	Rohrer	Zimmerman
Dent	Krebs	Rubley	Zug
DiGirolamo	Lawless	Saylor	
Durham	Leh	Schroder	Ryan,
Egolf	Lynch	Semmel	Speaker
Fargo			

NOT VOTING-2

Druce	Gannon
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EXCUSED-5

Armstrong	Michlovic	Pesci	Washington
Evans			

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman, Mr. Lescovitz.
Mr. LESCOVITZ. I have remarks for the record.
The SPEAKER. Will the gentleman submit his remarks.

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

About 2 years ago, I became interested in the redevelopment of old industrial sites as chairman of the Business and Economic Development Committee. As chairman, I approached this issue as a means of creating incentives for recycling old industrial sites such as those sites located in southwestern Pennsylvania.

These old sites would have been attractive because of all of the infrastructure located on these sites such as utility lines, railroad lines, and roads. The environmental problems associated with these sites, however, prevented their redevelopment and pushed development into pristine areas or greenfields.

Since this legislation establishes cleanup standards for the Commonwealth, it is the hope that this legislation will aid in the redevelopment of industrial sites, thereby creating jobs and economic development in these areas while helping to preserve pristine areas.

I believe that one must create incentives for a developer to recycle an industrial site. One such incentive is contained in SB 1 and was an amendment to that legislation which was prepared by me and offered by Representative Wozniak in committee. This amendment will make grants and low-interest loans available to those persons who will voluntarily clean an industrial site. SB 1 also contains liability protection for prospective purchases of abandoned industrial sites.

Many people have raised concerns that there must be a differential between brownfields and greenfields in order to have the brownfields redeveloped. It is my hope that the incentives contained in SB 1 will have the desired result of recycling brownfields. Unfortunately, we do not have a crystal ball to determine the future, so SB 1 has a provision requiring the examination of this program to determine its impact and its effectiveness in the recycling of old industrial sites.

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

Mr. VITALI. Yes. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. VITALI. Thank you, Mr. Speaker.

I, too, would also like to congratulate Chairman Reber for his many public hearings and on his efforts to air the issue out. He was in a very difficult situation, and procedurally, I would just like to compliment him on those efforts.

I must stand in opposition to SB 1. The amendments that we added in committee and on the floor today only serve to make a bad bill a little less bad. The bill has many problems, and let me just talk about a few of them.

The problems include weakening a citizen's right to sue. The bill weakens cleanup standards across the board. If this bill were enacted into law, cleanup standards for soil and water would be lower. In fact, the bill prevents us from adopting cleanup standards more strict than the Federal Government, so we become dependent upon Washington for our own standards. The bill allows the landowner, the polluter, to select the cleanup remedy. This is very unusual and hurts the bill.

I think the reduction in cleanup standards violates a very basic principle of environmental protection, which is, the polluter pays. I think a very basic philosophy is that if a person contaminates a site, he should be responsible for cleaning it up. That responsibility serves as a deterrent to future cleanups.

One reason or one effect of strict cleanup standards to date, cleanup standard benefits I do not think we have fully appreciated are, those strict cleanup standards we now have have caused a deterrent to pollution, a deterrent to cleanups. It has made corporations more careful, and I think this is something we want to encourage.

I think that what we are about to do today, I think it sends the wrong message. I think that the bill is really, in my view, not about greenfields and brownfields; I think the bill is really about letting

people off the hook who should not be let off the hook. I think that we have heard from a lot of groups in support of this bill, but what we have not heard from is the people we represent — citizens who live near these sites, citizens who will be sickened by reduced health standards.

I do not think that this bill is what we want to do. I think the problem of sites in your district, abandoned sites in your district, really does not have anything to do with cleanup liability as much as it has to do with the general downturn in economic conditions — flight of businesses to the South, the high cost of labor. The abandoned sites in your district are not going to be, as proponents suggest, addressed by this legislation. This is really not about that. It is about lowering standards, letting people off the hook.

I think we need to do the right thing. We have to send a message: The polluter must take responsibility. For that reason I urge a “no” vote on SB 1. Thank you.

DECISION OF CHAIR RESCINDED

The SPEAKER. I have some bad news. We forgot to take an amendment that the gentleman, Mr. Levdansky, wanted to offer. I will accept it as a mistake on the part of the Speaker, although, frankly, I did not see the gentleman in time to take his amendment.

In addition to that, there is a motion to reconsider the vote by which the George amendment was defeated.

Under those circumstances, without objection, at this time the Chair reverses its decision that the bill has been considered on third reading as amended.

On the question recurring,

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

Mr. **LEVDANSKY** offered the following amendment No. **A2234**:

Amend Sec. 304, page 26, line 13, by removing the period after “section” and inserting subject to the following:

(1) when a site-specific standard based upon restrictions on the use of the property is sought by a person, the person must demonstrate that the projected use has a reasonable probability of occurring; and

(2) in the event site-specific cleanups utilizing restrictions on use of the property are approved for property owners responsible for the contamination of concern, and the use which is projected has not commenced within three years of the completion of the cleanup, the cleanup liability protection of Chapter 5 shall no longer be applicable to the property.

On the question,

Will the House agree to the amendment?

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

Mr. **LEVDANSKY**. Thank you, Mr. Speaker.

This amendment will make it clear that the applicant for the site-specific cleanup standard who owns the site and was responsible for the contamination, site-specific cleanup standards based upon restricted use of the property may only be used when the owner

established a reasonable probability that the property will be committed to the use for which he intends in the foreseeable future.

Mr. Speaker, I am offering this amendment because of concerns amongst various people in the economic development community who fear that owners and developers will apply for a site-specific standard, which is the lowest of the three standards; that they will be granted that standard; they will clean up to the site-specific standard, in many cases, by using institutional controls such as capping, such as fences, such as deed restrictions; that they will undertake these institutional controls to reach the site-specific standard, and then they will receive the perpetual relief from liability that is a major component of this legislation. The fear is, once they clean up to that minimal standard, using in many cases institutional control mechanisms which are relatively low-cost mechanisms, they will be granted liability relief, and the fear is that once that happens, they may not go through with the development that they intended to pursue.

I mean, the reason why we are permitting developers and owners to utilize the site-specific standard and the reason why we are taking them off the liability hook is to create jobs, is to create investment, is to create business activities on these sites, but that conceivably may or may not happen under the existing language in the bill. I want to make sure that a developer that comes in and promises to put in an enterprise or a job-generating facility, that if he receives all the benefits in SB 1, that he or she in fact goes on and makes that commitment, makes that investment, that results in jobs being realized for the community.

This amendment would give the owner or the developer 3 years to get along with commencing and fulfilling the commitment that they made in order to receive the benefits of SB 1. You know, I think this amendment is especially critical to make sure that this bill just does not become a liability loophole for a lot of owners of contaminated properties that are just going to want to enjoy the various standards and protections of SB 1, to get off the liability hook, and may not really result in investment to create jobs on these sites.

So I think it is absolutely critical to the import of this bill that this amendment be included, and I would appreciate a favorable vote. Thank you.

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

Mr. **REBER**. Thank you, Mr. Speaker.

Mr. Speaker, this particular amendment was offered by the gentleman, Mr. Levdansky, in committee. There was long discussion and debate, and the amendment was withdrawn by the individual. It was my understanding that there was going to possibly be a redrafting of it, and I do not see really any change of substance in the particular amendment. In light of that fact, I must reiterate for the benefit of the members of the House the impracticality and the unworkability of this particular amendment.

Mr. Speaker, this amendment takes away the incentive that now exists in SB 1 to immediately move forward and clean up a site to make that site safe without waiting for a site-specific situation to be put back into use. I think the public policy choice presented by this amendment is simple. One, we can let a site remain contaminated and it become and continue to be a possible threat to a community with no hope of cleanup; or two, we can clean a site to a level that is safe for the community while making it attractive for future development.

Mr. Speaker, if this amendment would be adopted, it would prevent communities from receiving the benefit of a safe site now and getting that site ready for future development at no cost to the

taxpayers. That is the important thing with this. We are driving the private sector to move forward to remediate these sites.

Additionally, Mr. Speaker, in the second portion of this particular amendment, there is language that puts a 3-year timeframe. As we debated in committee, anyone that is familiar with municipal law can tell you that in many instances, land development and subdivision plans take far in excess of 3 years especially when there are appeals filed into the Commonwealth Court and into other courts for whatever reason.

I think the language of this particular amendment is not practical and it certainly is not workable in the real world as land development subdivision law is known, and I think it goes a long way to stymie the safe cleanup of sites that is the hallmark and the goal of SB 1.

I respectfully urge the rejection of the Levdansky amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. Levdansky, for the second time on the issue.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, first let me make it clear that this amendment was not considered in committee. It was not considered in committee because I made a decision to withdraw it temporarily in the hopes that I could negotiate an agreement with the chairman of the committee and the members of the committee to be offered on the floor. Unfortunately, you know, the chairman and I could not come to an agreement, and thus I do not want to make it seem like this amendment was considered. It actually was not.

Let me also, Mr. Speaker, point out that what is the real threat to our community is that we let the owner or developer clean up to lower site-specific standards through institutional control mechanisms and then they are off the liability hook. All I am saying in this amendment is, look, if we are going to give all those concessions to a developer or owner, then they need to commence and carry forward with their plans for development. Sort of like a truth in— You know, a little bit of truth in commitment here, is what we are trying to get at, with developers and owners. If we are going to let them off the liability hook, we want to make sure that they clean up those sites, and not only that, that the investment occurs, and all this amendment says is, if they do not live up to that commitment, if they clean up and then decide to walk away from the facility leaving environmental contamination in place, if they do that, if they walk away after a 3-year period, we are going to remove the liability limitations that are provided in the legislation from them. We ought not give liability immunity for developers that are not going to go through and make the investment, create the business, and create the jobs.

In essence, you know, this is a public policy decision that we have to make, and I think we had better err on the side of being a little bit concerned and a little bit careful about making sure that investment and job-producing activities do happen on these brownfield sites.

I urge your support for the amendment. Thank you.

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

The following roll call was recorded:

YEAS-80

Battisto	Donatucci	Lucyk	Rudy
Bebko-Jones	Gamble	Manderino	Sainato
Belardi	George	Markosek	Scrimenti
Blaum	Gigliotti	McGeehan	Shaner
Boscola	Gruitza	Melio	Staback
Butkovitz	Hanna	Mihalich	Steelman
Caltagirone	Horsey	Mundy	Sturla
Cappabianca	Itkin	Olasz	Surra
Carn	James	Oliver	Tangretti
Carone	Jarolin	Petrarca	Thomas
Cawley	Josephs	Pistella	Tigue
Cohen, M.	Kaiser	Preston	Travaglio
Colafella	Keller	Ramos	Trello
Colaizzo	Kirkland	Readshaw	Trich
Corpora	Kukovich	Richardson	Van Horne
Corrigan	LaGrotta	Rieger	Veon
Cowell	Lederer	Roberts	Vitali
Curry	Lescovitz	Robinson	Walko
Dermody	Levdansky	Roebuck	Williams
DeWeese	Lloyd	Rooney	Youngblood

NAYS-117

Adolph	Fajt	Maitland	Schuler
Allen	Fargo	Major	Semmel
Argall	Farmer	Marsico	Serafini
Baker	Feese	Masland	Sheehan
Bard	Fichter	Mayernik	Smith, B.
Barley	Fleagle	McCall	Smith, S. H.
Belfanti	Flick	McGill	Snyder, D. W.
Birmelin	Gannon	Merry	Stairs
Boyes	Geist	Micozzie	Steil
Brown	Gladeck	Miller	Stern
Browne	Godshall	Nailor	Stetler
Bunt	Gordner	Nickol	Stish
Buxton	Gruppo	Nyce	Strittmatter
Chadwick	Habay	O'Brien	Taylor, E. Z.
Civera	Haluska	Perzel	Taylor, J.
Clark	Harhart	Petrone	True
Clymer	Hasay	Pettit	Tulli
Cohen, L. I.	Hennessey	Phillips	Vance
Conti	Herman	Piccola	Waugh
Cornell	Hershey	Pitts	Wogan
Coy	Hess	Platts	Wozniak
Daley	Hutchinson	Raymond	Wright, D. R.
DeLuca	Jadlowiec	Reber	Wright, M. N.
Dempsey	Kenney	Reinard	Yewcic
Dent	King	Rohrer	Zimmerman
DiGirolamo	Krebs	Rublely	Zug
Druce	Laughlin	Santoni	
Durham	Lawless	Sather	Ryan,
Egolf	Leh	Saylor	Speaker
Fairchild	Lynch	Schroder	

NOT VOTING-1

Bishop

EXCUSED-5

Armstrong	Michlovic	Pesci	Washington
Evans			

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

AMENDMENT A2246 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. George, who moves that the vote by which amendment 2246 was defeated to SB 1, PN 1019, on the 2d day of May be reconsidered.

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

The following roll call was recorded:

YEAS—195

- | | | | |
|--------------|------------|------------|---------------|
| Adolph | Egolf | Lucyk | Sather |
| Allen | Fairchild | Lynch | Saylor |
| Argall | Fajt | Major | Schroder |
| Baker | Fargo | Manderino | Schuler |
| Bard | Farmer | Markosek | Scrimenti |
| Barley | Fichter | Marsico | Semmel |
| Battisto | Fleagle | Masland | Serafini |
| Bebko-Jones | Flick | Mayernik | Shaner |
| Belardi | Gamble | McCall | Sheehan |
| Belfanti | Gannon | McGeehan | Smith, B. |
| Birmelin | Geist | McGill | Smith, S. H. |
| Bishop | George | Melio | Snyder, D. W. |
| Blaum | Gigliotti | Merry | Staback |
| Boscola | Gladeck | Micozzie | Stairs |
| Boyes | Godshall | Mihalich | Steelman |
| Brown | Gordner | Miller | Stern |
| Browne | Gruitza | Mundy | Stetler |
| Bunt | Gruppo | Nailor | Stish |
| Butkovitz | Habay | Nickol | Strittmatter |
| Buxton | Haluska | Nyce | Sturla |
| Caltagirone | Hanna | O'Brien | Surra |
| Cappabianca | Harhart | Olasz | Tangretti |
| Carn | Hasay | Oliver | Taylor, E. Z. |
| Carone | Hennessey | Perzel | Taylor, J. |
| Cawley | Herman | Petrarca | Thomas |
| Chadwick | Hershey | Petrone | Tigue |
| Civera | Hess | Pettit | Travaglio |
| Clark | Horsey | Phillips | Trello |
| Clymer | Hutchinson | Piccola | Trich |
| Cohen, L. I. | Itkin | Pistella | True |
| Cohen, M. | Jadlowiec | Pitts | Tulli |
| Colaafella | James | Platts | Vance |
| Colaizzo | Jarolin | Preston | Van Horne |
| Conti | Josephs | Ramos | Veon |
| Cornell | Kaiser | Raymond | Vitali |
| Corpora | Keller | Readshaw | Walko |
| Corrigan | Kenney | Reber | Waugh |
| Cowell | King | Reinard | Williams |
| Coy | Kirkland | Richardson | Wogan |
| Curry | Krebs | Rieger | Wozniak |
| Daley | Kukovich | Roberts | Wright, D. R. |
| DeLuca | LaGrotta | Robinson | Wright, M. N. |
| Dempsey | Laughlin | Roebuck | Yewcic |
| Dent | Lawless | Rohrer | Youngblood |
| Dermody | Lederer | Rooney | Zimmerman |
| DeWeese | Leh | Rublely | Zug |
| DiGirolamo | Lescovitz | Rudy | |
| Donatucci | Levdansky | Sainato | |
| Druce | Lloyd | Santoni | |
| Durham | | | |

NAYS—3

- Feese Maitland Steil

NOT VOTING—0

EXCUSED—5

- Armstrong Michlovic Pesci Washington
Evans

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

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

The clerk read the following amendment No. **A2246**:

Amend Sec. 301, page 16, by inserting between lines 9 and 10
(d) Limitation on site-specific standard.—Notwithstanding any other provision of this act, the site-specific standard set forth in section 304 shall not be applicable to a property on which no industrial activities were conducted prior to the effective date of this act.

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

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.
I will be brief.

Again, we should be about cleaning up old industrial sites and not be about polluting future sites. The chairman, the Republican chairman of the committee, mentioned that, you know, we are not going to be able to just put up a fence, and in my explanation before, I said this would allow you to put up a fence and cap it and walk away or put up a fence and remove the barrels and walk away. You cannot just put up a fence, but you can put up a fence and anything else and comply.

Mr. Speaker, we are all for cleaning up old industrial sites, but we ought not to let site-specific be used on future polluted sites. We are talking about anyplace from here on, after this legislation is passed into law, that someone causes pollution. Mr. Speaker, we must have those penalties and that hammer to try to keep people into compliance. Future sites will be held to a lower standard now as they use the statewide health information.

Mr. Speaker, this is a very reasonable amendment, and I would urge the support of the members, and if you have any hope for clean water, clean air in the future on industrial sites and trying to keep those greenfields that are in all of our districts clean, I urge an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. Reber.
Mr. REBER. Thank you, Mr. Speaker.

I will attempt to even be briefer than the prior speaker.

Mr. Speaker, this bill passed the Senate 46 to nothing on a fast track. We slowed it down. We have done a tremendous amount of bipartisan remediation to a remediation bill. If this amendment goes in, I guarantee you the bill will go to conference and we stand to lose all the good work the House has done.

With all due respect, vote "no" so we have a good piece of legislation to send to the Governor. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. Vitali. Mr. VITALI. Thank you, Mr. Speaker.

I rise in support of the George amendment.

I think it is perhaps the most critical amendment we will be voting on today. There are many problems with this bill, but by this very brief amendment, I think many of those concerns can be laid to rest.

I think that many of us call for and support a bill like this because we see the abandoned sites in our districts. Well, this amendment does not hurt that at all. This amendment allows those sites in your district to be assisted. This amendment protects the greenfields. This amendment keeps the principle in effect that the polluters should pay. This amendment creates and maintains a deterrent to polluters so the rest of society does not have to pay in terms of cleanup costs and degradation of sites and sickness and death.

I wholeheartedly support the George amendment.

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

The following roll call was recorded:

YEAS-94

Bard	DeWeese	Lucy	Sainato
Bebko-Jones	Donatucci	Manderino	Santoni
Belardi	Fairchild	Markosek	Sather
Belfanti	Fajt	McCall	Scrimenti
Bishop	George	McGeehan	Shaner
Blaum	Gigliotti	Melio	Staback
Boscola	Gruitza	Mihalich	Steelman
Butkovitz	Haluska	Mundy	Sturla
Caltagirone	Hanna	Nailor	Surra
Cappabianca	Horsey	Olasz	Tangretti
Cam	Itkin	Oliver	Thomas
Carone	James	Petrarca	Tigue
Cawley	Jarolin	Pistella	Travaglio
Cohen, M.	Josephs	Preston	Trello
Colafella	Kaiser	Ramos	Trich
Colaizzo	Keller	Readshaw	Vance
Corpora	Kirkland	Richardson	Van Horne
Corrigan	Kukovich	Rieger	Veon
Cowell	LaGrotta	Roberts	Vitali
Coy	Laughlin	Robinson	Walko
Curry	Lederer	Roebuck	Williams
Daley	Lescovitz	Rooney	Wright, D. R.
DeLuca	Levdansky	Rudy	Youngblood
Dermody	Lloyd		

NAYS-103

Adolph	Feese	Major	Semmel
Allen	Fichter	Marsico	Serafini
Argall	Fleagle	Masland	Sheehan
Baker	Flick	Mayernik	Smith, B.
Barley	Gannon	McGill	Smith, S. H.
Battisto	Geist	Merry	Snyder, D. W.
Birmelin	Gladeck	Micozzie	Stairs
Boyes	Godshall	Miller	Steil
Brown	Gordner	Nickol	Stern
Browne	Gruppo	Nyce	Stetler
Bunt	Habay	O'Brien	Stish
Buxton	Harhart	Perzel	Strittmatter
Chadwick	Hasay	Petrone	Taylor, E. Z.
Civera	Hennessey	Pettit	Taylor, J.
Clark	Herman	Phillips	True
Clymer	Hershey	Piccola	Tulli

Cohen, L. I.	Hess	Pitts	Waugh
Conti	Hutchinson	Platts	Wogan
Cornell	Jadlowiec	Raymond	Wozniak
Dempsey	Kenney	Reber	Wright, M. N.
Dent	King	Reinard	Yewcic
DiGirolamo	Krebs	Rohrer	Zimmerman
Druce	Lawless	Rubley	Zug
Durham	Leh	Saylor	
Egolf	Lynch	Schroder	Ryan,
Fargo	Maitland	Schuler	Speaker
Farmer			

NOT VOTING-1

Gamble

EXCUSED-5

Armstrong	Michlovic	Pesci	Washington
Evans			

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The gentleman, Mr. Levdansky, desires recognition on final passage?

Mr. LEVDANSKY. Yes, Mr. Speaker.

Mr. Speaker, I had hoped—

The SPEAKER. The gentleman, Mr. Levdansky, already spoke once on final passage, remember.

Mr. LEVDANSKY. No.

The SPEAKER. Oh. That was Mr. Vitali; I am sorry. I will not forget that.

Mr. LEVDANSKY. I know. Our last names end with an "e," so we sort of look and sound the same maybe.

The SPEAKER. That is true.

Mr. LEVDANSKY. Mr. Speaker, I am most disappointed that the clear line of demarcation between green and brownfields has not been sustained with passage of the George amendment. I had hoped that that amendment, had that amendment passed, I would be standing here urging support for a final passage of SB 1.

However, however, while I am no less committed to redeveloping brownfield sites and want to see sensible legislation enacted to help further that goal, I believe that all of the— There are more bad components of SB 1 than there are good components of SB 1. In essence, this legislation, I think everybody needs to understand, does three major things; there are three major environmental concessions contained in SB 1. The first thing is, we create standards, both site-specific and statewide, which are less than the present cleanup standards. The second thing that is a radical departure from our present law is that we are going to now permit owners and developers to choose how they are going to reach that cleanup

standard and which standard in fact to achieve. That is not the case presently. Presently DER determines what the cleanup standard is and how you are going to achieve it.

The SPEAKER. Will the gentleman yield.

This bill has been a long bill. We are on final passage. The gentleman is entitled to be heard. Please, hold the conferences down.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, as I said, this bill makes three major environmental concessions. The first thing is we are going to incorporate in the statute lower standards. The second thing we are going to do is we are going to let owners and developers decide which of the standards they are going to clean up to. That is a radical departure from present practice. The third thing that this bill does and I think the most grievous thing that it does is that it perpetually removes owners who are responsible parties for pollution, it is going to perpetually remove them from environmental liability. That is a major difference in terms of how our State is going to treat industrial sites legislation compared to other States. These are three major concessions.

Now, Mr. Speaker, I could rationalize granting these three major concessions if I were convinced that the legislation is going to tip the scales slightly to the advantage of brownfields rather than greenfields. That would have happened had Representative George's amendment been incorporated into this bill. Unfortunately, Mr. Speaker, that is the one good thing that we could have done in this legislation that has not happened, and without at least a commitment, a sincere commitment in the law, to give a slight advantage to brownfields over greenfields, if that cannot happen, then there are too many negatives associated with this legislation that will call for me not to support it.

Let me also point out, Mr. Speaker, that this liability limitation, we are talking about certainly tens of millions of dollars, and more likely, hundreds and hundreds and hundreds of millions of dollars of environmental liability that is going to be relieved from the backs of various businesses and owners of contaminated property in this State. That is a major, major giveback; that is a major concession from the existing environmental laws on the books.

Without some benefit for brownfield communities, I would argue that we cannot and should not support passage of SB 1. Thank you.

GUESTS INTRODUCED

The SPEAKER. The Chair at this time would like to welcome to the hall of the House two guest pages of Representative Dermody of Allegheny County. It happens, however, that the guest pages of the gentleman, Mr. Dermody, live in my district. So with that, I will introduce Brandon Rothman and Brian Heckman and ask that these two young gentlemen please stand.

CONSIDERATION OF SB 1 CONTINUED

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I intend to vote "no" on this measure, and the reason for that is that some years ago when all of us attempted to find a resolve to these degraded sites throughout the Commonwealth, we all tried to provide information, and we all had good intentions on this bill when we began to consider what would be needed in the last 2 or 3 years, but a wise man once said that the road to hell is paved with good intentions, and what we have now, it looks like we have an

industrial site bill headed down the road, but unfortunately, it is not the bill that we thought we should have.

You know, the gentleman, Mr. Reber, stands and quotes a couple of things, and I would not dare refute that, but when I happened to be the majority chairman, I remember several times when business entities came before the committee and raised their right hand and swore under oath that all they wanted was an opportunity, and I quote them, "All we want are clear-cut guidelines placed into format. We don't care what they are, just so they are a clear set of rules." That song certainly has changed, and rightfully so, because they know they have what they want — a piece of legislation that allows them, those that will be polluters, off the hook, because of all the penalties and fines that we have in place, Mr. Speaker, not one of them will remediate any of those polluted sites.

Mr. Speaker, murder is still illegal in Pennsylvania, thank goodness, but they do not seem to have been able to stop the criminals from doing it, and what is more, a measly \$10,000 or \$20,000 fine has never, as I said, cleaned up any polluted sites and will not stop these industrial giants from polluting.

We are here today to try and assist developers who want to reuse abandoned industrial sites. What we are doing, unfortunately, is providing businesses with a very large loophole that will allow them to skirt the rules when they pollute. How I wish over the years that those of us that come from rural areas that wanted an onlot sewage permit okayed could have gotten the same flexibility from DER as the polluters will get when this bill becomes law.

I apologize for taking your time, but I felt a deep and a sincere obligation to be able to stand here and simply tell it like it is. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the lady from Chester County, Mrs. Rubley.

Mrs. RUBLEY. Thank you, Mr. Speaker.

I urge members of the House to pass this very important industrial sites cleanup bill.

Rather than taking additional time this afternoon in reiterating some of the comments that have already been made, I request that my prepared remarks be put in the record. Thank you, Mr. Speaker.

The SPEAKER. The lady's remarks are appreciated by all.

Mrs. RUBLEY submitted the following remarks for the Legislative Journal:

Most of us here today can agree that drastic changes are needed in our method of addressing the cleanup of contaminated industrial sites, because the current system is not working. Most of these sites are still sitting vacant and contaminated — remaining as blights in our communities.

SB 1 represents a major step forward in addressing the need to approach the cleanup of contaminated industrial sites in a reasonable, flexible manner that will encourage, rather than prevent, the cleanup and reuse of these sites. The process must be flexible to allow for the evaluation of each site based on its location and future use.

The controversial aspect of this bill is the issue of treatment of greenfield sites which might become contaminated in the future. With the implementation of a variety of environmental laws since the 1970's with stringent civil and criminal penalties, we will not see the number of new contaminated sites in the future. However, chemical spills will inadvertently

continue to occur. I have struggled with this dilemma of whether greenfield sites should be treated differently. Although it is not perfect, I believe that SB 1 with the amendments added in committee adequately addresses this concern.

Some of the important changes added to SB 1 include:

* The Department of Environmental Resources SHALL disapprove a site-specific remediation plan consisting solely of fences, warning signs, or future land-use restrictions without meeting the other site-specific requirements.

* SB 1 was amended to add, under the general provisions, that cleanup plans should have as a goal remedies which treat, destroy, or remove regulated substances whenever feasible.

* Section 106(B) clearly states that civil and criminal penalties or enforcement actions and remedies under all applicable environmental laws remain intact.

* Section 905(D) states that a person convicted of violating the criminal provisions of the identified environmental laws may, in addition to the fines and other penalties, be required to perform remediation consistent with the background standards or health-based standards. In other words, site-specific cleanup standards may not be allowed.

Finally, this bill requires an ongoing evaluation of the effectiveness of this act with a report submitted by the Department of Environmental Resources to the General Assembly. This will be an opportunity for all of us to assess the impact of this bill on the cleanup of future sites and if, in fact, there is a belief that these cleanups are having an adverse effect on the environment, then we will have to revise the standards at a future date.

I urge your support of this bill. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to SB 1.

I wish I could stand here today and tell you that I can vote for an old industrial sites cleanup bill, and if that is what we were about, Mr. Speaker, I would be supporting that.

However, Mr. Speaker, we are instituting lower standards, lower cleanup standards across the board, Mr. Speaker, even on future industrial sites. We are going to let the owners decide, let the polluter decide, as to what level of cleanup there will be, unless they are criminally charged, Mr. Speaker. If you look at environmental law, criminal charges do not come that often.

Mr. Speaker, we are not only letting the polluters of the past off the hook, but we are letting the polluters of the future off the hook, and we are all concerned about jobs and reusing old industrial sites. Mr. Speaker, Pennsylvania, with the passage of this law, will be the only State to allow the owner to decide what level they will clean up to. Mr. Speaker, I am not sure if that is what our new Governor is about, but this will be a sad day, Mr. Speaker, when we are going to be out there saying, Pennsylvania, America pollutes here.

Mr. Speaker, I support legislation to clean up old industrial sites. I do not support legislation which will allow the pollution of industrial sites in the future. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

YEAS-163

Adolph	Egolf	Lynch	Saylor
Allen	Fairchild	Maitland	Schroder
Argall	Fajt	Major	Schuler
Baker	Fargo	Markosek	Semmel
Bard	Farmer	Marsico	Serafini
Barley	Feese	Masland	Shaner
Battisto	Fichter	Mayernik	Sheehan
Bebko-Jones	Fleagle	McCall	Smith, B.
Belfanti	Flick	McGeehan	Smith, S. H.
Birmelin	Gamble	McGill	Snyder, D. W.
Bishop	Gannon	Merry	Staback
Blaum	Geist	Micozzie	Stairs
Boscola	Gigliotti	Miller	Steil
Boyes	Gladeck	Mundy	Stern
Brown	Godshall	Nailor	Stetler
Browne	Gordner	Nickol	Stish
Bunt	Gruitza	Nyce	Strittmatter
Butkovitz	Gruppo	O'Brien	Sturla
Buxton	Habay	Olasz	Tangretti
Caltagirone	Haluska	Perzel	Taylor, E. Z.
Carone	Hanna	Petrone	Taylor, J.
Chadwick	Harhart	Pettit	Thomas
Civera	Hasay	Phillips	Tigue
Clark	Hennessey	Piccola	Trello
Clymer	Herman	Pitts	Trich
Cohen, L. I.	Hershey	Platts	True
Colafella	Hess	Preston	Tulli
Conti	Horsey	Raymond	Vance
Cornell	Hutchinson	Readshaw	Van Horne
Corpora	Jadlowiec	Reber	Veon
Corrigan	Jarolin	Reinard	Waugh
Cowell	Kaiser	Rieger	Wogan
Coy	Kenney	Roberts	Wozniak
Daley	King	Robinson	Wright, D. R.
DeLuca	Krebs	Rohrer	Wright, M. N.
Dempsey	LaGrotta	Rooney	Yewcic
Dent	Laughlin	Rubley	Zimmerman
Dermody	Lawless	Rudy	Zug
DiGirolamo	Lederer	Sainato	
Donatucci	Leh	Santoni	Ryan,
Druce	Lescovitz	Sather	Speaker
Durham			

NAYS-35

Belardi	Itkin	Manderino	Scrimenti
Cappabianca	James	Melio	Stelman
Cam	Josephs	Mihalich	Surra
Cawley	Keller	Oliver	Travaglio
Cohen, M.	Kirkland	Petrarca	Vitali
Colaizzo	Kukovich	Pistella	Walko
Curry	Levdansky	Ramos	Williams
DeWeese	Lloyd	Richardson	Youngblood
George	Lucyk	Roebuck	

NOT VOTING-0

EXCUSED-5

Armstrong	Michlovic	Pesci	Washington
Evans			

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.

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that, on page 3, HB 1414 be recommitted to the Committee on Appropriations.

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Pat Fleagle, Allison Singer and Ann Rotz. Would the guests please rise.

There will be no further voting.

However, there appears to be a good deal of congestion to the rear of the Speaker in this hall, so it is the recommendation of the Chair that the members depart through the rear of the chamber due to the congestion around the Governor's Office.

There will be no further votes.

Do not forget, if you want the photographs, you must go to the Chief Clerk's Office.

Does the Republican leader have any further business?

The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I just wanted to personally thank the Environmental Resources and Energy Committee, under the direction of Representative Reber, for the fine job that they have done on SB 1. This is a historic day for the Commonwealth of Pennsylvania, Mr. Speaker, and I would like to personally thank Mr. Reber for all the work he put forth on this and the committee and the members on both sides.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to remind the members of the Democratic Caucus there will be a caucus meeting at 10 a.m. tomorrow morning.

REPUBLICAN CAUCUS

The SPEAKER. The Republican members are advised that there is a Republican caucus at 10:30 tomorrow morning; there is a Republican caucus tomorrow morning at 10:30. I would ask that the Republican staff hearing this announcement tell the members because some of them may be en route to their offices.

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move, on page 3 of today's calendar, that HB 1334 be recommitted to the Committee on Liquor Control.

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

RESOLUTION

Mr. PERZEL called up **HR 82, PN 1653**, entitled:

A Concurrent Resolution providing for the appointment of a joint select committee to investigate the State Workmen's Insurance Fund.

On the question,
Will the House adopt the resolution?

RESOLUTION RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move, on page 6 of today's calendar, that HR 82 be recommitted to the Committee on Rules.

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

The SPEAKER. Does the majority leader have any further business? Does the Republican leader have any further business? Mr. Perzel, do you have any further business?
Does the Democrat Caucus have any further business?

VOTE CORRECTION

The SPEAKER. Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, on the George amendment, the first time that it ran I was voted and I voted, and the second time I was not recorded, and I would like to be recorded with a "yes."

The SPEAKER. The remarks of the gentleman will be spread upon the record. Thank you.

Mr. GAMBLE. Thank you.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. Are there any further announcements, corrections of the record, reports of committee in regular session?

Do the majority or minority leaders have any further business?

Hearing none, the Chair recognizes the gentleman from Westmoreland County, Mr. Petrarca.

Mr. PETRARCA. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 3, 1995, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:06 p.m., e.d.t., the House adjourned.