

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MAY 23, 1995

SESSION OF 1995

179TH OF THE GENERAL ASSEMBLY

No. 43

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

PRAYER

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

Let us pray:

Holy God, You are the source of all good counsel and all just works. In the midst of complex and crucial legislative issues, we pray for Your blessing upon all who serve in this General Assembly. Bless and guide the elected Representatives who serve in this House, their elected and appointed officers and aides, all clerks, secretaries, and support staff who work together for the common good of all the people of Pennsylvania.

Guide all in authority to be high in purpose, wise in counsel, and unwavering in duty. Help them to discharge their duties in accordance with Your will, that they may uphold the honor of our Commonwealth, secure the freedom and protection of our people, and set forward every righteous cause for the benefit of all whom they serve. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, May 22, 1995, will be postponed until printed. The Chair hears no objection.

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the lady from Montgomery County seek recognition?

Mrs. COHEN. Thank you, Madam Speaker.

To correct the record from yesterday, please.

The SPEAKER pro tempore. The lady may proceed.

Mrs. COHEN. Thank you, Madam Speaker.

On HB 1334 my switch malfunctioned yesterday. I wish to be recorded in the affirmative.

The SPEAKER pro tempore. Thank you.
Mrs. COHEN. Thank you.

LEAVES OF ABSENCE

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

The Chair recognizes the majority whip, who indicates that there are no leaves of absence.

The Chair recognizes the minority whip, who indicates that the following gentlemen ask for leave for today: Representative PESCI from Armstrong, Representative OLASZ from Allegheny, Representative SCRIMENTI from Erie.

Without objection, the leaves of absence are granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—200

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

| | | | |
|------------|-----------|------------|---------------|
| Cohen, M. | Itkin | Pitts | Vance |
| Colafrella | Jadlowiec | Platts | Van Horne |
| Colaizzo | James | Preston | Veon |
| Conti | Jarolin | Ramos | Vitali |
| Cornell | Josephs | Raymond | Walko |
| Corpora | Kaiser | Readshaw | Washington |
| Corrigan | Keller | Reber | Waugh |
| Cowell | Kenney | Reinard | Williams |
| Coy | King | Richardson | Wogan |
| Curry | Kirkland | Rieger | Wozniak |
| Daley | Krebs | Roberts | Wright, D. R. |
| DeLuca | Kukovich | Robinson | Wright, M. N. |
| Dempsey | LaGrotta | Roebuck | Yewcic |
| Dent | Laughlin | Rohrer | Youngblood |
| Dermody | Lawless | Rooney | Zimmerman |
| DeWeese | Lederer | Rubley | Zug |
| DiGirolamo | Leh | Rudy | |
| Donatucci | Lescovitz | Sainato | Ryan, |
| Druce | Levdansky | Santoni | Speaker |
| Durham | Lloyd | | |

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Olasz Pesci Scrimenti

LEAVES ADDED—1

McCall

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

SB 282, PN 1136 (Amended) By Rep. CORNELL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for buying or exchanging Federal food order coupons, stamps, authorization cards or access devices and for fraudulent traffic in food orders.

HEALTH AND HUMAN SERVICES.

**BILL REPORTED AND REREFERRED
TO COMMITTEE ON INSURANCE**

HB 816, PN 901 By Rep. CORNELL

An Act amending the act of December 29, 1972 (P.L.1701, No.364), known as the Health Maintenance Organization Act, requiring health maintenance organizations to develop grievance resolution systems for direct providers and applicants for direct provider status; imposing certain restrictions on direct provider contract termination; and providing for notification, review and appeal procedures.

HEALTH AND HUMAN SERVICES.

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 22, 1995

RESOLVED, (the House of Representatives concurring), That when the Regular Session of the Senate adjourns this week it reconvene on Monday, June 5, 1995, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the Regular Session of the House of Representatives adjourns this week it reconvene on Monday, June 5, 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.

SENATE MESSAGE

**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 276, PN 573**, with information that the Senate has passed the same without amendment.

GUESTS INTRODUCED

The SPEAKER pro tempore. We have guest pages with us today. I would like to introduce the following young people: from Cumberland Valley School District, Carla Waltz and Philip Sweger; and from Camp Hill School District, Matt June and Ryan Kocher, all four guests of Representative Vance. Will the pages please rise.

The Chair welcomes Ms. Bonfordine and the seventh grade class from Queen of the World Elementary School in St. Marys, who are guests of Representative Dan Surra. Would the students please rise.

The Chair welcomes Sally Moyer, who is the summer intern in the office of Representative Ron Marsico. Would Sally please rise.

**LEBANON CATHOLIC HIGH SCHOOL
GIRLS BASKETBALL TEAM PRESENTED**

The SPEAKER pro tempore. Could Representatives Zug and Krebs come to the podium, please.

Could we please have your attention. We have all had young people here as guests. Let us show them some courtesy, please. Could members take their seats.

Mr. KREBS. Today Representative Zug and I have with us the Lebanon Catholic High School girls basketball team, and we would

like to present them a citation, but what I would really like to do is tell you about the accomplishments of this team.

The seniors on this team were here in 1992 as State champions, and that was when they were freshmen. They are also here today as State champions when they are seniors, and in the interim years they did not make it here but they did win district championships in District 3 in 1993 and 1994. So I think these girls have really shown what a small school can do when they are well coached.

I would like to introduce four members of that team. Up here we have Sarah Wade, Marie Schlegel, Abby Minder, and Cathy Beattie. And in the back I also would like to introduce Patti Hower — will you stand up, Patti — who is the coach of this team that has had four district championships in 4 years and also two State championships, and so now let us give them a round of applause.

Sarah Wade is going to accept the citation from Representative Zug and myself. Thank you.

BRAD BUSH PRESENTED

The SPEAKER pro tempore. Would Representative Bruce Smith come to the podium, please.

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

I have the distinct honor of introducing a two-time State wrestling champion. From Red Land High School I have behind me Brad Bush, who is a 152-pound wrestler. He is with his father, Dr. William Bush, and his mother, Mary Jane Bush, and his coach, Craig Helmuth, from Red Land High School.

To acquaint you with what Brad has accomplished, as a freshman wrestling varsity, his record was 3 wins and 13 losses. His junior year wrestling varsity he was undefeated at 35 and 0. His senior year he lost at districts and came back to win the State championship with a 30-and-1 record. Then he went on to the Dapper Dan tournament where he was voted the outstanding wrestler for the Pennsylvania team.

Those of you who have served for a number of years here would be interested in knowing that Brad Bush's grandfather was former Representative Rudy Dininni.

I am going to present a citation to him, and I would like you to honor him with your applause.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair is pleased to welcome seniors from the Lutheran Settlement House, guests of Representative Marie Lederer. Would the guests please rise.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 245, PN 1073**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, increasing the maximum speed limit on certain interstate and other highways; and further providing for the use of speed timing devices.

On the question,

Will the House agree to the bill on third consideration?

Mr. **WOZNIAK** offered the following amendment No. **A2605**:

Amend Sec. 2 (Sec. 3362), page 2, lines 12 and 13, by striking out "EXCEPT TRUCKS HAVING A REGISTERED GROSS WEIGHT OF MORE THAN 9,000 POUNDS"

Amend Sec. 2 (Sec. 3363), page 4, lines 14 and 15, by striking out "EXCEPT TRUCKS HAVING A REGISTERED GROSS WEIGHT OF MORE THAN 9,000 POUNDS"

Amend Sec. 3 (Sec. 6110), page 5, line 30; page 6, line 1, by striking out "EXCEPT TRUCKS HAVING A REGISTERED GROSS WEIGHT OF MORE THAN 9,000 POUNDS"

On the question,

Will the House agree to the amendment?

The SPEAKER. Is the gentleman, Mr. Wozniak, on the floor?

The Chair recognizes the gentleman, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

If Mr. Wozniak wants to yield, I can handle his amendment for him.

He is here, Mr. Speaker; he is here.

The SPEAKER. The Chair recognizes the gentleman, Mr. Wozniak, on amendment A2605.

Mr. WOZNIAK. Thank you, Mr. Speaker.

I am sorry for being tardy. I was just speaking to some people in the back of the chamber.

Mr. Speaker, may I have your attention. Mr. Speaker?

The SPEAKER. The tardy Mr. Wozniak would like your attention. Conferences on the floor, please break up.

The gentleman may proceed.

Mr. WOZNIAK. Thank you, Mr. Speaker.

We are coming to the closure of a very long quest — to raise the Pennsylvania speed limit 10 miles an hour.

The Senate gave us a bill. It was amended in committee, and in our negotiations with the Senate, what we are attempting to do with the amendments that we are going to offer is to work out what is agreeable to both chambers and hopefully send it directly to the Governor.

The Senate sent us a bill that had a ubiquitous speed limit for automobiles, buses, trucks, motorcycles, et cetera, of 65 miles an hour. In the House Transportation Committee it was amended to reduce trucks and buses to 55. This amendment raises that speed limit back up to 65 for trucks and buses.

The Federal Transportation Administration, in reading an article last week, is in favor of a speed limit that is identical across the board for safety reasons. Originally the House passed a version to have a differential. In doing some research and some studying, it seems to be more practical, both in the sense of enforcement and in the sense of safety, to have all vehicles travel at approximately the same speed.

Therefore, I am asking you to support this amendment so that we can send this legislation to the Senate for their acceptance and on to the Governor. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Columbia County, Mr. GORDNER.

Mr. GORDNER. Thank you, Mr. Speaker.

I also rise in support of the Wozniak amendment.

Currently there are 43 States that have a maximum 65-mile-an-hour speed limit. Come July, there will be 45 States, as Maryland and New York both recently have passed laws raising their speed limits to 65 miles an hour. Maryland's law will take effect on July 1 and New York's law will take effect on August 1. Out of those 45 States, there are approximately 7 that have a dual limit. The remaining 38 have a uniform 65-mile-an-hour zone.

What I find interesting is one such State, Virginia, who started out with a dual system and who recently, as of July 1, 1994, eliminated their dual system and went to a uniform 65-mile-an-hour speed limit. There was a study that was done by the AAA (American Automobile Association) Foundation for Traffic Safety on behalf of Virginia. What they found was several things. They found that the imposition of a differential speed limit — having a 65 for cars and a 55 for trucks — had no significant effect in reducing the rate of nontruck-truck accidents or any two-vehicle accidents compared with those on highways operating with the same speed limit for all vehicles.

They also found that rear-end accidents were relatively higher in Virginia than in West Virginia, suggesting that the speed differential caused more rear-end accidents especially between cars and trucks.

They also found that the rate of two-vehicle accidents reduced by a larger amount in West Virginia, which had the same 65-mile-an-hour zone for cars and trucks, than in Virginia after the implementation of the dual system.

Mr. Speaker, I would agree with Representative Wozniak. I believe that it makes sense to go with a uniform system. There is a study on record in a State that had a dual system, which has now gone to a uniform system, that suggests that it is more safe to go with the uniform system because (a) it will reduce a lot of rear-end accidents, and (b) it will reduce further accidents caused by cars that will be consistently lane-shifting in and out, passing trucks, et cetera.

For those reasons and for safety reasons it makes sense to go with a uniform 65-mile-an-hour zone, and I would urge your support for the Wozniak amendment.

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

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

Representatives Wozniak and Gordner are right. This is at the end of a long series in the legislative process. This bill does not give us everything that we wanted in the House nor does it take away everything we wanted in the House. We think it is a fair and equitable compromise. I think the amendment we can work with and live with according to the State Police and the Governor's Office.

I would urge a "yes" vote.

The SPEAKER. The Chair recognizes the gentleman from Dauphin County, Mr. Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

I rise to oppose the Wozniak amendment.

Since the beginning of the debate of this legislation, we have received mixed signals from the Department of Transportation, from the Governor's Office, as well as the State Police. Let me tell you today we have heard from the State Police Commissioner. The State Police Commissioner favors the 65/55 split. The Department of Transportation has sent us mixed signals. Today they do not favor the 65/55 split. The Governor's Office has given us mixed signals, and today they do not favor the split. So I want all of you

to know that. In the time that we have spent on this legislation, we have received mixed signals.

Let me say to you that our constituents want us to have a 65/55 split. The people that live in our districts who travel the highways want a split. They feel that trucks that are allowed to go 65 will go 80 to 85. If you travel the highways, you travel the interstates, you will experience that.

Imagine this; imagine this: On a clear, dry day you are traveling the speed limit, which is today 55. You also know that there is a tolerance of 6 miles per hour, so you are traveling 62 and you are pushing a little bit and you know that you can get away with 65. Then you turn around and you look to your left and you see a truck, a tractor-trailer, flying by you when the speed limit is at 55 — and you have all experienced this. You know that truck is going at least 70 to 75, and that is with the speed limit at 55 today.

So what you are about to do if you vote for this amendment, you are going to raise the speed limit to 65 for all vehicles, not excluding trucks; they would be included in the 65.

Now figure this out; think about this: The same scenario on a clear day, a day that you are now allowed to go 65, and then you push the tolerance — you know it has been adapted to 5 miles per hour — you are now allowed to go 70. Now, you tell me, what are these truck drivers and tractor trucks going to do when they are allowed to go 65? They are going to go 80 to 85.

The problem is enforcement — we know that — but we should not give them the opportunity to be destructive machines. You know what happens when a truck and an automobile collide. You know what happens when a truck plows into an automobile like we have had in central Pennsylvania at least 11 to 12 times. We have had 13 deaths in work zones, and each time they have plowed into our vehicles, either they were not paying attention or they were driving too fast; they were speeding in work zones.

We all know the issue back in February of this year. We voted in this House for the split. It was 154 to 46, the same legislation that the maker of this amendment supported. Now, we supported it and sent it over to the Senate 154 to 46. I am saying to you, stay with your convictions you had back then, stay with your vote back then, and please consider not supporting this amendment.

Now, let me just read something to you. The Secretary of Transportation, Mallory, testified to the Senate — I guess it was around a month or so ago — and part of his testimony says this: "An appropriate truck speed limit should be predicated on the fact that trucks are involved in nearly half of all rural interstate fatalities, and of these, approximately 85 percent are multiple collisions with other vehicles. A key concern is the differential stopping distance between cars and trucks under emergency braking conditions. At 55 MPH, it takes a truck under the best operating conditions 78 additional feet to stop compared to a car." That is a very important consideration. "The differential increases to 104 feet at 65 MPH and 119 feet at 70 MPH. Under a worse case truck scenario (novice driver and several brakes out of adjustment) the differential increases to 215 feet at 55 MPH, 294 feet at 65 MPH, and 341 feet at 70 MPH. On the other hand, research has shown increased accident potential when the variance in speed increases. This would be the case in the 55/65 speed limit if both types of vehicles obeyed their respective speed limits.

"Considering the above, a 55 MPH truck/65 MPH car speed limit may be the best course of action." That is testimony from our Secretary of Transportation which was given to the Senate Transportation Committee.

Let me just say that while indeed I support the implementation of realistic speed limits on rural interstate highways, I believe we must proceed with *caution*. I am convinced that a 65/55 split speed limit is the most logical step toward implementing this legislation while maintaining roadway safety as the ultimate priority.

Please consider the following points: It is important to emphasize that a dual speed limit would not be an experiment—

The SPEAKER. The gentleman will yield.

The gentleman may proceed.

Mr. MARSICO. Thank you, Mr. Speaker.

Split speed enforcement has been proven successful in several States since the enactment of the Federal highway bill in 1987, when States were permitted to increase speed limits on rural interstate highways. In fact, Mr. Speaker, 11 States have limited speed limits, and I say to you that those States, if you do not know this, are Illinois, California, Michigan, Ohio, and Oregon. They all have the split speed.

Furthermore, in supporting a split speed limit, I do not question the competency of operators of tractor-trailers as a whole. Rather, I would suggest to this body that not even the most skilled of drivers is exempt, for the benefit of the motoring public, from the laws of physics. Quite simply, the heavier the vehicle, the faster the vehicle is traveling, the longer the distance necessary to safely slow or halt that mass in motion. So how can we today believe that trucks, which already far exceed the speed limit, will somehow be as safe if we raise truck speeds?

Mr. Speaker, the people of Pennsylvania want trucks to slow down. Why would we want to do exactly the opposite of their desires? I urge a negative vote for the Wozniak amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes back to the House the gentleman, Tom Fee, and his wife, Lucretia, who are here to the left of the Speaker.

Over a lot of years there were a lot of fine people up here, and he is right at the top of the list.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair also welcomes back to the House Dwight Evans. I knew the budget would get him back.

GUESTS INTRODUCED

The SPEAKER. To the left of the Speaker is a group of children, student winners of the 14th annual Library/First Amendment Essay Competition. This group is representative of the Pennsylvania Citizens for Better Libraries.

Would these young people please stand up. They are here to the left of the Speaker, together with their sponsors.

CONSIDERATION OF SB 245 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment and support the position exacted a few moments earlier by Mr. Marsico.

I do not have any studies published by any transportation group. I do not possess any academic credentials in engineering that would in any way make my remarks any more than those of a motorist who travels the highways of Pennsylvania, like many of my colleagues do, for many miles during the course of a year.

I think that anyone who in good conscience feels that a tractor-trailer of tens of thousands of pounds traveling down the roadways of Pennsylvania in excess of 70 miles an hour to be a safe situation is not really correctly analyzing the facts. I have witnessed accidents in the central part of the State. Representative Marsico referred to them earlier. Interstate 81, which had a great amount of improvements done to it from here south to the Maryland border in the last 2 years, was the scene of numerous accidents because trucks were simply going too fast.

Now, as we approve a 65-mile-an-hour speed limit for automobiles, which I am sure we will do, and very candidly, I think the argument that we should approve this amendment so we can move this thing along faster is very fallacious in its character also.

This is too important a decision for Pennsylvania to make, and just to move it along faster so we can get this back to the Senate because the Senate changed it, the Senate is just another legislative body like us. Our votes count just as much as theirs for the people of Pennsylvania, and I think as Representative Marsico said, it is time for us to put up a vote for the people of Pennsylvania.

The SPEAKER. The gentleman will yield.

There is entirely too much conversation on the floor. The Chair is unable to hear the debate; the members are unable to hear the debate.

Conferences will please break up. The Sergeants at Arms are requested to keep the area behind the rails clear of conferences; not clear of visitors, but conferences.

The gentleman may proceed.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I have had constituents and motorists say to me they drive 65 or 70 now just to keep up with the flow. The truth of the matter is, they drive 65 or 70 to get out of the way of tractor-trailers, and that is the bottom line, and those of you who travel the highways of Pennsylvania know it is the bottom line. It is a safety factor here. It is too much weight going too fast to be safe.

Now, let us cast a vote that makes sense here today. Representative Marsico and I both have amendments which may be considered later, I suspect, if this unified speed limit passes, to limit truck traffic to certain lanes, and we can consider that as a possibility, too.

I think a prudent step today in this debate would be to go one step, and that is allow automobiles and lighter vehicles to travel at 65 and see how that works in Pennsylvania for a while and keep heavy trucks at a slower speed.

The vote is one of safety, Mr. Speaker, not one of convenience. It is not going with the flow; it is going with the safety of the motoring public. Think about this vote and cast a vote, as Representative Marsico said, for the traveling public who know, who know that trucks are going too fast on our highways and need to travel at a slower, safer speed because of the weight factor.

I oppose the amendment, Mr. Speaker.

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

Mr. STURLA. Thank you, Mr. Speaker.

I rise in support of the Wozniak amendment for several reasons.

If trucks are now traveling at 55 miles an hour and they are able under this amendment to proceed at 65 miles an hour, I believe, one, we will be doing a great service to businesses in the State of Pennsylvania. We will be increasing the efficiency of the trucking industry by about 15 percent. The same with commercial bus lines. That means dollars, and if we are truly looking out for businesses in Pennsylvania, this is one way we can do it.

If our sole purpose here is to simply say that we want to try and slow traffic down, then we ought to be about reducing the speed limit. Let us make it 45 uniformly. I do not think that is what any of us are about here.

Let us face it, though. The 55 uniform speed limit that we have right now, though, may be slightly safer than increasing the speeds. But we are talking about increasing the speeds, and we know that probably the most unsafe thing is to have a dual set of limits.

So let us make it uniform. Let us support the Wozniak amendment, and let us help businesses in Pennsylvania at the same time. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Nyce.

Mr. NYCE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment.

Several years ago the Department of Transportation passed new rules regarding commercial driver's licenses. They made a distinction between driving an automobile and driving a large tractor-trailer or a bus or a commercial vehicle. They did it for several reasons. First of all, there is significant additional skill involved. They recognized the difference in the size of the vehicles and the effort that is required to drive these vehicles. They also recognized the fact that these vehicles, when loaded, constitute a significant danger on the highway.

Now, the whole process of whether or not a commercial driver keeps his license is based on a penalty system when caught breaking or violating the law. Right now it is the same as driving an automobile. If we in fact keep a 55-mile-an-hour speed limit, we will be allowing our enforcement officers, even with some leeway, to let those trucks drive faster than 55, which we are all well aware of. But if they do and exceed the speed limit by a significant amount, the points assessed, the fines assessed, will be significantly greater. That makes sense to me.

If you are driving a vehicle that constitutes a significant hazard on the road when not properly operated within the limits prescribed, then the penalty ought to be a little bit more severe. It should not be the same as driving an automobile.

We, those of us, the motoring public who travel the highway, have all had the experience of looking in our rearview mirror and seeing nothing but the grill of a large 18-wheeler against our bumper. Regrettably, there are drivers out there who do this. I do not believe they are the company drivers; I believe they are the independents. We need to control this situation in such a way to make the highways safe for the motoring public. The best way to do that is to restrict the traffic speeds of large trucks and buses.

I do not believe that you need unity, the same speed limit, in order to have safe highways. Cars are much more maneuverable. They are much better equipped to travel at 65 miles an hour than a large truck.

Now, recently the Morning Call in 2 subsequent days did a specific article on truck safety — the number of accidents they are involved in and the disproportionate number of deaths that result

as a matter of truck accidents. We need to keep the split speed limit that is in this bill.

I oppose the amendment. I urge the other members to use their own driving experiences as a guide. Let us provide the enforcement officers an opportunity to put some teeth, put some teeth into these speed limits for trucks and not have them afforded the same penalties as those of us who drive automobiles. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Masland.

Mr. MASLAND. Thank you, Mr. Speaker.

I rise to oppose this amendment.

I do not have any great statistics to quote. I have not checked the Federalist Papers to see what Hamilton, Madison, and Jay had to say about that, so you are all safe for now. I really just have — and I have to be frank about this — a strong feeling in my gut that this is not the right thing to do, and I have to tell you that a lot of that comes from the construction that has been referred to by Representatives Coy and Marsico. Over the past year there were a lot of trucks traveling through some construction zones in my district, and it was a very dangerous, dangerous zone.

I feel very uncomfortable about raising the speed for trucks to 65, and let me just leave you with this one little thought that I saw the other day. I was watching public television, and they had a special about the huge, huge railway system that they have in India. And in one part of the special they showed this train that was winding its way up a mountain, and they had signs posted along the way to warn the motorists to slow down, and the sign said this: It said, "Slow" has four letters; so does "life." "Speed" has five letters; so does "death." The last time I checked, so does "truck." Vote against the amendment.

The SPEAKER. The Chair recognizes the gentleman from Lehigh County, Mr. Snyder.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, my colleague from Northampton County noted the article, a series of information, for the last 3 days this week from the Allentown Morning Call dealing with the problems of unsafe trucks on our highways, and I would like to just reference that article for one aspect of it.

For instance, Mr. Speaker, in 1993 the Department of Transportation's Motor Carrier Division discovered that 6 out of every 10 commercial vehicles checked in Pennsylvania were so unsafe that they were taken off the road temporarily. What is more troubling about those statistics, Mr. Speaker, is that nearly half of all the out-of-service violations for buses and nonhazardous materials trucks in 1993 were for brake deficiencies, including out-of-adjustment brakes.

Mr. Speaker, in terms of braking distance, a loaded tractor-trailer, according to the Morning Call, can take 20 to 42 percent farther than a car to stop at 60 miles per hour. That is, at 60 miles per hour, a car can stop within 175 feet. A loaded tractor-trailer requires, at a minimum, 225 to 300 feet to stop, but a loaded tractor-trailer with hot brakes at the minimum adjusted level for their brakes may require up to 692 feet.

Mr. Speaker, at that speed in the passing lane, if you are in a car and try to stop for a sudden reason and there is a truck behind you, you better hope that that truck is at least three or four times its distance behind you, and those of us who travel on the highway usually know that the most prevalent thing in your rearview mirror in a passing lane is the grill of a truck.

Mr. Speaker, I think we need to keep the speeds of the trucks at the 55-mile-an-hour zone, and I ask for opposition to this amendment. Thank you.

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I oppose raising the speed limit for trucks to 65 miles an hour. In the guise of saving time and money for truckers, we are sacrificing safety.

Mr. Speaker, certainly this House should take into consideration what this will cost the Commonwealth of Pennsylvania, which we have not discussed yet, in related costs — in the State's increase in medical costs, property damages, and lost wages. And let us not forget, Mr. Speaker, not too long ago we were talking about trying to bring our insurance rates down, which we did in this House by putting cost containment in there. By increasing the accident rate on these roads, what is it going to cost our insurance companies and the consumers who purchase insurance?

Mr. Speaker, let us also realize that we have an aging population who travels these roads more and more, who have been taken advantage of their retirements, who do not have the reflexes right now to keep up with these trucks. And like my colleague, Representative Marsico, said, 50 percent of accidents out there are truck related.

We cannot sacrifice safety in the Commonwealth of Pennsylvania in the guise of saving time and money for truckers. Therefore, I ask my colleagues to defeat this amendment. Thank you very much, Mr. Speaker.

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

Mr. GORDNER. Thank you, Mr. Speaker.

I would like to return to some statistics and information. Let me just restate again, as of July of this year, there will be 45 States that have a maximum 65-mile-an-hour zone. Out of those 45 States, 37 of them will have a uniform speed limit, which leaves 8 States that have a split.

Now, just for your information, out of those eight States that have a split, four of those States have 65 for cars and 55 for trucks, and four of them have 65 for cars and 60 for trucks. Those four States that went with a split system with 65 and 60 did so because — at least a couple of them did so — because a study had showed that a 10-mile split would be too much of a problem and would be a safety hazard.

Let me just restate a study — and I did not state before the conclusions; I stated some facts — but a study was done by the AAA Foundation for Traffic Safety for Virginia. Virginia had originally been one of those split States with 65 for cars and 55 for trucks. They did a study comparing their State and West Virginia, which had a uniform system.

Their conclusions: There is no evidence indicating that the differential speed limit — 65 for cars and 55 for trucks — is more effective than the uniform speed limit — 65 for both — in reducing the safety impact of increasing the maximum speed limit.

Two: There is evidence indicating that the differential speed limit increases the interaction among vehicles in a traffic stream as a result of the increase in speed variance. What they mean by that is that cars are going to be shifting from the right lane to the left lane to the right lane to the left lane to the right lane as they pass trucks.

Finally, there is evidence indicating that the imposition of the differential speed limit on interstate highways may result in higher rates for certain types of accidents such as rear-end and sideswipe accidents. The study showed that with a differential speed limit, there was an increase in the number of rear-end collisions, and a lot of that had to do with when you were coming from a uniform 55 around urban areas, going into the faster speed limit, cars would automatically speed up to go to 65 and would rear-end trucks. Let me just state again, if you look at the statistics and the safety reasons from other States, I think it is clear that you need to go with a uniform system.

Let me just state in conclusion my experience. I travel Interstate 81 from Hazleton down to Harrisburg a couple of days a week. There is now approximately a 20-mile stretch on 81, just as you are getting into Harrisburg, where there is a construction zone. What PennDOT now has done is put all the trucks over in the left lane and cars are able to go in either lane. On a daily basis, as I come down, I see cars, because they have access to both lanes and trucks only have one lane — and as a result, trucks are sort of piled behind each other and all going the speed limit — cars going in and out and in and out, from the right lane to the left lane to the right lane. That is what you are going to have if you go with a differential speed limit, and that lane-shifting is going to increase accidents.

So again, in conclusion, the facts and the statistics bear out my premise, the reality bears out my premise, that if you are going to increase the speed limit — and if you do not think it should increase, then that is your opinion — but if you are going to increase the speed limit, the safest way to go is a uniform 65-mile-an-hour speed limit. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. King.

Mr. KING. Thank you, Mr. Speaker.

You know, Pennsylvania is a beautiful, beautiful State, and when you allude to the rural areas of Pennsylvania in which you are asking this body to increase the speed limit, I am trying to think, as I travel back and forth from Mercer County down to this Harrisburg to sit in this Assembly, of the many moments in which those huge trucks were traveling in front of me, behind me, and alongside of me. Most of the trucks that access Interstate 80, as I come down here, appear coming through from Ohio and going east and coming from the east going west, exiting Pennsylvania, and I cannot see where we are providing our citizens with a positive action by allowing those huge trucks to increase their speed.

I think there was one allusion here about the medical cost, but I think that we need to think in terms of the people cost, of those individuals who are statistically involved in that accident. The mortality rate is higher. The infliction of traumatic injuries to those people, as these speeds increase, is going to be much higher, causing great destruction to them personally, and I cannot see where the people in my district are saying to me, Dave King, please go down to Harrisburg and please increase the speed of this huge truck that is traveling from Chicago to New York so it can go faster, so that the children that I load into our schoolbuses are going to be safer. I have not had one call in my district asking me, will you please go down there and increase the speed of those trucks.

Now, here is the same body of people who just recently passed a bill that was signed into law that said, let us insure the safety of our children by putting helmets on them as they get on their bicycles and drive up and down our streets at 2 or 3 miles an hour.

We have passed a bill in this House, passed it through to the Senate, signed into law by our Governor, that said we think that the children of this Commonwealth need to be protected by putting helmets on them as they get on their bicycles and tricycles and ride around our playgrounds and our sidewalks, and here we are supposed to pass a bill that says, okay; now that we have insured our little children of their safety — and we did that because the physicians in the trauma wards of this Commonwealth were reporting increased fatalities and head injuries from bike accidents — we are now saying, oh, that is okay; now we have done that; let us go ahead and increase the speed of those big trucks on the interstates. Oh, that is really saving our children, is it not, as we pile them into our schoolbuses, as we put them into our cars?

Our senior citizens, are they asking us, please, could you do me a favor, Dr. King; go down to Harrisburg and get that truck speed up a little bit? They are not asking us to do this. Who are the people who are asking us to do this? Self-interested trucking companies? I say, a pox on them.

What you will do by voting for this increase in speed, what you will do is you will turn our interstates into killing fields, and there will be blood on your hands. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, earlier I said that I did not have any academic credentials, and I still do not, but after a quick course, I want to share one brief fact with you.

Kinetic energy is the measurement used to determine impact of crashes. Now, kinetic energy is one-half mass times the velocity, squared. That means that a truck— How about that; how about that?

You should be smiling, Mr. Speaker, in amazement.

The SPEAKER. I am going to have that read back to me a little later.

Mr. COY. That means, Mr. Speaker, that a truck going 65 miles an hour, the kinetic energy is 40 percent greater than a truck going 55 miles an hour. It is common sense; it is common sense. Experts are divided; I admit that. Everyone has admitted that before that the experts are divided. So let us err on the side of caution here. Let us err on the side of caution which says that trucks with that amount of kinetic energy, with that amount of displacement of material when an accident occurs, do not have as great a damage at a slower speed than at the higher speed.

Let us think sensibly about this, and let us realize, realize, that a truck traveling at 65 in an accident is going to cause more damage than a truck traveling at 55, and I do not care if 49 other States think it is a good idea. It does not make it a good idea for Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Gruppo.

Mr. GRUPPO. Thank you, Mr. Speaker.

I know that there have been a number of speakers already opposing this amendment. I want to echo their sentiments. I think this is a bad amendment, b-a-d, bad. We should not be increasing the speed at which trucks travel.

This is a bad amendment. We are talking about human life here. We are talking about huge rigs going down the highway. They are already exceeding the allowable, legal speed limit now. If we give them a 65-mile-an-hour speed limit, they will be going 75 or more than that.

Just recently in the Lehigh Valley we had a truck run out of control, ran off the highway, and flipped over on top of a car that was parked alongside of the highway, a distressed automobile, killing two children. I do not want to see one child's life or any human life lost because we here in this Assembly vote for this amendment. It is a bad amendment. We ought to stand up against this amendment and not support it.

We are talking about safety on our highways, not increasing efficiency, not getting shipments faster to the suppliers or from the suppliers to the destination. We are talking about simple life and death, and I am not going to vote for this amendment and be responsible for one death on this highway. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. DiGirolamo.

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Mr. Speaker, I feel that I am a little bit qualified to comment on this subject. You see, I drove a truck for a good number of years. I have driven a truck at 55, at 60, and at 65, and believe me, a truck being driven at 60 or 65 miles an hour is too fast.

Leave the speed limit for trucks at 55. I urge a negative vote. Thank you, Mr. Speaker.

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

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, I will be very brief.

The gentleman, Mr. Coy, made the point that if we are going to err here, we should err on the side of caution. That leads me back to the argument proposed by Representative Gordner that to have a split speed limit in this Commonwealth would provide for automobiles weaving back and forth between the right- and left-hand lanes. We now see that very often when a truck is on a climb. When it is in a climbing lane, we see the automobiles going back and forth, trying to get around the trucks.

We voted on a split speed limit here a number of weeks ago, and much to my surprise, many of my constituents asked me why we would do such a stupid thing; either leave the speed limit 55 or make it 60 or make it 65, but make it uniform. The people that made those comments to me were not truck drivers; they were automobile drivers. They believe that it is nonsensical. They thought that the vote that we took earlier this session was nonsensical, and they simply asked that what we do here today, whether we raise the speed limit or maintain it at 55, that if I have another opportunity, for God's sake, make it a uniform speed limit, so I am urging a "yes" vote on the amendment.

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Wozniak.

Mr. WOZNIAK. Thank you, Mr. Speaker.

Okay. Let us cut to the chase. The opponent of this said that the bill that was passed earlier this year had a differential. It did. It was my bill. The reason I put it in there was for a safety reason, because the practical application of the law is, if the trucks stayed at 55, they have radar detectors; they have CB's; they have got car phones; they know where the traps are. They are wired like sputnik, and they would be going to the maximum amount that the police would allow them to go legally, which means that trucks and cars would go 65. The cars would go 65, the trucks would meet them, and they would be going the same speed.

My fallacy in my logic — and it is not really a fallacy — is that the reason I am changing my mind is because the police of Pennsylvania, the State Police, have assured me that there is going to be strict enforcement of the motoring laws of Pennsylvania,

which means that trucks and cars are going to go the same speed, which is my original intention. By voting for this amendment, we are accomplishing that goal.

It was said before that 39 States have a speed limit that is the same across the board, while 11 States have varying differentials. We can always — we do it every day here — change the rules of the game. We have a statistical analysis that is going to be done annually as to the traffic accidents. Virginia had a differential, 65/55. After a number of years of experience — and right here it is by the Department of Transportation written — after a number of years of experience, they made the speed limit the same across the board for safety reasons.

Now, I understand that this might be a nifty campaign article. I know that maybe people that do not think it through might make an easy vote, but the practical analysis is that we are human beings, we are pack animals, and we like traveling together at the same speed. It is safer. I think this makes sense, and I am just going to ask you guys and ladies, I need your help on this one; let us vote “yes” to make the speed limit the same across the board.

The State of Ohio, which has a differential, it is written, they simply are not enforcing it because they cannot do it. I have assurances from the State Police that we are going to enforce our laws, and what that means is that trucks and automobiles are going to travel the same speed. They are not going to be rear-ending each other. There will be accidents, of course, but I think this is on the side of safety and the side of the experience they have had in other States, and I am asking for an affirmative vote. I would appreciate a “yes.” Thank you very much.

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

The following roll call was recorded:

YEAS-109

| | | | |
|-------------|------------|------------|--------------|
| Allen | Fairchild | Maitland | Saylor |
| Argall | Fargo | Major | Semmel |
| Armstrong | Feese | Markosek | Serafini |
| Baker | Fleagle | McCall | Shaner |
| Barley | Flick | McGeehan | Sheehan |
| Battisto | Gamble | McGill | Smith, B. |
| Belfanti | Gannon | Melio | Smith, S. H. |
| Birmelin | Geist | Merry | Steelman |
| Bishop | Gigliotti | Micozzie | Steil |
| Boscola | Godshall | Mihalich | Stern |
| Boyes | Gordner | Nickol | Stetler |
| Bunt | Habay | O'Brien | Stish |
| Butkovitz | Haluska | Oliver | Sturla |
| Caltagirone | Hanna | Perzel | Taylor, J. |
| Carn | Hasay | Pettit | Thomas |
| Carone | Herman | Phillips | Travaglio |
| Chadwick | Hershey | Platts | Trich |
| Civera | Hess | Preston | Van Horne |
| Clymer | Horsey | Ramos | Vitali |
| Cohen, M. | Hutchinson | Raymond | Waugh |
| Colaizzo | Itkin | Readshaw | Wogan |
| Corpora | Jarolin | Richardson | Wozniak |
| Daley | Keller | Rieger | Yewcic |
| Dempsey | Kenney | Roberts | Zimmerman |
| Dent | Krebs | Rohrer | |
| DeWeese | Lederer | Rudy | Ryan, |
| Donatucci | Lescovitz | Santoni | Speaker |
| Durham | Lloyd | Sather | |

NAYS-91

| | | | |
|--------------|-----------|-----------|---------------|
| Adolph | Egolf | Lucyk | Schroder |
| Bard | Evans | Lynch | Schuler |
| Bebko-Jones | Fajt | Manderino | Snyder, D. W. |
| Belardi | Farmer | Marsico | Staback |
| Blaum | Fichter | Masland | Stairs |
| Brown | George | Mayernik | Strittmatter |
| Browne | Gladeck | Michlovic | Surra |
| Buxton | Gruitza | Miller | Tangretti |
| Cappabianca | Gruppo | Mundy | Taylor, E. Z. |
| Cawley | Harhart | Nailor | Tigue |
| Clark | Hennessey | Nyce | Trello |
| Cohen, L. I. | Jadlowiec | Petrarca | True |
| Colafella | James | Petrone | Tulli |
| Conti | Josephs | Piccola | Vance |
| Cornell | Kaiser | Pistella | Veon |
| Corrigan | King | Pitts | Walko |
| Cowell | Kirkland | Reber | Washington |
| Coy | Kukovich | Reinard | Williams |
| Curry | LaGrotta | Robinson | Wright, D. R. |
| DeLuca | Laughlin | Roebuck | Wright, M. N. |
| Dermody | Lawless | Rooney | Youngblood |
| DiGirolamo | Leh | Rubley | Zug |
| Druce | Levdansky | Sainato | |

NOT VOTING-0

EXCUSED-3

| | | |
|-------|-------|-----------|
| Olasz | Pesci | Scrimenti |
|-------|-------|-----------|

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?

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall today, as a guest of the gentleman from Montgomery, Mr. Godshall, Rachael Kopp of North Penn High School, who is seated to the left of the Speaker. Rachael, would you please rise.

And the guest pages of the lady from Montgomery County, Representative Bard, Colleen and Tim White. Would the Whites please rise.

ANNOUNCEMENT BY MR. HUTCHINSON

The SPEAKER. The Chair recognizes our brand-new father, the gentleman, Mr. Hutchinson.

Mr. HUTCHINSON. Mr. Speaker, I rise today to confirm the announcement of yesterday that I am the proud father of a new baby girl, Sophie Elizabeth Hutchinson — the most beautiful, most talented baby ever born in this Commonwealth and sure to be a Republican in the future. Thank you very much.

The SPEAKER. Except for the taking of reports of committees, there will be no further votes for 1 hour. We are going to recess until 1:30 for the purpose of taking lunch, but the Chair is going to stay open right now to take reports of committee.

GAME AND FISHERIES COMMITTEE MEETING

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

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

I would like to call a meeting of the Game and Fisheries Committee at the rear of the House floor immediately, Mr. Speaker. Thank you.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 10, PN 1958 (Amended) By Rep. PICCOLA

A Joint Resolution proposing amendments to the Constitution of the Commonwealth of Pennsylvania, establishing the Judicial Council of Pennsylvania and providing for its powers and duties; rescinding the power of the Supreme Court to suspend statutes; providing for the selection of the Chief Justice by the Governor and for the budgetary affairs of the unified judicial system.

JUDICIARY.

HB 838, PN 1959 (Amended) By Rep. PICCOLA

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the Judicial Council of Pennsylvania.

JUDICIARY.

HB 1639, PN 1940 By Rep. REBER

An Act amending the act of December 19, 1984 (P.L.1140, No.223), known as the Oil and Gas Act, further providing for an indemnity bond.

ENVIRONMENTAL RESOURCES AND ENERGY.

BILL REPORTED AND REREFERRED TO COMMITTEE ON LABOR RELATIONS

HB 1391, PN 1612 By Rep. PICCOLA

An Act authorizing the attachment of wages.

JUDICIARY.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Itkin, who asks that the gentleman, Mr. McCALL, be placed on leave of absence for the balance of today's session due to a death in his family.

INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Chester and Delaware Counties, Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

I would like to call an immediate meeting of the Intergovernmental Affairs Committee at the rear of the House.

The SPEAKER. Intergovernmental Affairs Committee, meet in the rear of the House right now.

VOTE CORRECTION

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

Mr. MICOZZIE. Mr. Speaker, my switch malfunctioned on SB 245, A2605. I would have voted "no" if the switch was operating.

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

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, a report on the Local Government Committee. There is an announcement out that says that we will have a meeting at the call of the recess. Now, the intent of this announcement was that we would be at the end of the session, so the Local Government Committee will meet at the recess that you call at the end of the voting session today.

The SPEAKER. The Chair will repeat the announcement of the chairman of the Local Government Committee. It will meet at the end of today's session, on the declaration of recess at the end of the session or on adjournment, whichever first occurs.

Mr. MERRY. Thank you, Mr. Speaker.

RECESS

The SPEAKER. Do the Republican or Democrat floor leaders have any further business?

Hearing none, the Chair declares this House in recess until 1:30.

AFTER RECESS

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 1643 By Representatives GORDNER, OLASZ, VAN HORNE, CAPPABIANCA, BELARDI, KUKOVICH, DeLUCA, ITKIN, YOUNGBLOOD, HENNESSEY, SATHER, TRELLO and PISTELLA

An Act amending the act of July 31, 1963 (P.L.410, No.217), entitled "An act regulating and licensing all sales at retail when such sales are advertised as 'Closing Out Sale,' 'Fire, Smoke or Water Damage Sale,'

or 'Defunct Business Sale,' with exceptions; requiring filing of inventory and bond; and providing for appeals and penalties," further providing for unlawful advertisement, for applications, for bonds, for license decisions, for license appeals and for sale duration and license fees; providing for county licenses; and further providing for records.

Referred to Committee on CONSUMER AFFAIRS, May 23, 1995.

No. 1648 By Representatives BAKER, HERSHEY, TRELLO, BELARDI, FARGO, MERRY, CHADWICK, DIGIROLAMO, PETTIT, EGOLF, HENNESSEY, CLARK, HALUSKA, STERN and SERAFINI

An Act amending the act of January 24, 1966 (1965 P.L.1535, No.537), known as the Pennsylvania Sewage Facilities Act, further providing for penalties.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 23, 1995.

No. 1649 By Representatives HERMAN, COY, DEMPSEY, CURRY, STERN, GEIST, SEMMEL, BELARDI, PLATTS, BELFANTI, E. Z. TAYLOR, HENNESSEY, LEVDANSKY, TRELLO, WALKO and YOUNGBLOOD

An Act regulating the practice of orientation and mobility; establishing the State Board of Examiners in Orientation and Mobility and prescribing its powers and duties; providing penalties; and making an appropriation.

Referred to Committee on PROFESSIONAL LICENSURE, May 23, 1995.

No. 1650 By Representatives STURLA, NAILOR, MANDERINO, L. I. COHEN, TIGUE, WALKO, JAROLIN, STABACK, CORRIGAN, MELIO, BELARDI, KUKOVICH, TRELLO, CAPPABIANCA, SCHRODER, SURRA, JOSEPHS, LAUGHLIN, ITKIN, STEELMAN, YOUNGBLOOD, RAMOS and PISTELLA

An Act requiring certain retail motor vehicle fuel stations to provide fuel and basic services to persons with disabilities at the self-service price; and imposing a penalty.

Referred to Committee on CONSUMER AFFAIRS, May 23, 1995.

No. 1651 By Representatives BROWN, WOZNIAK, HENNESSEY, HALUSKA, MARKOSEK, DALEY, McCALL, JADLOWIEC, GEORGE, BOYES, BAKER, D. W. SNYDER, FEESE, SATHER, STABACK, RUBLEY, EGOLF, SEMMEL, L. I. COHEN, TRELLO, BARD, ROONEY, GRUITZA, MERRY, ITKIN, PETTIT, ZUG, WAUGH and RAYMOND

An Act creating the Recreational Trails Advisory Board; providing for funding for motorized and nonmotorized recreational trails; providing for powers and duties of the Department of Environmental Resources; establishing a fund; and providing for the disposition of certain tax revenues.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 23, 1995.

No. 1652 By Representatives MILLER, SATHER, HENNESSEY, SCHRODER, BELARDI, DEMPSEY, STEELMAN, ITKIN, STERN, TRELLO, BOSCOLA and HESS

An Act amending the act of November 26, 1982 (P.L.744, No.203), referred to as the Prothonotary Fee Law, providing for establishment and modification of fees and for the imposition of an additional fee.

Referred to Committee on JUDICIARY, May 23, 1995.

No. 1653 By Representatives BIRMELIN, ITKIN, COLAIZZO, HERSHEY, TRELLO, HENNESSEY, SCRIMENTI, HERMAN, YOUNGBLOOD, MERRY, SAYLOR, CIVERA, SATHER, SERAFINI, E. Z. TAYLOR, RUDY and WOZNIAK

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for markings at deer crossing areas.

Referred to Committee on TRANSPORTATION, May 23, 1995.

No. 1654 By Representatives BIRMELIN, TRELLO, TIGUE, BELARDI, LUCYK, DEMPSEY, HERSHEY, MICOZZIE, PISTELLA, COY, BAKER, BOSCOLA, JAMES, RUBLEY, LEDERER, MELIO, LEH, ROBERTS, LESCOVITZ, JOSEPHS, L. I. COHEN, HENNESSEY, O'BRIEN, RUDY, RAYMOND, MILLER, SERAFINI and BROWN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for a special registration plate for veterans and members of United States military airborne units.

Referred to Committee on TRANSPORTATION, May 23, 1995.

No. 1655 By Representatives CAPPABIANCA, BEBKO-JONES, SCRIMENTI, SERAFINI, BOSCOLA, READSHAW, MANDERINO, KAISER, ITKIN, BELARDI, COY, TANGRETTI, HALUSKA, DALEY, PISTELLA, TRELLO, HERMAN, CURRY, LAUGHLIN and BATTISTO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for conduct of juvenile hearings.

Referred to Committee on JUDICIARY, May 23, 1995.

No. 1656 By Representatives MICOZZIE, DeLUCA, FAIRCHILD, GEORGE, BROWN, ARGALL, BELARDI, HERMAN, CAPPABIANCA, COLAIZZO, McCALL, HALUSKA, COY, GODSHALL, LYNCH, SURRA, MELIO, SATHER, MUNDY, JOSEPHS, RUBLEY, J. TAYLOR, KENNEY, L. I. COHEN, KUKOVICH, TRELLO, ITKIN, BELFANTI, O'BRIEN, HORSEY, WAUGH, WOGAN, RAYMOND, STABACK, KING, GRUPPO, BAKER, LUCYK, GEIST, ADOLPH, CORNELL, TANGRETTI, BOSCOLA, RAMOS, SERAFINI and CURRY

An Act providing for a higher education tuition assistance program for children of firefighters, law enforcement officers and members of the ambulance services and rescue squads killed in the performance of their duties.

Referred to Committee on EDUCATION, May 23, 1995.

No. 1657 By Representatives PISTELLA, GIGLIOTTI, BELARDI, MELIO, STABACK, BELFANTI, PRESTON, TRELLO, ITKIN and RICHARDSON

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, further providing for the definition of "archaeological field investigation"; adding definitions; further providing for the specific powers and duties of the Pennsylvania Historical and Museum Commission; further providing for documents; establishing the Local Government Records Management Improvement Fund; imposing an additional recording fee on certain documents; and further providing for cooperation by public officials with the commission.

Referred to Committee on STATE GOVERNMENT, May 23, 1995.

No. 1658 By Representatives PISTELLA, WALKO, GIGLIOTTI, BELARDI, ROBINSON, MELIO, KUKOVICH, CURRY, STABACK, MICHLOVIC, READSHAW, BELFANTI, SURRA, YOUNGBLOOD, PRESTON, TRELLO, DeLUCA, ITKIN, L. I. COHEN, RAMOS, RICHARDSON and WASHINGTON

An Act making an additional appropriation to the Department of Public Welfare for use in county mental health/mental retardation programs to provide family-oriented intervention services for children with disabilities.

Referred to Committee on APPROPRIATIONS, May 23, 1995.

No. 1659 By Representatives KENNEY, ALLEN, BELFANTI, BELARDI, RAYMOND, JAROLIN, MANDERINO, TIGUE, GEIST, LEVDANSKY, GEORGE, BUXTON, WALKO, STURLA, MARKOSEK, SCHULER, FAJT, PESCI, LAUGHLIN, J. TAYLOR, O'BRIEN, MUNDY, COWELL, SERAFINI, HALUSKA, TRELLO, TANGRETTI, PRESTON, ITKIN, YOUNGBLOOD, SURRA, TULLI, DeLUCA, MICOZZIE, KUKOVICH, STEELMAN, McCALL and ROBERTS

An Act making appropriations to the Milrite Council.

Referred to Committee on APPROPRIATIONS, May 23, 1995.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 160 By Representatives PISTELLA, ADOLPH, ALLEN, ARGALL, BAKER, BARD, BEBKO-JONES, BELARDI, BOSCOLA, BROWN, BROWNE, BUNT, CAWLEY, CLYMER, L. I. COHEN, COLAFELLA, CORRIGAN, COY, DALEY, DeLUCA, DEMPSEY, DENT, DRUCE, EGOLF, FAIRCHILD, FAJT, FARGO, FARMER, FICHTER, FLICK, GEIST, GEORGE, GIGLIOTTI, GODSHALL, HARHART, HENNESSEY, HERMAN, HERSHEY, HESS, HUTCHINSON, ITKIN, JAROLIN, JOSEPHS, KAISER, KELLER, KING, LAUGHLIN,

LEDERER, LESCOVITZ, LUCYK, LYNCH, MANDERINO, MARKOSEK, MARSICO, McCALL, McGEEHAN, MELIO, MERRY, MICOZZIE, MIHALICH, MILLER, MUNDY, NAILOR, NYCE, O'BRIEN, PESCI, PETRARCA, PETTIT, PITTS, PLATTS, PRESTON, READSHAW, ROBERTS, ROBINSON, ROHRER, ROONEY, RUBLEY, RUDY, SANTONI, SATHER, SAYLOR, SCHRODER, SCHULER, B. SMITH, STABACK, STEIL, STERN, STURLA, SURRA, TANGRETTI, E. Z. TAYLOR, TIGUE, TRAVAGLIO, TRELLO, TRUE, VAN HORNE, WALKO, WOGAN, WOZNIAC, M. N. WRIGHT, YEWCIC, YOUNGBLOOD and ZUG

A Resolution designating September 24, 1995, as "American Gold Star Mothers' Day" in Pennsylvania.

Referred to Committee on RULES, May 23, 1995.

SENATE BILL FOR CONCURRENCE

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

SB 933, PN 989

Referred to Committee on FINANCE, May 23, 1995.

BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HB 276, PN 573

An Act amending the act of April 21, 1949 (P.L.665, No.155), known as the First Class City Home Rule Act, further providing for limitations on the powers of cities of the first class.

Whereupon, the Speaker, in the presence of the House, signed the same.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 51, PN 726

By Rep. FLICK

A Resolution memorializing Congress to support the George C. Marshall Commemorative Coin.

INTERGOVERNMENTAL AFFAIRS.

HR 59, PN 848

By Rep. FLICK

A Resolution memorializing the Congress of the United States to propose a Constitutional amendment to authorize a prohibition against flag desecration.

INTERGOVERNMENTAL AFFAIRS.

HR 103, PN 1454

By Rep. FLICK

A Resolution memorializing the Congress of the United States to amend the Constitution of the United States to restore to the states and Congress the power to enact laws to protect the nation's flag from intentional acts of desecration.

INTERGOVERNMENTAL AFFAIRS.

CALENDAR CONTINUED

CONSIDERATION OF SB 245 CONTINUED

On the question recurring,

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

Mr. GEIST offered the following amendment No. A2613:

Amending Title, page 1, line 3, by inserting a period after "highways"

Amend Title, page 1, lines 3 and 4, by striking out "; and further providing for the" in line 3 and all of line 4

Amend Sec. 2, page 2, line 2, by striking out ", 3363 and 3368(c)" and inserting

and 3363

Amend Sec. 2 (Sec. 3368), page 4, lines 17 through 30; page 5, lines 1 through 15, by striking out all of said lines on said pages

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the Geist amendment, the Chair recognizes Mr. Geist.

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

As we stated earlier in the debate, in trying to get this bill into shape so that it would not have to go to conference committee, Representative Wozniak, myself, Senator Corman, Senator Bell, and others, along with the Governor's Office, came up with a bill that we think is very palatable and good for the citizens of Pennsylvania.

This amendment would simply put the tolerance for radar only back into the bill as it was when Representative Wozniak's bill left the House, and I would urge a "yes" vote.

The SPEAKER. On the question of the amendment, the gentleman from Somerset, Mr. Lloyd, is recognized.

Mr. LLOYD. I would like to interrogate the gentleman, Mr. Geist.

The SPEAKER. The gentleman will stand for interrogation. You may begin.

Mr. LLOYD. Mr. Speaker, I do not remember what the tolerance was in the bill when it left the House. Could you tell me what the tolerance is in the bill at the present time and what the tolerance would be if your amendment were to pass?

Mr. GEIST. In the current bill the way it reads now as it is amended, it is 3 miles an hour. The original legislation from 1961 was 5 miles an hour. This returns it to where it was in 1961.

Mr. LLOYD. So in other words, if this amendment passes, you will be able to drive 70 miles an hour and be within the tolerance?

Mr. GEIST. Only with radar, and once again, let me emphasize this: You are still illegal. The law says you still can only drive 65, but there are extenuating circumstances and that is why this was

written. If, for instance, you change from a snow tire with a larger diameter to a smaller diameter tire and you are traveling and your speedometer says 65, the differential, as a logarithmic scale, as speed increases and RPM's increase, then you are going to have a bigger differential in your speedometer.

The State Police recognize this, the people that do the speed limit stuff understand this, and the General Assembly understood it. It was hotly debated before. For those reasons only I believe it should stay this way.

Now, it also does not apply to VASCAR (visual average speed computer and recorder) or to any of the other timing devices, and it certainly does not apply to a State policeman who is out there or another policeman who is doing enforcement by clocking. It does not change it; it does not change any of those. It only applies to radar.

I would ask an affirmative vote on it.

Mr. LLOYD. Thank you, Mr. Speaker.

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

Mr. SCHULER. Thank you, Mr. Speaker.

Will the gentleman stand for interrogation?

The SPEAKER. The gentleman indicates he will. The gentleman, Mr. Schuler, may proceed.

Mr. SCHULER. Thank you, Mr. Speaker.

Mr. Speaker, I am a little confused. My reading of the bill is that the original leeway was 6 miles an hour and we are changing that to 4. Is that correct?

Mr. GEIST. No. It is 3, Mr. Speaker, and it would be 4 for enforcement.

Mr. SCHULER. I understand that, but in the original bill, I think you took out 6 and reducing—

Mr. GEIST. No. The original bill did not address it. It left it exactly the same as it was in 1961. The Wozniak legislation that left this House that was overwhelmingly voted for contained the tolerance as it was in 1961. We examined it; we looked at it, both pro and con, and kept it the same.

When the Bell bill came over from the Senate, that section of the law was amended and that is the way the Bell law read. Then we brought that bill out of committee and brought it to the floor.

So if we are looking at a bill that is a compromise piece of legislation, this is one of the compromises that goes into the legislation, and the Bell bill will be the vehicle for final passage.

Mr. SCHULER. All right. Thank you.

One more question. Mr. Speaker, if we are reducing this to 4 miles, does that apply to those areas in the Commonwealth, an area where it would be 55 miles an hour but not approved for 65? Would that tolerance still be 4 miles? In other words—

Mr. GEIST. No. The tolerance would stay the same statewide for all use of radar, just radar.

Mr. SCHULER. Okay. I understand. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment.

Again, after the House adopted the previous measure on the 65-mile-an-hour speed limit, I had the occasion to speak to a member of the Pennsylvania State Police who informed me that they are not going to pull over anyone with the 3-mile variance because they realize what Mr. Geist talked about. The change in tire sizes affects one's speedometer, no requirement for

speedometers to be calibrated during the annual inspections, and also the variations in the calibration of radar detectors make the State Police conclude that the district magistrates across this Commonwealth would very often throw out any ticket that was less than 5 or 6 miles an hour because of all these variables in both the calibration of the radar gun, the speedometer, and the differential in tire sizes.

So I believe this amendment is a good one. Again, the Pennsylvania State Police, at least according to the trooper I talked to, would probably never pull over an automobile or a truck that was going lower than 6 miles an hour over the speed limit in any case. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Wozniak.

Mr. WOZNIAK. Mr. Speaker, all I am going to ask you is, please vote "yes." Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—165

| | | | |
|--------------|------------|------------|---------------|
| Adolph | Druce | Lescovitz | Schroder |
| Allen | Durham | Levdansky | Schuler |
| Argall | Evans | Lucyk | Semmel |
| Armstrong | Fargo | Lynch | Serafini |
| Baker | Farmer | Major | Shaner |
| Bard | Feese | Markosek | Sheehan |
| Barley | Fichter | Mayernik | Smith, B. |
| Battisto | Fleagle | McGeehan | Smith, S. H. |
| Bebko-Jones | Flick | McGill | Snyder, D. W. |
| Belfanti | Gamble | Melio | Staback |
| Birmelin | Gannon | Merry | Stairs |
| Boscola | Geist | Michlovic | Steelman |
| Boyes | George | Micozzie | Steil |
| Brown | Gigliotti | Mihalich | Stern |
| Browne | Gladeck | Miller | Stish |
| Bunt | Godshall | Mundy | Strittmatter |
| Butkovitz | Gordner | Nyce | Sturla |
| Buxton | Gruitza | O'Brien | Surra |
| Caltagirone | Gruppo | Perzel | Tangretti |
| Cappabianca | Habay | Petrarca | Taylor, E. Z. |
| Carn | Haluska | Petrone | Taylor, J. |
| Carone | Hanna | Pettit | Thomas |
| Chadwick | Harhart | Pistella | Travaglio |
| Civera | Hasay | Pitts | Trello |
| Clark | Herman | Preston | Trich |
| Clymer | Hershey | Ramos | True |
| Cohen, L. I. | Hutchinson | Raymond | Tulli |
| Colafiglia | Itkin | Readshaw | Van Horne |
| Colaizzo | Jadlowiec | Reber | Veon |
| Conti | Jarolin | Richardson | Williams |
| Cornell | Josephs | Rieger | Wogan |
| Corpora | Kaiser | Roberts | Wozniak |
| Corrigan | Keller | Robinson | Wright, D. R. |
| Cowell | Kenney | Roebuck | Wright, M. N. |
| Curry | King | Rohrer | Yewcic |
| Daley | Kirkland | Rooney | Youngblood |
| Dempsey | Kukovich | Rubley | Zimmerman |
| Dent | LaGrotta | Sainato | Zug |
| Dermody | Laughlin | Santoni | |
| DeWeese | Lawless | Sather | |
| DiGirolamo | Lederer | Saylor | |
| Donatucci | Leh | | |

NAYS—31

| | | | |
|-----------|-----------|-----------|---------|
| Belardi | Fairchild | Manderino | Rudy |
| Bishop | Fajt | Marsico | Stetler |
| Blaum | Hennessey | Masland | Tigue |
| Cawley | Hess | Nailor | Vance |
| Cohen, M. | Horsey | Nickol | Vitali |
| Coy | Krebs | Phillips | Walko |
| DeLuca | Lloyd | Piccola | Waugh |
| Egolf | Maitland | Platts | |

NOT VOTING—3

| | | |
|-------|--------|------------|
| James | Oliver | Washington |
|-------|--------|------------|

EXCUSED—4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Serimenti |
|--------|-------|-------|-----------|

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?

Mr. WOZNIAK offered the following amendment No. A2603:

Amend Sec. 2 (Sec. 3362), page 3, line 23, by striking out "\$50" and inserting

\$42.50

On the question,

Will the House agree to the amendment?

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

Mr. WOZNIAK. Can we get a little attention, Mr. Speaker?

This is an agreed-to amendment—

The SPEAKER. Will the gentleman yield.

The gentleman, Mr. Wozniak, is correct. I do not know that you are going to get the attention. Conferences on the floor, please break up.

The gentleman, Mr. Wozniak.

Mr. WOZNIAK. Thank you, Mr. Speaker.

The Senate put a provision in jacking up a speeding ticket by \$15. We have an agreed-to amendment that reduces that to \$7.50, because already now if you get the unfortunate circumstance of breaking the law and getting a speeding ticket, you are paying for EMS (emergency medical services) and people do not have any EMS; they are paying for the CAT Fund (Catastrophic Loss Trust Fund); people have dogs, they are paying for cats and all kinds of other surcharges they have on here, and we just felt that although the Governor might need a little hit there to keep people in compliance, \$15 was a little steep, so we split the difference and made it \$7.50. So we are reducing the increase of the fine. The fine is still being increased but only by \$7.50.

I would appreciate an affirmative vote. Thank you.

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

Mr. GEIST. Thank you very much, Mr. Speaker. I kind of had an idea you were going to recognize me.

The amendment is agreed to. It is part of the compromise with the Senate and the Governor's Office. It is the reduction of the increase that had been requested. We insisted that this fine be lowered, and they have agreed to it in this amendment.

We would urge a "yes" vote on the agreement. Thank you.

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

The following roll call was recorded:

YEAS-192

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

NAYS-3

| | | |
|---------|-------|------|
| Josephs | Lloyd | Rudy |
|---------|-------|------|

NOT VOTING-4

| | | | |
|------|-------|------------|----------|
| Carr | James | Washington | Williams |
|------|-------|------------|----------|

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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?

Mr. MARSICO offered the following amendment No. A2655:

Amend Title, page 1, line 2, by inserting after "Statutes,"
restricting the operation of certain vehicles on certain highways;

Amend Sec. 2, page 2, line 2, by inserting after "Sections"
3313,

Amend Sec. 2, page 2, by inserting between lines 3 and 4
§ 3313. Restrictions on use of limited access highways.

(a) General rule.—The department may regulate or prohibit the use of any limited access highway by any class or kind of traffic which is found to be incompatible with the normal and safe movement of traffic.

(b) Traffic-control devices at entrances.—The department, when adopting any prohibition under this section, shall erect and maintain official traffic-control devices at the entrances to the limited access highway on which the prohibitions are applicable and when in place no person shall disobey the restrictions stated on the devices.

(c) Motorcycles.—Except on busways in counties of the first or second class, motorcycles may be operated upon any limited access highway in an urban district in a lane specified for multioccupant vehicles or car pools, except where the department can demonstrate that such use will create a safety hazard.

(d) Trucks.—

(1) It shall be unlawful for any truck, truck tractor or combination registered in Class 10 or higher to operate in the extreme left lane of any highway where automobiles are permitted 65 miles per hour maximum speed unless it is passing a slower moving vehicle located in the right lane. Any truck, truck tractor or combination shall not operate in the extreme left lane of a divided highway for a distance of greater than one mile while passing other vehicles.

(2) This subsection shall not apply to any highway where construction requires travel in the left lane as marked by appropriate signs, nor to any type of emergency where it is necessary to travel in the left lane.

(3) Any person who violates this subsection commits a summary offense and, upon conviction, shall be sentenced to pay a fine of \$100.

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

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Marsico.

Mr. MARSICO. Thank you, Mr. Speaker.

Mr. Speaker, I urge the adoption of this amendment to SB 245. What this does, it keeps heavier vehicles in the right-hand lane, which will allow those traveling at faster speeds to safely pass.

With this amendment, a truck, a truck tractor, or any combination registered in class 10 or higher — that is 30,000 pounds; these are for CDL's, commercial driver's licenses, trucks — would be limited to right-lane travel except for lengths of no more than 1 mile while passing slower moving vehicles.

A vote for this amendment is a vote for safety, and I encourage a positive vote. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. Coy, on the amendment.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I had drafted amendment 2547, but frankly, if this amendment passes, I will be glad to withdraw it.

I do support the Marsico amendment. The theory behind both amendments is the same, and that is that if truck travel is increased, the speed limit is increased on trucks, or if it is left the same, the fact of the matter is that a lane restriction for at least the majority of their travel would allow for, I think, greater safety. This would allow faster traveling vehicles, automobiles, lighter weight vehicles, the use of that left lane, the left-most lane on an individual basis. I think it makes sense. I think the argument has merit, and I think the weight of the trucks and the arguments about velocity of size of those vehicles is one and the same and lends itself to the argument also.

I think it makes sense, and I would encourage a positive vote.

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

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

If I could have the attention of the members on this debate, I would appreciate it.

This is a very good amendment, just as the Coy amendment is a very good amendment. But I would ask for a "no" vote with the commitment to the House that we will bring this as a freestanding bill out of the Transportation Committee. But we want to keep this bill clean; we want to send it back to the Senate as agreed to and agreed to with the Governor so that we can get the 65-mile-an-hour speed limit posted in Pennsylvania.

For that reason and only that reason, I would ask for a "no" vote on this amendment. It is not a bad amendment. As a matter of fact, it is a pretty decent amendment. It needs some things, a little bit of work on it on where PennDOT would permit it, where they would not. In cases where you have rough pavement, they have to be able to delineate so that they can run in the left lane. Those kinds of things can be addressed in committee, and I think we can come out with a heck of a good piece of legislation that this body would vote for unanimously. But at this time it is not the time, it is not the place, and it is not the bill.

I would ask for a "no" vote. Thank you.

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

Mr. WOZNIAK. Thank you, Mr. Speaker.

This is where we shift gears. The amendment has merit. However, please consider this legislation with the amendments we just placed into it as a conference committee report. This is what we have attempted to work out with the Senate, and these are the issues they have agreed to.

From here on in, what I am going to do is ask for negative votes for the amendment process so that we can get this piece of legislation cleanly over to the Senate so they can pass it and have it signed by the Governor. Any changes other than what has already occurred will force this into a conference committee report which probably will not be handled until September of this year.

The commitment has been by the chairman of Transportation to discuss the issue of this amendment. I think his word is good in that we will see this later on as a freestanding bill.

I am asking the members to vote "no." Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lancaster County, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

This amendment, as has been stated previously by the chairman of the Transportation Committee, is a very good amendment, and I would support this on its merits. However, I, too, am very committed to seeing the 65-mile-an-hour legislation move through the process with the concurrence and the agreement of the Senate.

I just want to add that I will pledge, as a member of the majority leadership, that I will do everything to work with the chairman of the Transportation Committee to see that this bill is moved along and, in working with the majority leader, placed on the calendar. So I just want to extend that commitment and in no way have a negative vote that I intend to cast to reflect on the merit of the issue.

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

The following roll call was recorded:

YEAS—74

| | | | |
|-------------|-----------|-----------|---------------|
| Adolph | Egolf | Manderino | Rooney |
| Belardi | Fajt | Markosek | Rubley |
| Belfanti | Farmer | Marsico | Schroder |
| Browne | Feese | Masland | Semmel |
| Bunt | Fichter | Mayernik | Snyder, D. W. |
| Caltagirone | George | Melio | Stairs |
| Carone | Gladeck | Mundy | Surra |
| Cohen, M. | Habay | Nailor | Tangretti |
| Conti | Harhart | Nyce | Taylor, E. Z. |
| Cornell | Jarolin | O'Brien | Taylor, J. |
| Corpora | Josephs | Petrarca | Trich |
| Corrigan | Kenney | Piccola | Tulli |
| Cowell | King | Pistella | Vance |
| Coy | Krebs | Pitts | Walko |
| Curry | Kukovich | Preston | Wogan |
| DeLuca | Laughlin | Reber | Wright, D. R. |
| Dempsey | Lescovitz | Reinard | Yewcic |
| Dent | Levdansky | Robinson | Zug |
| Druce | Lynch | | |

NAYS—121

| | | | |
|-------------|-----------|-----------|---------------|
| Allen | Evans | Lloyd | Schuler |
| Argall | Fairchild | Lucyk | Serafini |
| Armstrong | Fargo | Maitland | Shaner |
| Baker | Fleagle | Major | Sheehan |
| Bard | Flick | McGeehan | Smith, B. |
| Barley | Gamble | McGill | Smith, S. 11. |
| Battisto | Gannon | Merry | Staback |
| Bebko-Jones | Geist | Michlovic | Steelman |
| Birmelin | Gigliotti | Micozzie | Steil |
| Bishop | Godshall | Mihalich | Stern |
| Blaum | Gordner | Miller | Stetler |
| Boscola | Gruitza | Nickol | Stish |
| Boyes | Gruppo | Oliver | Strittmatter |
| Brown | Haluska | Perzel | Sturla |
| Butkovitz | Hanna | Petrone | Thomas |
| Buxton | Hasay | Petit | Tigue |
| Cappabianca | Hennessey | Phillips | Travaglio |
| Cawley | Herman | Platts | Trello |
| Chadwick | Hershey | Ramos | True |

| | | | |
|--------------|------------|------------|---------------|
| Civera | Hess | Raymond | Van Horne |
| Clark | Horsey | Readshaw | Veon |
| Clymer | Hutchinson | Richardson | Vitali |
| Cohen, L. I. | Itkin | Rieger | Waugh |
| Colafiglia | Jadlowiec | Roberts | Wozniak |
| Colaizzo | Kaiser | Roebuck | Wright, M. N. |
| Daley | Keller | Rohrer | Youngblood |
| Dermody | Kirkland | Rudy | Zimmerman |
| DeWeese | LaGrotta | Sainato | |
| DiGirofamo | Lawless | Santoni | Ryan, |
| Donatucci | Lederer | Sather | Speaker |
| Durham | Leh | Saylor | |

NOT VOTING—4

| | | | |
|------|-------|------------|----------|
| Carn | James | Washington | Williams |
|------|-------|------------|----------|

EXCUSED—4

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|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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?

The SPEAKER. The gentleman, Mr. Coy, are you offering your amendment or withdrawing?

Mr. COY. Mr. Speaker, I will withdraw the amendment giving way to the obvious will of the House on the issue. But I appreciate the gentleman, Mr. Geist's remarks concerning it, and I would encourage him to work with Mr. Marsico and Representative Barley on the issue, because I think it is an issue which is important and deserves a hearing in and of itself. So I will withdraw my amendment at this time.

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair at this time would like to call to the attention of the House that one of our members, Representative Mihalich, has cause to celebrate. He is a new grandfather for the sixth time — Adam Fusco Mihalich. The parents reside in New Hope. Herman did not give me his— Oh, yes, he did. No. He just gave me the name of the grandchild, Adam. Adam and his parents reside in New Hope, Bucks County. So give them our best.

GUEST INTRODUCED

The SPEAKER. We have another guest here. As the guest of Representative Katie True, her district office intern, Randall Wenger. Randall lives in Brickerville. He is a senior at Penn State, Harrisburg, majoring in public policy. Randall, would you please rise.

CONSIDERATION OF SB 245 CONTINUED

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

Mr. KUKOVICH offered the following amendment No. A2635:

Amend Title, page 1, line 4, by removing the period after "devices" and inserting

and for emission inspection expenditures.

Amend Bill, page 5, by inserting between lines 15 and 16

Section 3. Section 4706 of Title 75 is amended by adding a subsection to read:

§ 4706. Prohibition on expenditures for emission inspection program.

(j) Approval by General Assembly.—No alternative enhanced vehicle emission inspection program shall be implemented unless it has been approved by an act of the General Assembly.

Amend Sec. 3, page 5, line 16, by striking out "3" and inserting
4

Amend Sec. 4, page 6, line 14, by striking out "4" and inserting
5

Amend Sec. 5, page 6, line 23, by striking out all of said line and inserting

Section 6. This act shall take effect as follows:

- (1) The addition of 75 Pa.C.S. § 4706(j) shall take effect immediately.
- (2) This section shall take effect immediately.
- (3) The remainder of this act shall take effect in 30 days.

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

The SPEAKER. The Chair recognizes the gentleman from Westmoreland County, Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

In light of a recent lawsuit by Envirotest against the State and in light of what this chamber has done over the last 6 months or so regarding the centralized emissions system, I feel it is imperative that we clarify the law to insure that if at some point after changing EPA (Environmental Protection Agency) regs, after a change in policy by DER (Department of Environmental Resources) or whatever, if there is an alternative system, that we do not abdicate our responsibility and we have the opportunity to vote on any alternative plan.

It is a rather simple amendment, and I would ask for a "yes" vote.

GERMANENESS QUESTIONED

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, I raise the question of germaneness.

The SPEAKER. The gentleman, Mr. Wright, raises the question as to whether or not the amendment offered by the gentleman, Mr. Kukovich, amendment A2635, is germane to the principal question; that is, the bill itself.

Under the rules of the House, the question of whether or not a matter is germane is determined by the House. On the vote, a vote in the affirmative will be a vote that the amendment is germane; a vote in the negative is a vote that the amendment is not germane.

On the question,
Will the House sustain the germaneness of the amendment?

The SPEAKER. On the question, is there debate on the question?

The Chair recognizes the gentleman, Mr. Wozniak.
Mr. WOZNIAK. Thank you, Mr. Speaker.

Very quickly. I know that this has to do with cars, but it has nothing to do with cars traveling. So I am going to ask the membership, just as we did when we voted this issue originally, "no" on germaneness. Thank you.

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

Historically, anything that is dealing with Title 75, the Transportation Code, or any type of general code is normally ruled germane. A quick reading of Mason's Manual shows that amendments like this are considered to be germane.

I would ask for consistency in the process and a "yes" vote.

The SPEAKER. The gentleman, Mr. Geist, on the question of germaneness.

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

I would also rise and ask for a "no" on germaneness. If we go into the debate, there are a lot of reasons to vote "no" also. But at this time I do not believe that this amendment is germane to the Title 75 bill on 65 miles an hour.

The SPEAKER. On the question, those who believe it to be germane shall vote "aye"; those opposed, in the negative.

On the question recurring,
Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS-73

| | | | |
|-------------|-----------|-----------|-----------|
| Bebko-Jones | Evans | Lucyk | Rooney |
| Blaum | Fajt | Manderino | Sainato |
| Boscola | Gamble | Markosek | Shaner |
| Buxton | George | Masland | Staback |
| Caltagirone | Gordner | Mayernik | Steelman |
| Cappabianca | Gruitza | Melio | Stetler |
| Carn | Hanna | Michlovic | Sturla |
| Carone | Itkin | Mihalich | Tangretti |
| Cawley | Jarolin | Nailor | Thomas |
| Cohen, M. | Josephs | Petrarca | Tigue |
| Colaella | Kaiser | Petrone | Travaglio |
| Colaizzo | Krebs | Pistella | Trich |
| Corpora | Kukovich | Platts | Vance |
| Corrigan | LaGrotta | Preston | Van Horne |
| Cowell | Laughlin | Readshaw | Vitai |
| Curry | Lescovitz | Roberts | Walko |
| DeLuca | Levdansky | Robinson | Williams |
| Dermody | Lloyd | Roebuck | Yewcic |
| DeWeese | | | |

NAYS-123

| | | | |
|--------------|------------|------------|---------------|
| Adolph | Egolf | Leh | Saylor |
| Allen | Fairchild | Lynch | Schroder |
| Argall | Fargo | Maitland | Schuler |
| Armstrong | Farmer | Major | Semmel |
| Baker | Feese | Marsico | Serafini |
| Bard | Fichter | McGeehan | Sheehan |
| Barley | Fleagle | McGill | Smith, B. |
| Battisto | Flick | Merry | Smith, S. H. |
| Belardi | Gannon | Micozzic | Snyder, D. W. |
| Belfanti | Geist | Miller | Stairs |
| Birmelin | Gigliotti | Mundy | Steil |
| Bishop | Gladeck | Nickol | Stern |
| Boyes | Godshall | Nyce | Stish |
| Brown | Gruppo | O'Brien | Strittmatter |
| Browne | Habay | Oliver | Surra |
| Bunt | Haluska | Perzel | Taylor, E. Z. |
| Butkovitz | Harhart | Pettit | Taylor, J. |
| Chadwick | Hasay | Phillips | Trello |
| Civera | Hennessey | Piccola | True |
| Clark | Herman | Pitts | Tulli |
| Clymer | Hershey | Ramos | Waugh |
| Cohen, L. I. | Hess | Raymond | Wogan |
| Conti | Horsey | Reber | Wozniak |
| Cornell | Hutchinson | Reinard | Wright, D. R. |
| Coy | Jadlowiec | Richardson | Wright, M. N. |
| Daley | Keller | Rieger | Youngblood |
| Demsey | Kenney | Rohrer | Zimmerman |
| Dent | King | Rubley | Zug |
| DiGirolamo | Kirkland | Rudy | |
| Donatucci | Lawless | Santoni | Ryan, |
| Druce | Lederer | Sather | Speaker |
| Durham | | | |

NOT VOTING-3

| | | |
|-------|------|------------|
| James | Veon | Washington |
|-------|------|------------|

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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

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

Mr. KUKOVICH offered the following amendment No. A2636:

Amend Title, page 1, line 4, by removing the period after "devices" and inserting

and for the imposition of the oil company franchise tax.

Amend Bill, page 6, by inserting between lines 13 and 14

Section 4. Section 9502(a)(2) of Title 75 is amended to read:

§ 9502. Imposition of tax.

(a) General rule.—

(2) An additional 55 mills is hereby imposed on each dollar of petroleum revenues the proceeds of which shall be distributed as follows:

(i) [Forty-two] Forty-nine percent to county maintenance districts for highway maintenance. This allocation shall be made according to the formula provided for in section 9102(b)(2) (relating to distribution of State highway maintenance funds). This allocation shall be made in addition to and not a replacement of amounts normally distributed to county maintenance districts under section 9102.

(ii) Seventeen percent for highway capital projects.

(iii) Thirteen percent for bridges.

(iv) Two percent for bridges identified as county or forestry bridges.

(v) [Twelve] Nineteen percent for local roads pursuant to section 9511(c) (relating to basic allocation to municipalities).

[(vi) Fourteen percent for toll roads designated pursuant to the act of September 30, 1985 (P.L.240, No.61), known as the Turnpike Organization, Extension and Toll Road Conversion Act, to be appropriated under section 9511(h).]

Amend Sec. 4, page 6, line 14, by striking out "4" and inserting
5

Amend Sec. 5, page 6, line 23, by striking out all of said line and inserting

Section 6. This act shall take effect as follows:

(1) The amendment of 75 Pa.C.S. § 9502(a)(2) shall take effect September 1, 1995.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect in 30 days.

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

AMENDMENT WITHDRAWN

The SPEAKER. On that question, the Chair recognizes the gentleman.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I had drafted this amendment pursuant to a debate that we had earlier on the accountability of the Turnpike Commission. During that process we discovered that since 1991, there have been State funds drawn from the oil franchise tax that have gone to the turnpike. It was somewhat difficult finding out the circumstances behind that. Since I offered this amendment, I have learned of those circumstances.

The purpose of the amendment is to try to deal with the accountability of the Turnpike Commission. After looking at the circumstances surrounding this, I would be concerned about existing projects that are relying on this fund.

The other purpose of the amendment was to try to garner some increased funding for everybody's road and bridge projects, but I think it might be more appropriate to offer those at another time to another transportation bill. That being the case, I will withdraw the amendment at this time.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. LaGROTTA offered the following amendment No. **A2649**:

Amend Sec. 2 (Sec. 3362), page 3, line 23, by striking out "\$50" and inserting

\$40, plus a surcharge of \$10 payable to the State Treasurer for deposit into the Emergency Medical Services Operating Fund,

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

PARLIAMENTARY INQUIRY

Mr. GEIST. Mr. Speaker, may I be recognized for a question of the Chair?

The SPEAKER. No.

Mr. GEIST. Please?

The SPEAKER. No.

Do you have a question of parliamentary inquiry?

Mr. GEIST. Yes, I do.

The SPEAKER. Then I will accept your question.

Mr. GEIST. Mr. Speaker, it seems to me that earlier when we amended this bill, we amended it and changed the section that he is trying to amend. So would not this amendment then not be applicable, because it is trying to change something that has already been changed?

The SPEAKER. No; this amendment would be permitted. The effect of the amendment would be to knock out that portion of the Wozniak amendment that has \$42.50 in it, replace it with \$40, plus the language "plus a surcharge," et cetera.

Mr. GEIST. Thank you very much, Mr. Speaker. I am sorry I interrupted then.

The SPEAKER. It is quite all right.

The gentleman, Mr. LaGrotta.

Mr. LaGROTTA. Thank you, Mr. Speaker.

Mr. Speaker, in reality, what we are doing with this amendment is we are simply restoring the language in which the bill left the Senate, and the reason that we are doing that is we are taking \$10 of the money that would go to the Motor License Fund and giving it to the Emergency Medical Services Operating Fund, which would make a total of \$20 which goes to the Emergency Medical Services Operating Fund when the violation exceeds the 65-mile-an-hour speed limit.

Now, let me just suggest to you a few reasons why it is important to do this. First of all, in States that have raised the speed limit to 65 miles an hour, fewer tickets have been issued, which means fewer opportunities for the Emergency Medical Services Operating Fund to gain revenue. There has also been an increase in accidents — 14 percent. There have been 25 percent more injuries and 30 percent more fatalities.

Now, that will place an additional burden on our emergency services around the State. In Pennsylvania, this means an additional 1,239 accidents, 1,799 injuries, and an additional 33 deaths if the speed limit goes to 65 miles an hour.

That is why we are running this amendment, Mr. Speaker, because we believe that the Emergency Medical Services Operating Fund will be in need of the additional revenue in order to perform the services that it provides for us, and I would ask your support for this amendment. Thank you.

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

Mr. WOZNIAK. Here we go again, another surcharge on somebody that got caught speeding for \$10. We already have money in there for the CAT Fund. People do not even own cats, and they are paying for the CAT Fund. We have got EMS already; they are paying for that. They have got something to do with computers for the judges that we all love dearly, and now we want to add another \$10.

One is, I do not think this amendment is crafted now with the other language that is already placed in there; and two, if this amendment goes in, the fine goes way over what the Senate even wanted to put in, and we just voted to reduce that.

Mr. Speaker, I would appreciate a negative vote on this amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. Geist, on the amendment.

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

In a previous amendment, we just got done lowering the fine. This amendment increases the fine. Once again I would ask for a "no" vote.

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. LaGrotta.

Mr. LaGROTTA. Thank you, Mr. Speaker.

Once again, I would just reiterate the additional burden that increasing the speed limit is going to place on emergency services in Pennsylvania, and if we do not provide them with the revenue to perform their services, then we are going to find ourselves in a tremendous amount of difficulty and we are going to end up having to increase the amount of money that the taxpayers provide.

So if you find it inappropriate to provide funds in this manner, then we are going to have to increase taxes to do that. So I would suggest that we support this method of funding emergency services rather than an increase in taxes, and I would ask your support for this very important amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-40

| | | | |
|-------------|----------|-----------|---------------|
| Baker | Curry | Levdansky | Rooney |
| Boscola | DeLuca | Lloyd | Rudy |
| Caltagirone | Dermody | Lucyk | Sainato |
| Cawley | DeWeese | Major | Schroder |
| Civera | George | Markosek | Schuler |
| Conti | Josephs | Mayernik | Steelman |
| Corpora | Kaiser | Pistella | Stetler |
| Corrigan | Kukovich | Preston | Taylor, E. Z. |
| Cowell | LaGrotta | Readshaw | Trich |
| Coy | Laughlin | Robinson | Veon |

NAYS-152

| | | | |
|-------------|---------|-----------|---------------|
| Adolph | Fargo | Manderino | Shaner |
| Allen | Farmer | Marsico | Sheehan |
| Argall | Feese | Masland | Smith, B. |
| Armstrong | Fichter | McGeehan | Smith, S. H. |
| Bard | Fleagle | McGill | Snyder, D. W. |
| Barley | Flick | Melio | Staback |
| Battisto | Gamble | Mery | Stairs |
| Bebko-Jones | Gannon | Michlovic | Steil |

| | | | |
|--------------|------------|----------|---------------|
| Belardi | Geist | Micozzie | Stern |
| Belfanti | Gigliotti | Mihalich | Stish |
| Birmelin | Gladeck | Miller | Strittmatter |
| Blaum | Godshall | Mundy | Sturla |
| Boyes | Gordner | Nailor | Surra |
| Brown | Gruitza | Nickol | Tangretti |
| Browne | Gruppo | Nyce | Taylor, J. |
| Bunt | Habay | O'Brien | Thomas |
| Butkovitz | Haluska | Oliver | Tigue |
| Buxton | Hanna | Perzel | Travaglio |
| Cappabianca | Harhart | Petrarca | Trejlo |
| Carone | Hasay | Petrone | True |
| Chadwick | Hennessey | Pettit | Tulli |
| Clark | Herman | Phillips | Vance |
| Clymer | Hershey | Piccola | Van Horne |
| Cohen, L. I. | Hess | Pitts | Vitali |
| Cohen, M. | Horsey | Platts | Walko |
| Colaella | Hutchinson | Raymond | Waugh |
| Colaizzo | Itkin | Reber | Williams |
| Cornell | Jadlowiec | Reinard | Wogan |
| Daley | Jarolin | Rieger | Wozniak |
| Dempsey | Keller | Roberts | Wright, D. R. |
| Dent | Kenney | Roebuck | Wright, M. N. |
| DiGirolamo | King | Rohrer | Yewcic |
| Donatucci | Krebs | Ruble | Youngblood |
| Druce | Lawless | Santoni | Zimmerman |
| Durham | Lederer | Sather | Zug |
| Egolf | Leh | Saylor | |
| Evans | Lescovitz | Semmel | Ryan, |
| Fairchild | Lynch | Serafini | Speaker |
| Fajt | Maitland | | |

NOT VOTING-7

| | | | |
|--------|----------|------------|------------|
| Bishop | James | Ramos | Washington |
| Carn | Kirkland | Richardson | |

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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?

Mr. DRUCE offered the following amendment No. A2659:

Amend Title, page 1, line 3, by striking out "and" where it appears the last time

Amend Title, page 1, line 4, by removing the period after "devices" and inserting

; and prohibiting certain expenditures from the Motor License Fund for the operation of the Pennsylvania State Police.

Amend Bill, page 6, by inserting between lines 13 and 14 Section 4. Title 75 is amended by adding a chapter to read:

CHAPTER 97-A
RESTRICTIONS ON MOTOR LICENSE FUND
EXPENDITURES

Sec.

9701-A. Pennsylvania State Police restriction.

§ 9701-A. Pennsylvania State Police restriction.

(a) General rule.—Except as provided in subsection (b), no Motor License Fund money shall be appropriated for the operation of the

Pennsylvania State Police or for transfer to the General Fund for appropriation for the operation of the Pennsylvania State Police.

(b) Application.—The provisions of this section shall apply as follows:

(1) For the fiscal year beginning July 1, 1995, 75% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(2) For the fiscal year beginning July 1, 1996, 50% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(3) For the fiscal year beginning July 1, 1997, 25% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(4) For the fiscal year beginning July 1, 1998, and each fiscal year thereafter, there shall be no expenditures from the Motor License Fund for the operation of the Pennsylvania State Police.

Amend Sec. 4, page 6, line 14, by striking out "4" and inserting
5

Amend Sec. 5, page 6, line 23, by striking out "5" and inserting
6

On the question,

Will the House agree to the amendment?

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

Mr. DRUCE. Thank you, Mr. Speaker.

The amendment that I offer today would provide additional money for highway maintenance and repair in the Commonwealth of Pennsylvania. It would provide additional money for every PennDOT maintenance district in the State. In fact, I have numbers provided by the department, and I can cite some of those, but if any of the members want to ask their specific county, I could give them that information.

My amendment gradually removes the funding for the State Police out of the Motor License Fund and into the General Fund, which is where I believe the State Police should be funded to begin with.

Under current law, 70 percent of the State Police budget comes out of our highway fund money, not from the General Fund. In fact, only 30 percent of the State Police funding comes from general tax revenues.

Mr. Speaker, to me, that is an extraordinary amount of money coming out of what most people assume back in our districts is highway money, going to repair our roads. Instead, they are going to fund the State Police.

I would argue that the State Police is no longer the old highway patrol. They are a much more sophisticated law enforcement agency. In fact, this General Assembly a year ago gave them the responsibility of handling those areas that came under our Crime Commission. So clearly their area of responsibility goes way beyond patrolling the interstates, yet if you look at the funding, we fund them primarily from highway money.

But, Mr. Speaker, my amendment is not about law enforcement; it is about roads, and it is about better roads and using our tax dollars more wisely to repair and repave our roads. Many members know that Overdrive magazine called Pennsylvania's roads the worst roads in the country, and they did so by putting us in their hall of fame, Mr. Speaker. That was not a 1-year recognition or a 2-year recognition; that was

hall-of-fame status, and that takes quite an effort, but frankly, Mr. Speaker, it is an embarrassment. But we did not need Overdrive magazine to tell us that; we all know that, because all we have to do is drive on our roads or ask our constituents.

We have, Mr. Speaker, 100 projects pending in this State worth almost \$1 billion ready to move, but there is no money to move them, and it is time that this General Assembly started to address the issue of dealing with our roads.

My amendment would provide the funding shift from the State Police, gradually moving it out of the Motor License Fund at 25 percent a year over a 4-year period. We would pay for it through the surplus, which would add an additional \$55 million to our highway repairs, and take the additional \$55 million out of the surplus, which is approaching, depending upon your estimates, \$300 or \$400 million.

Mr. Speaker, I would ask for an affirmative vote on this amendment, and I would be glad to answer any questions that members have relative to their specific districts in terms of what their areas would gain by voting for this amendment. Thank you.

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

Mr. WOZNIAK. Thank you, Mr. Speaker.

We are getting involved in appropriations, and the last time I checked, we are coming to the month of June, and that is where all this stuff has to work itself out. This bill is not the place to start dealing with formulas and taking money away from the State Police and doing this and that.

I am going to ask all my members, as we have done the past number of times, to vote "no." Thank you.

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

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

I rise to oppose this amendment.

This is a small piece of the pie out of the total funding picture for Pennsylvania's highway needs. It does nothing to address the maintenance formula. It does nothing other than change the role of the State Police to the highway patrol.

It is a very good amendment if it is part of a total package, but as a stand-alone amendment, it is not a good amendment. I therefore oppose this amendment and would ask that you vote "no" on it. Thank you.

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

Mr. GAMBLE. Mr. Speaker, I agree with my counterpart on the Republican side.

This is an issue that should be addressed, but not today by way of amendment. We will create a hole in the budget. There can be many good arguments made to do this, but I would hope that we would not load down this bill dealing with the speed limit with all these kinds of amendments and deal with them on a one-by-one basis at a later date.

I would ask for a "no" vote.

The SPEAKER. On the question, the gentleman, Mr. Druce.

Mr. DRUCE. Thank you, Mr. Speaker.

Mr. Speaker, we have heard about how we will deal with all these issues one at a time at some later date. Well, I am told that the former member of this body, Representative Petrarca, had championed this issue for years and it never got anywhere. Do not buy into the argument today, Mr. Speaker, that we will deal with this another day, although frankly we will, and you know how we will deal with it? Not because we put more money into the

maintenance fund, but because we are going to be staring at a gas tax increase come later this year because we failed to do something about it now.

I would argue, Mr. Speaker, that everybody here in this chamber was elected to tackle the issues that come before us. Do not buy into this. We will deal with it today. Frankly, if you deal with it today, you are going to end up having the Senate deal with it, and frankly, this bill is headed to the Governor's desk, and we ought to have the Governor's support for this particular bill.

I believe, Mr. Speaker, that when you look at some of the moneys that each district gets, it changes no formula that is out there; in fact, the gentleman from Cambria County in voting against this amendment will vote against \$2.9 million additional money to his district, and I think that is a significant sum. In Philadelphia, Mr. Speaker, they are going to get more than \$4 million as a result of my amendment in the first year alone.

Mr. Speaker, this is a good amendment. It is one in which we should deal with it today and quit arguing that the timing is not right. Frankly, I would argue that everyone says the timing is never right on this particular bill. And I think if the former member, all the battles he had endured, was not able to change it, it was because probably he listened too often to people who said, let us put it off for another day. Thank you, Mr. Speaker.

The SPEAKER. On the question, those in favor--

Mr. WOZNIAK. Real quick.

The SPEAKER. The gentleman, Mr. Wozniak.

Mr. WOZNIAK. Just consider this bill as a conference committee report that cannot be amended. Any changes are going to stop it dead in the water. This is not the place to start playing with appropriations, in the speed limit bill.

I am asking for a "no" vote. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-88

| | | | |
|-------------|------------|----------|---------------|
| Allen | Dent | Lynch | Sather |
| Argall | Dermody | Maitland | Saylor |
| Baker | DiGirolamo | Marsico | Schroder |
| Battisto | Druce | Masland | Schuler |
| Bebko-Jones | Evans | Mayernik | Sheehan |
| Birmelin | Fairchild | McGill | Smith, S. H. |
| Bishop | Feese | Melio | Stairs |
| Boscola | Gladeck | Merry | Steil |
| Brown | Godshall | Mihalich | Stetler |
| Bunt | Gruppo | Miller | Strittmatter |
| Caltagirone | Hanna | Nailor | Sturla |
| Cappabianca | Herman | Nickol | Tangretti |
| Carone | Hutchinson | Petrarca | Taylor, E. Z. |
| Clark | Jadlowiec | Pistella | Tulli |
| Clymer | Josephs | Platts | Vance |
| Cohen, M. | Krebs | Reinard | Van Horne |
| Conti | Kukovich | Robinson | Veon |
| Cornell | Laughlin | Roebuck | Waugh |
| Corpora | Leh | Rohrer | Wright, D. R. |
| Cowell | Lescovitz | Rooney | Wright, M. N. |
| Curry | Levdansky | Rubley | Yewcic |
| Dempsey | Lloyd | Santoni | Zug |

NAYS-104

| | | | |
|--------------|-----------|-----------|---------------|
| Adolph | Fichter | Lucyk | Semmel |
| Armstrong | Fleagle | Major | Serafini |
| Bard | Flick | Manderino | Shaner |
| Barley | Gamble | Markosek | Smith, B. |
| Belardi | Gannon | McGeehan | Snyder, D. W. |
| Beifanti | Geist | Michlovic | Staback |
| Blaum | George | Micozzie | Steelman |
| Boyes | Gigliotti | Mundy | Stern |
| Browne | Gordner | Nyce | Stish |
| Butkovitz | Gruitza | O'Brien | Surra |
| Buxton | Habay | Oliver | Taylor, J. |
| Cawley | Haluska | Perzel | Thomas |
| Chadwick | Harhart | Petrone | Tigue |
| Civera | Hasay | Petit | Travaglio |
| Cohen, L. I. | Hennessey | Phillips | Trello |
| Colafrilla | Hershey | Piccola | Trich |
| Colaizzo | Hess | Pitts | True |
| Coy | Horsey | Preston | Vitali |
| Daley | Itkin | Ramos | Walko |
| DeLuca | Jarolin | Raymond | Wogan |
| DeWeese | Kaiser | Readshaw | Wozniak |
| Donatucci | Keller | Reber | Youngblood |
| Durham | Kenney | Rieger | Zimmerman |
| Egolf | King | Roberts | |
| Fajt | LaGrotta | Rudy | Ryan, |
| Fargo | Lawless | Sainato | Speaker |
| Farmer | Lederer | | |

NOT VOTING-7

| | | | |
|----------|----------|------------|----------|
| Cam | James | Richardson | Williams |
| Corrigan | Kirkland | Washington | |

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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?

Mr. DeLUCA offered the following amendment No. A2707:

Amend Title, page 1, line 3, by striking out "and" where it appears the second time

Amend Title, page 1, lines 3 and 4, by striking out "the use of"

Amend Title, page 1, line 4, by removing the period after "devices" and inserting

; and prohibiting radar detectors.

Amend Bill, page 5, by inserting between lines 15 and 16

Section 3. Title 75 is amended by adding a section to read:

§ 3369. Radar detectors prohibited.

(a) General rule.—It shall be unlawful for any person to operate a commercial motor vehicle on the highways of this Commonwealth when the vehicle is equipped with any device or mechanism to detect or interfere with any speed measurement devices, including, but not limited to, radio-microwave devices (commonly referred to as radar), employed by law enforcement personnel to measure the speed of motor vehicles on the highways of this Commonwealth for law enforcement purposes.

(b) Exceptions.—The provisions of this section shall not apply to:

(1) any receiver of radio waves utilized for lawful purposes to receive any signal from a frequency lawfully licensed by any Federal or State agency; or

(2) a person who possesses within a commercial motor vehicle a speed measurement detection device contained in a locked opaque box or similar container, or which is not in the passenger compartment of the motor vehicle, and which is not in operation.

(c) Forfeiture.—Any device or mechanism to detect or interfere with any speed measurement devices, including, but not limited to, radio-microwave devices (commonly referred to as radar), may be taken from the commercial motor vehicle by the arresting officer as evidence and, when no longer needed, shall be forfeited to the Commonwealth for destruction or other disposition.

(d) Prima facie evidence.—The presence of any prohibited device or mechanism to detect or interfere with any speed measurement devices, including, but not limited to, radio-microwave devices (commonly referred to as radar), in or on a commercial motor vehicle on the highways in this Commonwealth shall constitute prima facie evidence of the violation of this section. The Commonwealth need not prove that the device in question was in an operative condition or being operated.

(e) Radar detector detectors.—Law enforcement officers may use devices or mechanisms to detect the use of devices or mechanisms used to detect or interfere with any speed measurement devices, including, but not limited to, radio-microwave devices (commonly referred to as radar).

(f) Penalty.—Any person violating the provisions of this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine of \$100 for a first offense or \$250 for a second or subsequent offense.

Amend Sec. 3, page 5, line 16, by striking out “3” and inserting
4

Amend Sec. 4, page 6, line 14, by striking out “4” and inserting
5

Amend Sec. 5, page 6, line 23, by striking out “5” and inserting
6

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

The SPEAKER. The Chair at this time asks the lady,
Mrs. Vance, to preside temporarily.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Before I turn the gavel over to the lady,
Mrs. Vance, it has just been called to my attention that the
gentleman, Mr. Petrarca, and his wife just had a baby boy named
“Joseph.” I know who that child was named after.

The lady, Mrs. Vance.

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

CONSIDERATION OF SB 245 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the
gentleman, Mr. DeLuca, on amendment No. A2707.

Mr. DeLUCA. Thank you, Madam Speaker.

Madam Speaker, amendment 2707 makes radar detectors and
jamming devices illegal.

Madam Speaker, we are about to today and I have no doubt that
the speed limit will be raised to 65 miles an hour in Pennsylvania.

While 20 empirical studies have shown that States that have raised
the speed limit to 65 miles an hour have averaged 30-percent
increases in fatalities, 25 percent in injuries—

Mr. WOZNIAK. Madam Speaker?

Mr. DeLUCA. —and 14 percent in accidents, we need—

The SPEAKER pro tempore. Would you desist a minute.

For what purpose does the gentleman rise?

Mr. WOZNIAK. Can the gentleman yield for a moment for a
conference?

Mr. DeLUCA. Pardon me?

Mr. WOZNIAK. Can the gentleman yield for a conference? I
need to talk to you a second.

GUESTS INTRODUCED

The SPEAKER pro tempore. During this brief intermission,
the Chair would like to recognize the guest of Representative
Todd Platts, Jonathan Grossman, who is a district office intern who
just completed his freshman year at Penn State, main campus, and
lives in York. He is seated to the left of the Speaker. Would
Jonathan please rise.

The Chair welcomes and recognizes Brett Williamson and
Kurt Hinterkopf from the Cumberland Valley Christian Academy,
who are the guests of Representative Al Masland, seated to the left
of the Speaker. Would the guests please rise.

CONSIDERATION OF SB 245 CONTINUED

AMENDMENT WITHDRAWN

The SPEAKER pro tempore. The Chair again recognizes the
gentleman, Mr. DeLuca.

Mr. DeLUCA. Madam Speaker, I am going to withdraw 2707.

The SPEAKER pro tempore. The gentleman has withdrawn
amendment A2707.

Does the gentleman, Mr. DeLuca, still plan to offer his other
amendment, 2679?

Mr. DeLUCA. Withdraw it, Madam Speaker.

The SPEAKER pro tempore. The gentleman also withdraws
2679.

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

Mr. GEIST offered the following amendment No. A2688:

Amend Sec. 2 (Sec. 3363), page 4, lines 12 and 13, by striking out
“interstate highways outside of urbanized areas of population of 50,000
or more” and inserting

highways listed in section 3362(a)(1.1) (relating to
maximum speed limits).

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

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

Mr. GEIST. Thank you, Madam Speaker.

This amendment simply clarifies a drafting error. It is a
technical amendment, and it is agreed to.

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

Mr. WOZNIAK. This is a technical amendment. It is agreed to. We would appreciate if we shift gears again and vote "yes" on this amendment.

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

The following roll call was recorded:

YEAS-195

- | | | | |
|--------------|------------|------------|---------------|
| Adolph | Evans | Lynch | Saylor |
| Allen | Fairchild | Maitland | Schroder |
| Argall | Fajt | Major | Schuler |
| Armstrong | Fargo | Manderino | Semmel |
| Baker | Farmer | Markosek | Serafini |
| Bard | Feese | Marsico | Shaner |
| Barley | Fichter | Masland | Sheehan |
| Battisto | Fleagle | Mayernik | Smith, B. |
| Bebko-Jones | Flick | McGeehan | Smith, S. H. |
| Belardi | Gamble | McGill | Snyder, D. W. |
| Birmelin | Gannon | Melio | Staback |
| Bishop | Geist | Merry | Stairs |
| Blaum | George | Michlovic | Steelman |
| Boscola | Gigliotti | Micozzie | Steil |
| Boyes | Gladeck | Mihalich | Stern |
| Brown | Godshall | Miller | Stetler |
| Browne | Gordner | Mundy | Stish |
| Bunt | Gruitza | Nailor | Strittmatter |
| Butkovitz | Gruppo | Nickol | Sturla |
| Buxton | Habay | Nyce | Surra |
| Caltagirone | Haluska | O'Brien | Tangretti |
| Cappabianca | Hanna | Oliver | Taylor, E. Z. |
| Carone | Harhart | Perzel | Taylor, J. |
| Cawley | Hasay | Petrarca | Thomas |
| Chadwick | Hennessey | Petrone | Tigue |
| Civera | Herman | Pettit | Travaglio |
| Clark | Hershey | Phillips | Trello |
| Clymer | Hess | Piccola | Trich |
| Cohen, L. I. | Horsey | Pistella | True |
| Cohen, M. | Hutchinson | Pitts | Tulli |
| Colaella | Itkin | Platts | Vance |
| Colaizzo | Jadlowiec | Preston | Van Horne |
| Conti | James | Ramos | Veon |
| Cornell | Josephs | Raymond | Vitali |
| Corpora | Kaiser | Readshaw | Walko |
| Corrigan | Keller | Reber | Washington |
| Cowell | Kenney | Reinard | Waugh |
| Coy | King | Richardson | Williams |
| Curry | Kirkland | 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-3

- | | | |
|----------|---------|-------|
| Belfanti | Jarolin | Krebs |
|----------|---------|-------|

NOT VOTING-1

Carn

EXCUSED-4

McCall

Olasz

Pesci

Scrimenti

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?

AMENDMENT A2605 RECONSIDERED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Marsico, who moves that the vote by which amendment No. A2605 was passed to SB 245, PN 1073, on the 23d day of May be reconsidered.

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

The SPEAKER pro tempore. On the reconsideration motion, Representative Marsico.

Mr. MARSICO. Thank you, Madam Speaker.

I ask you to reconsider the Wozniak amendment. That was the amendment to the 55/65 split. Let me tell you why.

Reconsider this; reconsider that there was an amendment afterwards that was passed that, if adopted by the Senate, would allow trucks to go 71 because of the 6-mile-per-hour tolerance. They are allowed to go 65 according to this legislation now, and then with the amendment added in, they would be allowed to travel 71 miles per hour on our interstates. Now, do you think your constituents want that?

The SPEAKER pro tempore. Would the gentleman desist. We cannot discuss the merits of the amendment. We have to first vote on the reconsideration motion.

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

The following roll call was recorded:

YEAS-196

- | | | | |
|-------------|-----------|-----------|---------------|
| Adolph | Egolf | Lucyk | Sather |
| Allen | Evans | Lynch | Saylor |
| Argall | Fairchild | Maitland | Schroder |
| Armstrong | Fajt | Major | Schuler |
| Baker | Fargo | Manderino | Semmel |
| Bard | Farmer | Markosek | Serafini |
| Barley | Feese | Marsico | Shaner |
| Battisto | Fichter | Masland | Sheehan |
| Bebko-Jones | Fleagle | Mayernik | Smith, B. |
| Belardi | Flick | McGeehan | Smith, S. H. |
| Belfanti | Gamble | McGill | Snyder, D. W. |
| Birmelin | Gannon | Melio | Staback |
| Bishop | Geist | Merry | Stairs |
| Blaum | George | Michlovic | Steelman |

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

NAYS-0

NOT VOTING-3

| | | |
|-----------|-------|------------|
| Butkovitz | Itkin | Youngblood |
|-----------|-------|------------|

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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. **A2605**:

Amend Sec. 2 (Sec. 3362), page 2, lines 12 and 13, by striking out "EXCEPT TRUCKS HAVING A REGISTERED GROSS WEIGHT OF MORE THAN 9,000 POUNDS"

Amend Sec. 2 (Sec. 3363), page 4, lines 14 and 15, by striking out "EXCEPT TRUCKS HAVING A REGISTERED GROSS WEIGHT OF MORE THAN 9,000 POUNDS"

Amend Sec. 3 (Sec. 6110), page 5, line 30; page 6, line 1, by striking out "EXCEPT TRUCKS HAVING A REGISTERED GROSS WEIGHT OF MORE THAN 9,000 POUNDS"

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

The SPEAKER pro tempore. The Chair recognizes Representative Marsico on amendment A2605.

Mr. MARSICO. Thank you, Madam Speaker.

Let me say to you again to please reconsider your vote. Reconsider and listen to this, that the State Police Commissioner supports the split; reconsider this, that the Secretary of Transportation supports the split; reconsider this, that the AAA automobile association of Pennsylvania supports the split; reconsider this, that many of the trucking organizations are supporting the 55 miles per hour for trucks; and reconsider this, that this is about safety.

This is about safety. This is the time to draw the line. We must limit truck speeds for the benefit of the Commonwealth and for the benefit of your constituents. Simply, the faster the speed that the vehicle is traveling, the longer the distance necessary to safely slow or halt that mass in motion. I mentioned that before, so how can we today believe that trucks which already far exceed the speed limit will somehow be as safe if we raised truck speeds?

Madam Speaker, the people of Pennsylvania want trucks to slow down. Why would we want them to go faster? I cannot understand why we are going to allow them to go 71, and you know darn well, they are going to go faster than 71.

I ask that you cast a negative vote on the Wozniak amendment. Thank you.

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

Mr. COY. Thank you, Madam Speaker.

Madam Speaker, once again I concur with the remarks of the gentleman, Mr. Marsico.

The one set of statistics that I recently saw that was provided by the Pennsylvania Department of Transportation shows that the vast majority of vehicles in Pennsylvania exceed the speed limit. It is therefore sound logic that whatever the speed limit is in this State, automobiles, a certain percentage and probably the majority of them, will exceed the speed limit. Therefore, if the speed limit is 65 miles per hour for trucks, the speed limit is going to be exceeded, and that velocity formula that we talked about earlier is only going to be enhanced and magnified.

Now, Madam Speaker, Mr. Marsico makes sense. The House should also make some sense here. I think all of us already should try and attempt to see vehicular traffic operated at 65 miles an hour. The question is, are we ready to go to that same exception, that same larger limit, for heavy truck traffic on our highways? I think prudence dictates that we measure our actions and err, as I said before, on the side of caution, and that is to try it with lighter weight vehicles, which can be operated more safely simply because of the weight factor, and for trucks, even though the speed limit will be exceeded, have that speed limit be a differential of 55 miles per hour.

I completely concur with the gentleman, and I would ask the members of the House to vote against the amendment. Thank you, Madam Speaker.

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

Mr. GORDNER. Thank you, Madam Speaker.

I, too, once again rise in support of the Wozniak amendment, and again I will cite statistics and studies rather than rhetoric.

Come July, without Pennsylvania doing anything, there will be 45 States with a 65-mile-an-hour zone. Out of those 45 States, 4 will have a dual limit of 65 and 55; 41 States will not, 4 States will. I think that the best example, again, is Virginia, because

Virginia originally thought that they were doing the right thing by going to a 65/55 split. They tried it for a couple of years, and they saw the results. They saw the results in an independent study done by the AAA Foundation for Traffic Safety, which showed that the dual system was not as safe as a uniform system. They found out that there were more rear-end collisions as a result of a dual system. They found out that there were more vehicle accidents as a result of the dual system, as a result of this independent AAA Foundation for Traffic Safety study. They tried the dual system. They saw the results, and last year they switched to a uniform system along with the other 40-some States that have a uniform system.

Again, there are many people, I know, on this side of the aisle who are opposed to this legislation and are going to vote "no" on final passage, because they feel the safest speed is 55, but they will be voting for this amendment, knowing that if this bill goes through, the safest way to have a 65-mile-an-hour zone is to have a uniform system. So I want to impress that upon you. If you are against this legislation on final passage because of the safety issue, you should be in favor of this system, because the statistics and the studies show out that it is safer to have a uniform 65-mile-an-hour-zone speed limit.

I would appreciate once again your support for the Wozniak amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Warren, Mr. Lynch.

Mr. LYNCH. Thank you, Madam Speaker.

I know we are getting late on this bill, and there is a lot of commotion in here, and I think as important as this can be from a safety standpoint, I would ask that you request a little quiet.

The SPEAKER pro tempore. The gentleman is correct. He really does deserve our attention. Could we have some order on the floor, please.

Mr. LYNCH. Thank you, Madam Speaker.

When this amendment first came up, I voted "no," and I am going to vote "no" again on this, and I am going to tell you why. Representative Marsico was right to a degree, but I want to further embody what he said.

In conversations I had in regards to this bill with some of my friends back home who happen to be retired State Police, I asked them about this 5- or 6-mile-per-hour leeway, and what they said is, that is not real life, because they do not know when they are getting somebody in a passing zone with the radar; that they genuinely, automatically, almost always set the radar 10 miles above the speed limit. If we allow trucks to be legally driving at 65 miles an hour, I will tell you, the fact of the matter is, the practicality of the matter is, that State Police are going to be setting their radar detectors, despite what the Harrisburg bureaucracy might say, the men and women out in the field are going to set their radar detectors at 75, and I am going to tell you, by gosh, I do not want to be driving on roads where trucks are legally driving 75 miles an hour.

I was talking to my 72-year-old mother about this also about a week ago, and I said, they are going to look to increase the speed of the trucks to 65, and she said, what are they, nuts? I said, yeah, they are, exactly.

Thank you, Madam Speaker.

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

Mr. WOZNIAK. Thank you, Madam Speaker.

Just for one point of clarification. Secretary Mallory said it was a close call between the differential and the same speed limit, but I do not believe that he came out in favor of a differential. Rather, the department is in favor of having trucks and cars go the same speed.

Not to belabor the issue, we have argued this before. I think both sides have had a fair hearing of it. I am going to once again ask for an affirmative vote, based upon the arguments of Representative Gordner, who had the facts and figures, and the fact that we are going to have strong enforcement from the State Police keeping trucks and automobiles going the same speed, which is the safest way to travel.

Thank you again. I would appreciate an affirmative vote. Thank you.

The SPEAKER pro tempore. Does the gentleman, Mr. Geist, wish to be recognized? The gentleman may proceed.

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

I rise to support this and to oppose my friend, Ron Marsico.

The State Police have seen the light with the Virginia information that they have, the other States that have had this before. This is not new ground.

This is a good amendment. It is a compromise amendment that was made to make 65 palatable in both the House and the Senate and with the Governor's Office. Representative Wozniak has worked long and hard for this — long and hard; long and hard. When 65 first came into committee many terms ago — I believe it was seven terms ago when he proposed this — he put an amendment up to a Title 75 bill and he got two votes.

Since that time, we have all gone through a big learning curve. The motorists of Pennsylvania have been out there voting with their right feet. It is time we voted the green button and made the right vote on the Wozniak amendment. We did it once. This is a reconsideration, and I would ask those who are with us to stay with us and help get this bill to the Senate.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. Please strike the vote. I am sorry. Strike the vote.

The Chair recognizes the gentleman, Mr. Gruppo, from Northampton.

Sorry; we did not see you back there.

Mr. GRUPPO. That is okay.

Thank you, Madam Speaker.

I am glad we had an opportunity to reconsider this vote, because I think the House made a bad vote on the last vote. This amendment should not pass.

After we broke for lunch, I addressed a large group of senior citizens here in the rotunda, and I can tell you, to the very person, they were in favor of my vote rejecting this amendment. I have to tell you, the senior citizens in every one of your districts are not going to like the fact that you are voting to increase the speed at which trucks travel on our highways.

I ask you to consider them and to consider the human life that may be at risk by increasing the speed limit on the trucks. Thank you.

The SPEAKER *pro tempore*. The Chair recognizes the gentleman from Cumberland, Mr. Masland.

Mr. MASLAND. Thank you, Madam Speaker.

I rise again to oppose this amendment. I will not repeat all the reasons. I do want to echo the concerns of Representative Lynch, however.

In my 8 years of practicing in the Cumberland County district attorney's office, I can tell you that no State policeman brought a radar case in that was 1 mile an hour above the tolerance. When you raise the tolerance or keep the tolerance what it is — and I guess in this area I am not a very tolerant individual — if you are going to keep that 5-mile-an-hour tolerance along with a 65-mile-an-hour speed limit, you are just asking for trouble. This makes a bad amendment worse by having the tolerance in there.

I urge your opposition to this. Mr. Geist says that this is a compromise. Well, I liked the split speed, to begin with, and I liked a lower tolerance, additionally, so I do not really see this as any compromise. You take that tolerance, you take that speed, and you got trouble. Vote against it.

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

The following roll call was recorded:

YEAS—106

| | | | |
|-------------|------------|------------|--------------|
| Adolph | Durham | Lescovitz | Serafini |
| Allen | Fairchild | Lloyd | Shaner |
| Argall | Fargo | Maitland | Sheehan |
| Armstrong | Fleagle | Major | Smith, B. |
| Baker | Flick | McGeehan | Smith, S. H. |
| Barley | Gamble | Melio | Steelman |
| Bebko-Jones | Gannon | Mihalich | Steil |
| Belfanti | Geist | Nickol | Stern |
| Birmelin | Gladeck | O'Brien | Stetler |
| Bishop | Godshall | Oliver | Stish |
| Boscola | Gordner | Perzel | Sturla |
| Boyes | Gruitza | Pettit | Taylor, J. |
| Bunt | Habay | Phillips | Thomas |
| Butkovitz | Haluska | Platts | Travaglio |
| Caltagirone | Hanna | Ramos | Trich |
| Cappabianca | Hasay | Raymond | Van Horne |
| Carone | Herman | Readshaw | Vitali |
| Cawley | Hershey | Richardson | Washington |
| Chadwick | Horsey | Rieger | Waugh |
| Civera | Hutchinson | Roberts | Wogan |
| Clymer | Itkin | Roebuck | Wozniak |
| Cohen, M. | James | Rohrer | Yewcic |
| Corpora | Jarolin | Rudy | Youngblood |
| Daley | Keller | Santoni | Zimmerman |
| Dent | Kenney | Sather | |
| DeWeese | Krebs | Saylor | Ryan, |
| Donatucci | Lederer | Semmel | Speaker |

NAYS—91

| | | | |
|----------|-----------|-----------|---------------|
| Bard | Evans | Lynch | Rublely |
| Battisto | Fajt | Manderino | Sainato |
| Belardi | Farmer | Markosek | Schroder |
| Blaum | Feese | Marsico | Schuler |
| Brown | Fichter | Masland | Snyder, D. W. |
| Browne | George | Mayernik | Staback |
| Buxton | Gigliotti | McGill | Stairs |

| | | | |
|--------------|-----------|-----------|---------------|
| Clark | Gruppo | Michlovic | Strittmatter |
| Cohen, L. J. | Harhart | Micozzie | Surra |
| Colafrilla | Hennessey | Miller | Tangretti |
| Colaizzo | Hess | Mundy | Taylor, E. Z. |
| Conti | Jadlowiec | Nailor | Tigue |
| Cornell | Josephs | Nyce | Trello |
| Corrigan | Kaiser | Petrarca | True |
| Cowell | King | Petrone | Tulli |
| Coy | Kirkland | Piccola | Vance |
| Curry | Kukovich | Pistella | Veon |
| DeLuca | LaGrotta | Pitts | Walko |
| Dempsey | Laughlin | Preston | Williams |
| Dermody | Lawless | Reber | Wright, D. R. |
| DiGirolamo | Leh | Reinard | Wright, M. N. |
| Druce | Levdansky | Robinson | Zug |
| Egolf | Lucyk | Rooney | |

NOT VOTING—2

| | |
|------|-------|
| Carn | Merry |
|------|-------|

EXCUSED—4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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?

AMENDMENT A2688 RECONSIDERED

The SPEAKER *pro tempore*. The Chair is in receipt of a reconsideration motion of the vote by which amendment 2688 passed to SB 245, PN 1073, on the 23d of May.

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

The following roll call was recorded:

YEAS—192

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

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

NAYS-0

NOT VOTING-7

| | | | |
|----------|-------|-----------|------|
| Barley | Carn | Perzel | Veon |
| Belfanti | Evans | Travaglio | |

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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. **A2688**:

Amend Sec. 2 (Sec. 3363), page 4, lines 12 and 13, by striking out "interstate highways outside of urbanized areas of population of 50,000 or more" and inserting highways listed in section 3362(a)(1.1) (relating to maximum speed limits),

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Lloyd, on amendment No. 2688.
Mr. GEIST. Roll it.

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

The following roll call was recorded:

YEAS-191

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

NAYS-7

| | | | |
|---------|-------|----------|--------|
| Josephs | Krebs | Mihalich | Yewcic |
| Kaiser | Lloyd | Vitali | |

NOT VOTING-1

| |
|------|
| Carn |
|------|

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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?

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair recognizes some guests from J. Hampton Moore Elementary School from Philadelphia, the guests of Representative Butkovitz. They are in the balcony. *Would the guests please rise.*

The Chair also welcomes the fourth grade students from St. Basil's School in Kimberton. They are guests of Representative Carole Rubley. They are also seated in the gallery. *Would they please rise.*

CONSIDERATION OF SB 245 CONTINUED

AMENDMENT A2659 RECONSIDERED

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration motion on amendment A2659 – do not slay the messenger: I am just reading what is here – on the vote by which amendment No. A2659 was defeated to SB 245, PN 1073, on the 23d day of May.

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

The following roll call was recorded:

YEAS—193

| | | | |
|--------------|------------|-----------|---------------|
| Adolph | Egolf | Lucyk | Saylor |
| Allen | Evans | Lynch | Schroder |
| Argall | Fairchild | Maitland | Schuler |
| Armstrong | Fajt | Major | Semmel |
| Baker | Fargo | Manderino | Serafini |
| Bard | Farmer | Markosck | Shaner |
| Barley | Feece | Marsico | Sheehan |
| Battisto | Fichter | Masland | Smith, B. |
| Bebko-Jones | Fleagle | Mayernik | Smith, S. H. |
| Belardi | Flick | McGeehan | Snyder, D. W. |
| Birmelin | Gannon | McGill | Stabaek |
| Bishop | Geist | Melio | Stairs |
| Blaum | George | Merry | Steelman |
| Boscola | Gigliotti | Micozzic | Steil |
| Boyes | Gladeck | Mihafich | Stern |
| Brown | Godshall | Miller | Stetler |
| Browne | Gordner | Mundy | Stish |
| Bunt | Gruitza | Nailor | Strittmatter |
| Butkovitz | Gruppo | Nickol | Sturla |
| Buxton | Habay | Nycc | Surra |
| Caltagirone | Hanna | O'Brien | Tangretti |
| Cappabianca | Harhart | Oliver | Taylor, E. Z. |
| Carone | Hasay | Perzel | Taylor, J. |
| Cawley | Hennessey | Petrarca | Thomas |
| Chadwick | Herman | Petrone | Tigue |
| Civera | Hershey | Pettit | Travaglio |
| Clark | Hess | Phillips | Treffo |
| Clymer | Horscy | Piccola | Trich |
| Cohen, L. I. | Hutchinsen | Pistella | True |
| Cohen, M. | Itkin | Pitts | Tulli |
| Colaella | Jadlowiec | Platts | Vance |
| Colaizzo | James | Preston | Van Horne |
| Conti | Jarolin | Ramos | Veon |
| Cornell | Josephs | Raymond | Vitali |
| Corpora | Kaiser | Readshaw | Washington |

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

NAYS—1

Haluska

NOT VOTING—5

| | | | |
|----------|--------|-----------|-------|
| Belfanti | Gamble | Michlovic | Walko |
| Carn | | | |

EXCUSED—4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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. **A2659**:

Amend Title, page 1, line 3, by striking out "and" where it appears the last time

Amend Title, page 1, line 4, by removing the period after "devices" and inserting

; and prohibiting certain expenditures from the Motor License Fund for the operation of the Pennsylvania State Police.

Amend Bill, page 6, by inserting between lines 13 and 14 Section 4. Title 75 is amended by adding a chapter to read:

**CHAPTER 97-A
RESTRICTIONS ON MOTOR LICENSE FUND
EXPENDITURES**

Sec.

9701-A. Pennsylvania State Police restriction.

§ 9701-A. Pennsylvania State Police restriction.

(a) General rule.—Except as provided in subsection (b), no Motor License Fund money shall be appropriated for the operation of the Pennsylvania State Police or for transfer to the General Fund for appropriation for the operation of the Pennsylvania State Police.

(b) Application.—The provisions of this section shall apply as follows:

(1) For the fiscal year beginning July 1, 1995, 75% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(2) For the fiscal year beginning July 1, 1996, 50% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(3) For the fiscal year beginning July 1, 1997, 25% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(4) For the fiscal year beginning July 1, 1998, and each fiscal year thereafter, there shall be no expenditures from the Motor License Fund for the operation of the Pennsylvania State Police.

Amend Sec. 4, page 6, line 14, by striking out "4" and inserting

5

Amend Sec. 5, page 6, line 23, by striking out "5" and inserting

6

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

The SPEAKER pro tempore. On amendment A2659, the Chair recognizes the gentleman, Mr. Druce.

Mr. DRUCE. Madam Speaker, thank you very much.

I apologize to the members. It was not my intention to offer a reconsideration motion, but I was asked by a member of the other side to do so, because I think when they saw some of the numbers that their counties would receive in terms of additional highway moneys to repair their roads, they wanted to change their vote. So, Madam Speaker, what I would like to do is, just for the record, just recite a couple of counties, not all of them by any means, but if any member wants to ask for his or hers, because I sure would hate to have a member go back home and miss out on an opportunity to bring millions of dollars back to their home county to fix our highways which are in dire need.

Madam Speaker, if you are in Lehigh County, my amendment would bring you \$1.6 million the first year alone, and in fact, the figures I have are only for the first year. The money would practically double as you go along, as you move the money out of the Motor License Fund. In Northampton County, it would be \$1.2 million. Madam Speaker, in Montgomery County, they would receive \$3 million. As I mentioned, Philadelphia, \$4 million in the first year. Madam Speaker, in Lancaster County, they get \$1.9 million. The Democratic floor leader, who opposed my previous amendment, probably is one who may want to think again about it because his two counties, Greene County and Fayette, benefit from this by more than \$2 million in the first year alone, Madam Speaker. Allegheny County members will be bringing home, in the first year alone, \$2.3 million in new highway money to fix your roads, repair your potholes, and put the money where it belongs when people go to the pump to fill up. Madam Speaker, I think with those numbers out there, hopefully members can make a more informed decision, and I just end by saying, those in Westmoreland County, which is a rather large delegation, benefit to the tune of \$4.3 million in the first year alone.

So, Madam Speaker, it is simple: You can play games with the Senate and say you want to placate them and do things to make life easy for the Senate, or you can put up a vote today to bring highway money back to every single county in this State. Thank you.

GERMANENESS QUESTIONED

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

Mr. GORDNER. Thank you, Madam Speaker.

After reviewing this amendment and the legislation, this amendment deals with the Motor License Fund and various appropriations issues, whereas the bill deals with the 65-mile-an-hour zone. Therefore, I would like to make a motion that this is not germane.

The SPEAKER pro tempore. Under rule 27, the House decides the issue of germaneness.

On the question,
Will the House sustain the germaneness of the amendment?

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

Mr. WOZNIAK. Thank you, Madam Speaker.

I rise to oppose germaneness. I mean to say, it is not germane. I am asking for a "no" vote.

This is dealing with appropriations, the allocation of moneys, formulas, and all kinds of other things. It does not have anything to do with the speed limit issue.

I would ask a "no" vote. Thank you.

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

Mr. DRUCE. Thank you, Madam Speaker.

I guess we can duck the issue, although it is kind of awkward since this House is already on record as having opposed the amendment. At least they took a position on it. Let me just say that there is language in this particular section of the code that deals specifically with the Motor License Fund, so if it is not germane, then the word "Motor License Fund" should not even appear in this section. It appears all over the place, and that is where we amend it, Madam Speaker. So while it may not be germane to 65, it certainly is germane to the Motor License Fund, because there is language in this section dealing with it, and the members can feel free to go check that.

I would urge, Madam Speaker, that we just have the courage to put up the vote today and do the right thing. Thank you.

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

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

I reluctantly rise to oppose a fellow member of the Transportation Committee, but I would say that if we followed throughout the passage of this bill, when we found the Kukovich amendments to be nongermane, this would fall right into the same theory, and I would ask that the members vote that this is nongermane.

The SPEAKER pro tempore. For those who believe that the amendment is germane, vote "aye." Once again, for those who believe the amendment is germane, you will vote "aye"; those who believe that it is not germane will vote "nay."

On the question recurring,
Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS—149

| | | | |
|-----------|-----------|-----------|----------|
| Adolph | Druce | Manderino | Sather |
| Armstrong | Durham | Markosek | Saylor |
| Baker | Egolf | Marsico | Schroder |
| Bard | Evans | Masland | Schuler |
| Battisto | Fairchild | Mayernik | Serafini |

| | | | |
|--------------|-----------|-----------|---------------|
| Bebko-Jones | Fajt | McGill | Shaner |
| Belardi | Fargo | Melio | Sheehan |
| Belfanti | Feese | Michlovic | Smith, B. |
| Birmelin | Fichter | Micozzie | Smith, S. H. |
| Bishop | Flick | Mihalich | Staback |
| Blaum | Gannon | Miller | Stairs |
| Boscola | George | Mundy | Steeffman |
| Bunt | Gladeck | Nailor | Steil |
| Buxton | Godshall | Nickol | Stern |
| Caltagirone | Gruppo | Nyce | Stetler |
| Cappabianca | Habay | O'Brien | Strittmatter |
| Carn | Haluska | Oliver | Sturla |
| Carone | Hanna | Petrarca | Surra |
| Civera | Hasay | Petrone | Tangretti |
| Clark | Itkin | Phillips | Taylor, E. Z. |
| Clymer | Jadlowiec | Piccola | Taylor, J. |
| Cohen, L. I. | Jarolin | Pistella | Thomas |
| Colafella | Josephs | Platts | Tigue |
| Colaizzo | Kenney | Preston | Trello |
| Conti | King | Raymond | Trich |
| Cornell | Kirkland | Readshaw | Tulli |
| Corpora | Krebs | Reber | Vance |
| Corrigan | Kukovich | Reinard | Van Horne |
| Cowell | LaGrotta | Rieger | Vitali |
| Coy | Laughlin | Roberts | Walko |
| Daley | Lawless | Robinson | Washington |
| DeLuca | Leh | Rohrer | Waugh |
| Dempsey | Lescovitz | Rooney | Williams |
| Dent | Lloyd | Rublely | Wogan |
| Dermody | Lucyk | Rudy | Wright, M. N. |
| DeWeese | Lynch | Sainato | Yewcic |
| DiGirolamo | Maitland | Santoni | Zug |
| Donatucci | | | |

NAYS-48

| | | | |
|-----------|------------|------------|---------------|
| Allen | Geist | Keller | Snyder, D. W. |
| Argall | Gigliotti | Lederer | Stish |
| Barley | Gordner | Levdansky | Travaglio |
| Boyes | Gruitza | Major | True |
| Brown | Harhart | McGeehan | Veon |
| Browne | Hennessey | Merry | Wozniak |
| Bukovitz | Herman | Perzel | Wright, D. R. |
| Cawley | Hershey | Pettit | Youngblood |
| Chadwick | Hess | Pitts | Zimmerman |
| Cohen, M. | Horsely | Ramos | |
| Curry | Hutchinson | Richardson | Ryan, |
| Farmer | James | Semmel | Speaker |
| Fleagle | Kaiser | | |

NOT VOTING-2

| | |
|--------|---------|
| Gamble | Roebuck |
|--------|---------|

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Serimenti |
|--------|-------|-------|-----------|

The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was declared germane.

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

The SPEAKER pro tempore. Again, on the amendment No. A2659, the Chair recognizes the gentleman, Mr. Wozniak.

Mr. WOZNIAK. Thank you, Madam Speaker.
Okay. It is germane. However, as we defeated it last time, this is not the vehicle, this is not the bill, to deal with appropriations, taking the entire funding of the State Police away. This is not the bill, and it is not going to happen over in the Senate, Mr. Speaker. It is just not going to be there.

So I would appreciate it. We voted it down last time. I sincerely would request that we have a negative vote for this amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster County, Mr. Armstrong.

Mr. ARMSTRONG. Thank you.

I would like to interrogate the chairman of the Transportation Committee, please.

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. ARMSTRONG. Is it my understanding that this particular matter will be brought up at another time?

Mr. GEIST. Yes, it will. When we address the total funding of the Department of Transportation, this will be part of the mix.

Mr. ARMSTRONG. Okay. Thank you.

I stand ready to support the chairman's motion at this point, which I am sure it is to reject this amendment. It will be brought up at a later date, and I think we need to keep this bill as clean as possible to the speed limit issue itself. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Pitts, from Chester County.

Mr. PITTS. Thank you, Madam Speaker.

I just want to add that if this amendment passes, all we will be doing is eliminating some of the tax reductions that we must pass in this budget upcoming. I would urge a "no" vote on this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Platts, from York County.

Mr. PLATTS. Thank you, Madam Speaker.

I rise to support the amendment.

The issue before us is not what the Senate will or will not do; it is what we are being asked to do by our constituents. I cannot imagine in any district that they are not crying out about poor roads and the need to improve the roadways throughout the State. I think the issue before us is, do we want to go on record saying we are for more money for our districts or are we against it? This is not pitting one county against another. It is saying additional funds for every single county in Pennsylvania, and if you want to go back home and say you voted against that, make sure you know that is what you are doing.

I think it is a good amendment, and I support it and encourage a "yes" vote. Thank you.

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

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

The logic of the gentleman from York is a failed logic in the fact that we are trying to pass a balanced budget out of here in June. These moneys reduce the amount of moneys that are available for us to make the tax cuts that we want to make.

Once again, we will be revisiting the total budget of PennDOT. The new highway construction, the old highway construction, the maintenance formula, the formula back to the municipalities — it will all be done and I believe done very well by this General Assembly.

This is not the time, this is not the place, to be carving out one piece in making promises to local government. That should be done later in this term in our committee, in the Appropriations Committee, with the cooperation of the Senate and the cooperation of the Governor's Office, as we go about the business of building and repairing Pennsylvania's road system.

This is not a bad amendment as part of that mix, but as a stand-alone amendment, it does not make it. If it is a way of ducking a tax increase in your county for liquid fuels, it does not make it. This amendment, a good amendment at face value, must be able to stand as a leg on a table with many legs supporting it. It is not a one-legged table. We are not going to go to dinner on it.

Let us get about the business of moving this bill over to the Senate and vote "no" on this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne County, Mr. Tigue.

Mr. TIGUE. Thank you, Madam Speaker.

Madam Speaker, I rise to oppose the Druce amendment.

This is another one of these balancing things where we get things out of whack, where we say everyone benefits because they will receive additional highway money and then we stop there. We do not continue to say where we are going to take the money from the General Fund to replace the money that we are going to use the liquid fuels tax for. It is possible, based on where you live and what types of programs you have in your counties, that in fact you may be that loser in this situation because the money that comes from the General Fund will cost you more than you will have gained through liquid fuels.

I would especially point out to those who do not have police departments to be very careful how you are voting on this, because if we do not fund the State Police through this, I think we should take a look at cutting back some of the programs for the State Police before we start jumping in the General Fund.

So I think based on the fact that this is another one of these, you know, creative accounting procedures — everybody wins until the day comes when we have to pay for it on the other side of the ledger — I think till we know the answers to those questions, I would ask you to defeat this amendment. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Druce.

Mr. DRUCE. Thank you, Madam Speaker.

I want to comment to a remark made by the majority Appropriations chairman, but first, let me just say that no county loses money under this system. Everybody would get some money because you are providing additional highway money, and frankly, you can keep making all the excuses again that there needs to be a better vehicle, but for all the times other members have advanced this issue, we found a way to duck it, and that is what those that control the agenda here will continue to do, and I am just saying it is time we own up to that.

Madam Speaker, let me correct one thing. I can accept a lot of the arguments being made here about why you should or should not vote for this, but one argument I will not accept is the fear that somehow you are negatively impacting some other tax. The fact of the matter is, Madam Speaker, that as of the end of March of this year, we have a budget report that estimated that our surplus was running at close to \$300 million. I do not have last month's, but I do remember when I saw the number, and that was estimated at close to \$400 million. Now, that can change between now and the end of June, but the fact of the matter is, the tax cuts cost

\$200 million, so you still have millions left in that fund, and my argument is, if you play into this, leave a big surplus, then you are not addressing the road issue, but we will address it, because come September, we are going to be asked to put up a huge tax vote, and that is the thing that does not make sense to me and should not make sense to anybody on this side of the aisle, because we should be the party about cutting taxes, not the party of raising taxes, when we just cut them in June and then raise them again in September. That makes no sense, particularly when there is money left in the surplus.

We can do the tax cuts. The money is there. There is money in the surplus. All you are going to do is, rather than have a \$100-million surplus, you might have a \$45-million surplus, but you will have done something about the roads.

So I urge my members on this side to think long and hard about that. You are not costing any tax votes. If you want to vote against it, then I respect that, but do it for other reasons, not because you are scared into doing it. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Steil.

Mr. STEIL. Madam Speaker, I would like to interrogate the majority chairman of the Appropriations Committee.

The SPEAKER pro tempore. The chairman agrees. The gentleman may proceed.

Mr. STEIL. Madam Speaker, I want to clarify your comment regarding the reduction of certain taxes that have been proposed in this budget. It is my understanding that this budget proposes a \$400-million surplus. Are you saying that if this amendment passes, those surplus amounts which were dedicated to additional education, but particularly to a reduction of business taxes, those reductions of business taxes will not occur if this amendment passes?

Mr. PITTS. That is correct. Some of them will not occur. We have to pass a balanced budget. We cannot print money. Some hypothetical tax increase in the fall, we cannot consider. We must consider the revenue we have now, and in the whole package is a tax reduction portion, and some of that is in jeopardy if this passes.

Mr. STEIL. Madam Speaker, I would like to make a comment then.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. STEIL. I originally voted for this amendment, but if this amendment means that the reduction of business taxes will be eliminated as part of the budget package, then we must reject this amendment. Reducing our business tax structure is one of the most important things that this legislature must accomplish this year if we are to create a viable economic program in this State.

Therefore, I ask rejection of this amendment. Thank you, Madam Speaker.

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

(Members proceeded to vote.)

Mr. WOZNIAK. Madam Speaker, we have 10 minutes, I understand, to—

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

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

The following roll call was recorded:

YEAS-115

| | | | |
|--------------|------------|-----------|---------------|
| Adolph | Donatucci | Marsico | Shaner |
| Baker | Druce | Masland | Sheehan |
| Bard | Evans | Mayernik | Smith, S. H. |
| Battisto | Fairchild | McGill | Staback |
| Bebko-Jones | Fajt | Melio | Stairs |
| Belardi | Fichter | Michlovic | Stetler |
| Birmelin | Gamble | Micozzie | Strittmatter |
| Bishop | Gannon | Miller | Sturla |
| Boscola | George | Mundy | Surra |
| Caltagirone | Godshall | Nailor | Tangretti |
| Cappabianca | Gruppo | Nickol | Taylor, E. Z. |
| Carn | Hanna | O'Brien | Taylor, J. |
| Carone | Hutchinson | Oliver | Thomas |
| Civera | Itkin | Petrarca | Trelo |
| Clark | Josephs | Piccola | Trich |
| Cohen, L. I. | Kenney | Pistella | Tulli |
| Cohen, M. | King | Platts | Vance |
| Colafella | Kirkland | Preston | Van Horne |
| Colaizzo | Krebs | Raymond | Veon |
| Conti | Kukovich | Reber | Walko |
| Cornell | Laughlin | Reinard | Washington |
| Corpora | Lescovitz | Rieger | Waugh |
| Corrigan | Levdansky | Roebuck | Williams |
| Cowell | Lloyd | Rohrer | Wogan |
| Coy | Lucyk | Rooney | Wright, D. R. |
| DeLuca | Lynch | Santoni | Wright, M. N. |
| Dermody | Maitland | Sather | Yewcic |
| DeWeese | Manderino | Saylor | Zug |
| DiGirolamo | Markosek | Schuler | |

NAYS-83

| | | | |
|-----------|-----------|------------|------------------|
| Allen | Feese | Keller | Rudy |
| Argall | Fleagle | LaGrotta | Sainato |
| Armstrong | Flick | Lawless | Schroder |
| Barley | Geist | Lederer | Semmel |
| Belfanti | Gigliotti | Leh | Serafini |
| Blaum | Gladeck | Major | Smith, B. |
| Boyes | Gordner | McGechan | Snyder, D. W. |
| Brown | Gruitza | Merry | Steelman |
| Browne | Habay | Mihalich | Steil |
| Bunt | Haluska | Nyce | Stern |
| Butkowitz | Harhart | Perzel | Stish |
| Buxton | Hasay | Petrone | Tigue |
| Chadwick | Hennessey | Petit | Travaglio |
| Clymer | Herman | Phillips | True |
| Curry | Hershey | Pitts | Vitali |
| Daley | Hess | Ramos | Wozniak |
| Dempsey | Horsey | Readshaw | Youngblood |
| Dent | Jadlowiec | Richardson | Zimmerman |
| Durham | James | Roberts | |
| Egolf | Jarolin | Robinson | Ryan, Speaker |
| Fargo | Kaiser | Rubley | |
| Farmer | | | |

NOT VOTING-1

Cawley

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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?

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Madam Speaker?

The SPEAKER pro tempore. The Chair recognizes the Democratic leader, Mr. DeWeese.

Mr. DeWEESE. I would like to ask, Madam Speaker, the Parliamentarian what would be the correct interrogatory for me if I wanted to make a 1-minute statement on the procedure that just went past us.

The SPEAKER pro tempore. The gentleman is in order under unanimous consent.

STATEMENT BY DEMOCRATIC LEADER

Mr. DeWEESE. The Chair thanks the lady.

I would just like to politely remind the majority chairman of the Appropriations Committee and the membership that I disagree – and I am doing this after the vote was taken because I want to do it in the spirit of comradeship as we approach the budget season – but I think the gentleman from Chester is wrong for him to postpone consideration of a potential tax increase in the autumn. We are not talking about in the year 2002; we are talking in a few brief months that this dialogue might come up again. So to divorce the consideration of a date of raising additional revenue in September from a colloquy that we are having today on the floor of the House is wrong, in my opinion. I did not state it earlier, and I wanted to make sure that for the record I state it now.

Thank you, Madam Speaker, for your indulgence.

CONSIDERATION OF SB 245 CONTINUED

AMENDMENT A2659 RECONSIDERED

The SPEAKER pro tempore. The Speaker is in receipt of a reconsideration motion of the vote by which amendment 2659 was passed to SB 245, PN 1073, on the 23d of May.

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

(Members proceeded to vote.)

Ms. JOSEPHS. Madam Speaker? Madam Speaker, parliamentary inquiry.

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

The following roll call was recorded:

YEAS-191

| | | | |
|-----------|-----------|-----------|----------|
| Adolph | Evans | Lucyk | Schroder |
| Allen | Fairchild | Maitland | Schuler |
| Argall | Fajt | Major | Semmel |
| Armstrong | Fargo | Manderino | Serafini |
| Baker | Farmer | Markosek | Shaner |

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

NAYS-4

| | | | |
|------|--------|-------|-------|
| Bunt | Carone | Lynch | Reber |
|------|--------|-------|-------|

NOT VOTING-4

| | | | |
|------|---------|----------|---------|
| Carn | Josephs | LaGrotta | Santoni |
|------|---------|----------|---------|

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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

PARLIAMENTARY INQUIRY

Mr. PISTELLA. Madam Speaker, parliamentary inquiry.

Ms. JOSEPHS. Yes.

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

Mr. PISTELLA. Madam Speaker, I was under the impression that under the rules of the House, in order for a reconsideration

motion to be considered, there needed to be intervening business. I was wondering if you would be kind enough to inform us if that is in fact correct.

The SPEAKER pro tempore. The Parliamentarian says that is not correct.

Ms. JOSEPHS. It always was.

On the question recurring,

Will the House agree to the amendment?

The clerk read the following amendment No. A2659:

Amend Title, page 1, line 3, by striking out "and" where it appears the last time

Amend Title, page 1, line 4, by removing the period after "devices" and inserting

; and prohibiting certain expenditures from the Motor License Fund for the operation of the Pennsylvania State Police.

Amend Bill, page 6, by inserting between lines 13 and 14 Section 4. Title 75 is amended by adding a chapter to read:

CHAPTER 97-A
RESTRICTIONS ON MOTOR LICENSE FUND
EXPENDITURES

Sec.

9701-A. Pennsylvania State Police restriction.

§ 9701-A. Pennsylvania State Police restriction.

(a) General rule.—Except as provided in subsection (b), no Motor License Fund money shall be appropriated for the operation of the Pennsylvania State Police or for transfer to the General Fund for appropriation for the operation of the Pennsylvania State Police.

(b) Application.—The provisions of this section shall apply as follows:

(1) For the fiscal year beginning July 1, 1995, 75% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(2) For the fiscal year beginning July 1, 1996, 50% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(3) For the fiscal year beginning July 1, 1997, 25% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(4) For the fiscal year beginning July 1, 1998, and each fiscal year thereafter, there shall be no expenditures from the Motor License Fund for the operation of the Pennsylvania State Police.

Amend Sec. 4, page 6, line 14, by striking out "4" and inserting

5

Amend Sec. 5, page 6, line 23, by striking out "5" and inserting

6

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER pro tempore. The clerk will strike the vote.

For what purpose does the majority whip rise?
 Mr. BARLEY. Thank you, Madam Speaker.
 Madam Speaker, I would ask that we temporarily go over this bill.

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Point of parliamentary inquiry, Madam Speaker; point of parliamentary inquiry.

The SPEAKER pro tempore. The Chair recognizes the gentleman.

Mr. DeWEESE. I am under the impression that nothing was in order but the taking of the vote.

The SPEAKER pro tempore. That is correct.

Mr. DeWEESE. Then why did the gentlelady intercede in order to allow someone to speak? Will the gentlelady intercede when our team wants to speak from time to time?

The SPEAKER pro tempore. Absolutely.

Mr. DeWEESE. The Chair thanks the lady.

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. SB 245 is temporarily over.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. RUDY called up **HR 157, PN 1952**, entitled:

A Resolution congratulating Standard Steel for 200 years of continuous operations at its Burnham, Mifflin County, plant and proclaiming May 28 through June 3 as "Standard Steel Week" in Pennsylvania.

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

| | | | |
|--------------|-----------|-----------|---------------|
| Adolph | Egolf | Lucyk | Sather |
| Allen | Evans | Lynch | Saylor |
| Argall | Fairchild | Maitland | Schroder |
| Armstrong | Fajt | Major | Schuler |
| Baker | Fargo | Manderino | Semmel |
| Bard | Farmer | Markosek | Serafini |
| Barley | Feese | Marsico | Shaner |
| Battisto | Fichter | Masland | Sheehan |
| Bebko-Jones | Fleagle | Mayermik | Smith, B. |
| Belardi | Flick | McGeehan | Smith, S. H. |
| Belfanti | Gamble | McGill | Snyder, D. W. |
| Birmelin | Gannon | Melio | Staback |
| Bishop | Geist | Merry | Stairs |
| Blaum | George | Michlovic | Steelman |
| Boscola | Gigliotti | Micozzie | Steil |
| Boyes | Gladeck | Mihalich | Stern |
| Brown | Godshall | Miller | Stetler |
| Browne | Gordner | Mundy | Stish |
| Bunt | Gruitza | Nailor | Strittmatter |
| Bulkovitz | Gruppo | Nickol | Sturla |
| Buxton | Habay | Nyce | Surra |
| Callagironne | Haluska | O'Brien | Tangretti |
| Cappabianca | Hanna | Ojiver | Taylor, E. Z. |
| Carone | Harhart | Perzel | Taylor, J. |
| Cawley | Hasay | Petrarca | Thomas |
| Chadwick | Hennessey | Petrone | Tigue |

| | | | |
|--------------|------------|------------|---------------|
| Civera | Herman | Pettit | Travaglio |
| Clark | Hershey | Phillips | Trello |
| Clymer | Hess | Piccola | Trich |
| Cohen, L. I. | Horsey | Pistella | True |
| Cohen, M. | Hutchinson | Pitts | Tulfi |
| Colafella | Itkin | Platts | Vance |
| Colaizzo | Jadlowiec | Preston | Van Horne |
| Conti | James | Ramos | Vcon |
| Cornell | Jarolin | Raymond | Vitali |
| Corpora | Josephs | Readshaw | Walko |
| Corrigan | Kaiser | Reber | Washington |
| Cowell | Kenney | Reinard | Waugh |
| Coy | King | Richardson | Wogan |
| Curry | Kirkland | Rieger | Wozniak |
| Daley | Krebs | Roberts | Wright, D. R. |
| DeLuca | Kukovich | Robinson | Wright, M. N. |
| Dempsey | LaGrotta | Roebuck | Yewcic |
| Dent | Laughlin | Rohrer | Youngblood |
| Dermody | Lawless | Rooney | Zimmerman |
| DeWeese | Lederer | Rubley | Zug |
| DiGirolamo | Leh | Rudy | |
| Donatucci | Lescovitz | Sainato | Ryan, |
| Druce | Levdansky | Santoni | Speaker |
| Durham | Lloyd | | |

NAYS—0

NOT VOTING—3

| | | |
|------|--------|----------|
| Carn | Keller | Williams |
|------|--------|----------|

EXCUSED—4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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

* * *

Mr. STABACK called up **HR 158, PN 1953**, entitled:

A Resolution designating May 31, 1995, as "No-Tobacco Day" in Pennsylvania.

On the question,
 Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

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

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

NAYS-2

Buxton DeWeese

NOT VOTING-3

Barley Cam Perzel

EXCUSED-4

McCall Olasz Pesci Scrimenti

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

Mrs. MILLER called up **HR 159, PN 1954**, entitled:

A Resolution urging Congress to reauthorize the Farms for the Future Program with amendments to increase the effectiveness of the program.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-195

| | | | |
|-----------|-----------|-----------|----------|
| Adolph | Egolf | Levdansky | Santoni |
| Allen | Evans | Lloyd | Sather |
| Argall | Fairchild | Lucyk | Saylor |
| Armstrong | Fajt | Lynch | Schroder |
| Baker | Fargo | Maitland | Schuler |

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

NAYS-0

NOT VOTING-4

Cam Rooney Snyder, D. W. Vitali

EXCUSED-4

McCall Olasz Pesci Scrimenti

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1488, PN 1737**, entitled:

An Act amending the act of June 17, 1913 (P.L.507, No.335), referred to as the Intangible Personal Property Tax Law, further providing for a variable rate of taxation on the value of personal property.

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

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

The question is, shall the bill pass finally?

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

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-4

McCall Olasz Pesci Scrimenti

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

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

* * *

The House proceeded to third consideration of **HB 292, PN 285**, entitled:

An Act authorizing the imposition of temporary countywide burn bans under certain circumstances; and providing penalties for violations.

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

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

The question is, shall the bill pass finally?

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

YEAS-191

| | | | |
|--------------|------------|-----------|---------------|
| Adolph | Egolf | Lescovitz | Santoni |
| Allen | Evans | Levdansk | Sather |
| Argall | Fairchild | Lloyd | Saylor |
| Armstrong | Fajt | Lucyk | Schroder |
| Baker | Fargo | Lynch | Schuler |
| Bard | Farmer | Maitland | Semmel |
| Barley | Feese | Major | Serafini |
| Battisto | Fichter | Manderino | Shaner |
| Bebko-Jones | Fleagle | Markosek | Sheehan |
| Belardi | Flick | Marsico | Smith, B. |
| Belfanti | Gamble | Masland | Smith, S. H. |
| Birmelin | Gannon | Mayernik | Snyder, D. W. |
| Bishop | Geist | McGeehan | Staback |
| Blaum | George | McGill | Stairs |
| Boscola | Gigliotti | Melio | Steelman |
| Boyes | Gladeck | Merry | Steil |
| Browne | Godshall | Michlovic | Stern |
| Bunt | Gordner | Micozzie | Stetler |
| Butkovitz | Gruitza | Mihalich | Stish |
| Buxton | Gruppo | Miller | Strittmatter |
| Caltagirone | Habay | Mundy | Sturla |
| Cappabianca | Haluska | Nyce | Surra |
| Carn | Hanna | O'Brien | Tangretti |
| Carone | Harhart | Oliver | Taylor, E. Z. |
| Cawley | Hasay | Perzel | Taylor, J. |
| Chadwick | Hennessey | Petrarca | Thomas |
| Civera | Herman | Petrone | Tigue |
| Clark | Hershey | Pettit | Travaglio |
| Clymer | Hess | Phillips | Trello |
| Cohen, L. I. | Horscy | Piccola | Trich |
| Cohen, M. | Hutchinson | Pistella | True |
| Colaifella | Itkin | Pitts | Tulli |
| Colaizzo | Jadlowiec | Preston | Van Horne |
| Conti | James | Ramos | Veon |
| Cornell | Jarolin | Raymond | Vitali |
| Corpora | Josephs | Readshaw | Walko |
| Corrigan | Kaiser | Reber | Washington |

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|------------|----------|------------|---------------|
| Cowell | Keller | Reinard | Williams |
| Coy | Kenney | Richardson | Wogan |
| Curry | King | Rieger | Wozniak |
| Daley | Kirkland | Roberts | Wright, D. R. |
| DeLuca | Krebs | Robinson | Wright, M. N. |
| Dent | Kukovich | Roebuck | Yewcic |
| Dermody | LaGrotta | Rohrer | Youngblood |
| DeWeese | Laughlin | Rooney | Zimmerman |
| DiGirolamo | Lawless | Rubley | |
| Donatucci | Lederer | Rudy | Ryan, |
| Druce | Leh | Sainato | Speaker |
| Durham | | | |

NAYS-8

| | | | |
|---------|--------|--------|-------|
| Brown | Nailor | Platts | Waugh |
| Dempsey | Nickol | Vance | Zug |

NOT VOTING-0

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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.

REQUEST TO CALL UP HB 543

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

Mr. KUKOVICH. Madam Speaker, the next item on the agenda is HB 543. I would like at this point to call the bill up and object to it going over at this time.

The SPEAKER pro tempore. Would the majority whip come to the Speaker's desk, please.

Would the gentleman, Mr. Kukovich, come to the Speaker's desk, please.

(Conference held at Speaker's podium.)

The SPEAKER pro tempore. We will go back to Mr. Kukovich's request after consideration of SB 245.

CONSIDERATION OF SB 245 CONTINUED

AMENDMENT A2659 RECONSIDERED

The SPEAKER pro tempore. The House has returned to SB 245, and I am in receipt of a reconsideration motion on the vote by which amendment No. 2659 passed to SB 245, PN 1073, on the 23d day of May.

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

The following roll call was recorded:

YEAS-191

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

NAYS-0

NOT VOTING-8

| | | | |
|----------|-------|----------|----------|
| Carn | Curry | Mihalich | Staback |
| Corrigan | Evans | Oliver | Williams |

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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. **A2659**:

Amend Title, page 1, line 3, by striking out "and" where it appears the last time

Amend Title, page 1, line 4, by removing the period after "devices" and inserting

; and prohibiting certain expenditures from the Motor License Fund for the operation of the Pennsylvania State Police.

Amend Bill, page 6, by inserting between lines 13 and 14 Section 4. Title 75 is amended by adding a chapter to read:

CHAPTER 97-A
RESTRICTIONS ON MOTOR LICENSE FUND
EXPENDITURES

Sec.

9701-A. Pennsylvania State Police restriction.

§ 9701-A. Pennsylvania State Police restriction.

(a) General rule.—Except as provided in subsection (b), no Motor License Fund money shall be appropriated for the operation of the Pennsylvania State Police or for transfer to the General Fund for appropriation for the operation of the Pennsylvania State Police.

(b) Application.—The provisions of this section shall apply as follows:

(1) For the fiscal year beginning July 1, 1995, 75% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(2) For the fiscal year beginning July 1, 1996, 50% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(3) For the fiscal year beginning July 1, 1997, 25% of the amount appropriated from the Motor License Fund for the operation of the Pennsylvania State Police for fiscal year July 1, 1994, to June 30, 1995, may be expended for such operation.

(4) For the fiscal year beginning July 1, 1998, and each fiscal year thereafter, there shall be no expenditures from the Motor License Fund for the operation of the Pennsylvania State Police.

Amend Sec. 4, page 6, line 14, by striking out "4" and inserting

5

Amend Sec. 5, page 6, line 23, by striking out "5" and inserting

6

On the question recurring,

Will the House agree to the amendment?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Druce, on amendment 2659.

Mr. DRUCE. Madam Speaker, if I may, could I yield momentarily to the majority chairman of the Transportation Committee?

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

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

Earlier in the day when we first considered the Druce amendment, I said as a part of a package of financing Pennsylvania's highway needs, this was a very good amendment. As a stand-alone amendment in this piece of legislation, I felt that it was not adequate.

At this time I would like to let the House know that in discussions with our leadership and with members of our committee, that when we get to that point down the road that we are doing the financing mix for the Department of Transportation,

this will be a vital part of that mix and we will address it then as part of that.

I thank you very much for allowing me to make these remarks before Representative Druce makes his, and I yield the floor to Representative Druce.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. DRUCE. Madam Speaker, could I interrogate the Transportation chairman, please, momentarily?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. DRUCE. Madam Speaker, could I just for the record and for the members here in the House have a commitment from you today that my amendment will be put into the form of a freestanding bill that will be reported out of the Transportation Committee and brought to this body for its consideration at a time when we address funding for our highways in this Commonwealth later this year?

Mr. GEIST. Madam Speaker, I am in complete agreement with our Democratic leader, DeWeese, on that issue and would be more than glad to bring that bill to the floor as part of the total package.

Mr. DRUCE. Madam Speaker, if I could just make a comment.

I think that commitment is significant, and I believe that the majority chairman, who is an honorable man, will keep that commitment. I think the House is now on record and poised to start to address our highway issue by dealing with my amendment in the form of a freestanding bill. That is the equivalent of voting for 4 cents' worth of a gas increase without voting the increase. So we can start addressing that issue in the proper time, and I am glad to see that finally that offer was made here this afternoon.

AMENDMENT WITHDRAWN

Mr. DRUCE. So, Madam Speaker, I withdraw my amendment and I will put it in the form of a bill to be submitted at a later date. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Geist.

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

This has been a very long, long, long process for the House. It is almost a textbook case of how legislation is developed from an idea and includes a lot. It includes a little bit from the House, a little bit from the Senate, and I think a little bit from the Governor's Office, but in the end, I think that in Pennsylvania we have benefited from a good piece of legislation.

I would like to compliment Representative Wozniak and the members of the Transportation Committee, the Democratic and Republican members, who brought this bill to the floor as a nonpartisan bill. I would like to applaud the cooperation of Senator Bell and Representative Wozniak as they worked together very closely to bring us 65. I would hope that this bill is acceptable right now, and I believe that it is. I think that we all understand

what we were about and that the Senate would move quickly to concur in the amendments that we have done to this legislation and get it to Governor Ridge for his quick signature. I applaud the House, I applaud those who have worked on this, and I thank you all very much for your cooperation.

I would urge a "yes" vote.

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia, Ms. Josephs.

Ms. JOSEPHS. Thank you, Madam Speaker.

I rise to oppose this bill on final passage.

Saving lives is more important than saving time. It is an indisputable fact that raising the speed limit on interstates and look-alike highways will raise the fatality rate in the accidents that take place.

Just to give you a little example about the savings of time, if we take, for example, the trip between Philadelphia and Harrisburg at 65 miles an hour instead of 55 miles an hour, we will reduce the time something like 16 minutes—

The SPEAKER pro tempore. Will the lady cease one moment. Somebody has an open microphone.

The lady may proceed.

Ms. JOSEPHS. Thank you, Madam Speaker.

If we postulate a drive between Philadelphia and Harrisburg at 55 miles an hour and then we look at that drive at 65 miles an hour, the driver will save something like 17 minutes. At the same time, almost every study, 95 percent of the studies that have ever been done or more tell us that we are going to increase the fatality rate by a considerable factor.

I fear for the people who are driving on the highways if we raise the speed limit. I think saving time is not as important as saving lives, and I suggest a "no" vote on final passage. Thank you, Madam Speaker.

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

Mr. WOZNIAK. Thank you, Madam Speaker.

It has been a long, arduous trail. When we started this, the Republican leadership was kind enough to allow my bill to run, which we passed and put it over to the Senate. Unfortunately, as things occur, this bill came across as a Senate bill.

We have worked very closely with the Senate, and I want to thank the distinguished gentleman, Clarence Bell, the senior member of the Senate, for carrying the ball forward. I think that Chairman Geist deserves some recognition, because he helped keep this thing alive and moving. It has been a long time in coming. I want to take one moment and thank Representative Druce, because it was very kind of him to withdraw that amendment because that would have really stopped this bill completely.

So with that, I wish and I urge all of my members to give an affirmative vote to let the public do what they want to do, and that is travel legally at 65 miles an hour. Thank you.

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

Mr. SURRA. Thank you, Madam Speaker.

Madam Speaker, very briefly. I supported the House bill that we sent over to the Senate and I support the concept of 65 miles an hour on rural interstates, but I am not going to vote for this piece of legislation, Madam Speaker, because I oppose raising the fines. I do not know in your legislative districts, but there is not a week that goes by that some poor working stiff that gets picked up for speeding on the way to work comes and tells me he has to come

and take out a loan to pay his fine. We have tacked so many things onto the fines for speeding, Madam Speaker, that it is a bit ridiculous, and we are doing it again here.

Now, raising the speed limit now all of a sudden equates to raising the fine for our working people of Pennsylvania, and I am opposed to that. For that reason I am voting "no," and I encourage my colleagues to do so also. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe County, Mr. Battisto.

Mr. BATTISTO. Thank you, Madam Speaker.

Madam Speaker, despite my close friendship to Representative Wozniak, I have consistently in committee and also on the floor opposed raising the speed limit based on two items: one, conservation; and number two, safety. The studies are overwhelming the other way. That is to say that increasing the speed limit in the 38 States that have done so has increased accidents, injuries, and deaths. In fact, the average is a 14-percent increase in accidents, a 25-percent increase in injuries, and a 30-percent increase in fatalities. Those statistics are irrefutable.

I can count. I understand that we are in a mood here for convenience and we are not talking about rationality; we are not talking about saving lives or injuries, but I guess the most compelling argument is the fact that not only are injuries and deaths and accidents increased, but — but — the arguments and evidence against 65 miles an hour are overwhelming. Essentially, an increase in the speed limit will mean more accidents, more deaths, but additionally, these consequences have economic — economic — and social costs, such as higher medical bills, higher medicaid expenses, lost wages, and loss in property.

I know where the vote is going to go today, but let it be put on the record that what we are voting for is an increase in accidents, an increase in injuries and deaths, and also other social costs like medicaid and medical expenses. That is irrefutable. We must understand that as we vote.

Thank you very much.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Gruppo.

Mr. GRUPPO. Thank you, Madam Speaker.

This is a bad bill. As I said before, we are talking about lives; we are talking about trucks that are going too fast already. Right now the vehicles on our highways are not adhering to the 55-mile-an-hour speed limit. They are going 65, 70, and faster. I cannot be convinced that when we get a higher speed limit, that they are going to stay at 65 miles per hour. That is baloney. What we are going to do is increase the speed limit to 75 and 80 miles an hour on our highways, dangerous for our senior citizens, dangerous for anyone who drives the highways.

It is a bad bill, and I urge you to vote against it.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cumberland, Mr. Masland.

Mr. MASLAND. Thank you, Madam Speaker.

I rise to oppose this bill.

If I was going to vote with my foot and stick it up on my desk, I might hit the green button. In fact, as I drive home tonight I will probably vote with my foot and go 65 in my car, but— Yes, yes, I guess that makes me a hypocrite because I would drive my car 65.

I do not like the tolerance. I think it is a bad idea. I do not like 65 for trucks, but really, the reason I stand is because I have to thank my crack research team, Drs. King and Sheehan, for finding me a quote in the Federalist Papers — and I know you are all

interested in this — Federalist 22. It was Madison. I really thought— Actually, it was Hamilton. I thought it would be Madison. Hamilton said that what at first may appear to be a cure is in fact a poison. And I know he was talking about transportation matters at that time, so I urge defeat of this bill. Thank you.

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

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

We have argued this so many ways. We have made so many different votes. A lot of us have voted two different ways on the same amendments four different times, but we have reached a bill that is crafted to do basically what the motorists of Pennsylvania have wanted.

AAA did their survey. Seventy-four percent — I believe the number to be accurate — of their members wanted 65, an overwhelming proportion, and, Madam Speaker, that survey came about after that same organization told Representative Wozniak and me that their members opposed it. So I think everybody has a little change of mind and a change of heart every once in a while.

This bill is almost the same bill that left the House before with John Wozniak's name on it. We have worked long, we have worked hard, and we have had a lot of input into it. We have had the democratic process take place on the floor. We have had 18 amendments and some more that were drafted and withdrawn.

I would like to ask the members of this House to vote "yes" on Clarence Bell's bill and at the same time pat John Wozniak on the back for a job well done. I ask for an affirmative vote.

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

Mr. GANNON. Thank you, Madam Speaker.

When the Federalist Papers were written, there were not even any speed limits on the highways of Pennsylvania.

More seriously, we have to refresh our recollection some time back when the speed limit on the highways was reduced to 55 from 65. In fact, let us go back a little bit beyond that. When we increased the speed limit to 65 before, there was a contract with the people of Pennsylvania and the contract was this: We were going to increase the speed limit but we were also going to increase the penalties, and we did that, and then the speed limit was decreased to 55 but it had nothing to do with anybody driving recklessly. What it had to do with was an oil embargo imposed on the United States by some foreign countries and a lack of gasoline. That is why the speed limit was initially reduced to 55 miles an hour, and that speaks directly as to why we should take it back to that agreement we made with the people of Pennsylvania years ago when we increased the speed limit to 65 and increased the penalties. because when we did reduce it as a result of the oil embargo, we did not reduce the penalties; we left them exactly where they are.

So I urge a "yes" vote on this bill. Thank you, Madam Speaker.

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

Mr. SERAFINI. Madam Speaker, just a short note to say that in my experience of driving the interstate all these years, as many of you in this House have for the past 18 years of my situation, 65 is not the problem; it is the excess speeds of 70, 80, and 90 miles an hour, which although it is not the limit, many cars, many trucks are able to achieve and do that in an indiscriminate manner.

Sixty-five is a speed limit that we can all control. I truly do not believe that a basic 65 will cause any more accidents, but what we need on the highways is enforcement.

I would appreciate an affirmative vote on the bill. Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—156

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|--------------|------------|------------|------------------|
| Adolph | Fargo | Markosek | Serafini |
| Allen | Farmer | Mayernik | Shaner |
| Argall | Feese | McGeehan | Sheehan |
| Armstrong | Fichter | McGill | Smith, B. |
| Baker | Fleagle | Melio | Smith, S. H. |
| Bard | Flick | Merry | Snyder, D. W. |
| Barley | Gamble | Michlovic | Stairs |
| Bebko-Jones | Gannon | Micozzie | Steelman |
| Belfanti | Geist | Mihalich | Steil |
| Birmelin | Gigliotti | Miller | Stern |
| Bishop | Gladeck | Nyce | Stetler |
| Boscola | Godshall | O'Brien | Stish |
| Boyes | Gordner | Oliver | Strittmatter |
| Brown | Gruitza | Perzel | Sturla |
| Browne | Habay | Petrarca | Tangretti |
| Bunt | Haluska | Petrone | Taylor, E. Z. |
| Butkovitz | Hanna | Pettit | Taylor, J. |
| Caltagirone | Harhart | Phillips | Thomas |
| Carn | Hasay | Piccola | Travaglio |
| Carone | Hennessey | Pistella | Trello |
| Chadwick | Herman | Pitts | Trich |
| Civiera | Hershey | Preston | Tulli |
| Clark | Horsey | Ramos | Van Horne |
| Clymer | Hutchinson | Raymond | Veon |
| Cohen, L. I. | Itkin | Readshaw | Vitali |
| Colafrilla | Jadlowiec | Reber | Walko |
| Conti | James | Reinard | Washington |
| Cornell | Jarolin | Richardson | Williams |
| Cowell | Kaiser | Rieger | Wogan |
| Daley | Keller | Roberts | Wozniak |
| Dempsey | Kenney | Roebuck | Wright, D. R. |
| Dent | LaGrotta | Rohrer | Wright, M. N. |
| Dermody | Laughlin | Ribley | Ycwic |
| DeWeese | Lawless | Sainato | Youngblood |
| DiGirolamo | Lederer | Santoni | Zimmerman |
| Donatucci | Leh | Sather | Zug |
| Druce | Lescovitz | Saylor | |
| Durham | Levdansky | Schroder | Ryan, Speaker |
| Egolf | Maitland | Semmel | |
| Fajt | Major | | |

NAYS—43

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|-------------|-----------|-----------|----------|
| Battisto | Curry | Kukovich | Robinson |
| Belardi | DeLuca | Lloyd | Rooney |
| Blaum | Evans | Lucyk | Rudy |
| Buxton | Fairchild | Lynch | Schuler |
| Cappabianca | George | Manderino | Staback |
| Cawley | Gruppo | Marsico | Surra |
| Cohen, M. | Hess | Masland | Tigue |
| Colaizzo | Josephs | Mundy | True |
| Corpora | King | Nailor | Vance |
| Corrigan | Kirkland | Nickol | Waugh |
| Coy | Krebs | Platts | |

NOT VOTING—0

EXCUSED—4

McCall Olasz Pesci Scrimenti

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.

VOTE CORRECTION

Mr. MERRY. Madam Speaker?

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

Mr. MERRY. May I correct a vote at this time?

The SPEAKER pro tempore. The gentleman may proceed.

Mr. MERRY. On SB 245, amendment No. A2605, this is one that was voted twice. On the vote held at 2:51 p.m., I show as nonvoting. I recall trying to vote late that time, and it did not record. I would like to have my vote shown as being voted in the affirmative.

The SPEAKER pro tempore. Thank you.

REQUEST TO CALL UP HB 543

The SPEAKER pro tempore. The Chair now returns and recognizes Representative Kukovich.

Mr. KUKOVICH. Madam Speaker, on HB 543, I would call the bill up for immediate consideration.

HB 543 PASSED OVER

The SPEAKER pro tempore. The Chair recognizes the majority whip, Mr. Barley.

Mr. BARLEY. Thank you, Madam Speaker.

Madam Speaker, I move that we go over HB 543 for the day.

On the question,

Will the House agree to the motion?

PARLIAMENTARY INQUIRY

Mr. DeWEESE. Madam Speaker, hold on. Ma'am, please.

Point of parliamentary inquiry.

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

Mr. DeWEESE. Would the lady yield momentarily while the whip and I have a momentary conference? The Chair thanks the lady.

(Conference held.)

Mr. DeWEESE. Madam Speaker?

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

Mr. DeWEESE. I would like to thank the Chair for her indulgence.

Relative to the gentleman, Mr. Barley's motion to go over for the day, I believe that motion is debatable, and I would yield my own time, if the lady is acquiescent, to the gentleman from Westmoreland, Mr. Kukovich, vis-a-vis the debate at hand.

The SPEAKER pro tempore. The gentleman, Mr. Kukovich, may proceed.

Mr. KUKOVICH. Thank you, Madam Speaker.

Before we vote this, I would like to get some information. Number one, it has been relayed to me through Representative Conti, and the only amendment, if I would offer an amendment, that I would offer today would be the identical Conti bill that he introduced earlier this session.

I would like to know if there is an indication that the bill will be reported from committee; if so, when? If there is a floor vote planned; and if so, when?

The SPEAKER pro tempore. The Chair recognizes the majority whip, Mr. Barley.

Mr. BARLEY. Thank you, Madam Speaker.

Representative Clymer, chairman of the State Government Committee, has been holding public hearings on the bill that Representative Conti has introduced as it pertains to campaign finance reform. We are committed to running the bill. Representative Clymer is committed to running the bill and giving it consideration.

I am not exactly certain of the time frame, and if you would just hold for one moment, I will confer with the chairman of the State Government Committee.

Madam Speaker?

The SPEAKER pro tempore. The Chair again recognizes the majority whip, Mr. Barley.

Mr. BARLEY. It is the intention of the chairman of the State Government Committee to continue to hold some additional public hearings. He has held one public hearing and intends to hold some additional public hearings, and based on that, in the next few months, possibly over the summer, we will make a decision as to the exact timing of when the bill will be called up for a vote.

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

Mr. KUKOVICH. Another question perhaps. Madam Speaker, since it appears after the Senate passes HB 110 and sends it over, they will be gone, what if we vote this bill the week after Memorial Day? I realize there could be time constraints for Mr. Readshaw's bill if we do not move it as soon as possible. What if we have the opportunity the first week we are back after Memorial Day to run HB 543 and then either Mr. Conti's bill or perhaps Mr. Druce's bill, which is important to both sides of leadership and is an Election Code bill. Would there be a possibility of that occurring the first week we are back in June?

The SPEAKER pro tempore. The Chair recognizes the majority whip, Mr. Barley.

Mr. BARLEY. Madam Speaker, I once again will restate that it is the intention of the chairman of the State Government Committee to continue to hold additional public hearings, because he feels on this important issue it is necessary to continue to hold public hearings and get the input, and he does intend, after adequate public hearings and participation in the process, that he will be making a decision at that point of exactly when he will call the bill up in the committee for action.

Mr. KUKOVICH. Is the speaker aware of how many hearings have been held on this issue over the last 10 or 15 years?

The SPEAKER pro tempore. Are you asking the Speaker or are you asking the gentleman, Mr. Barley?

Mr. KUKOVICH. I am asking the gentleman who is responding.

Mr. BARLEY. Madam Speaker, we have held one public hearing on the bill to date this session.

Mr. KUKOVICH. Do we know how many more public hearings this session and over what period of time it would cover? Has that been decided yet?

Mr. BARLEY. I am sorry, Madam Speaker; would you ask the gentleman to repeat the question, please?

The SPEAKER pro tempore. Please repeat the question.

Mr. KUKOVICH. Certainly.

The question is, has a decision been made as to how many public hearings and over what period of time those hearings will occur?

Mr. BARLEY. Madam Speaker, the public hearings have already commenced. There has been one public hearing held. The chairman of the State Government Committee will be holding some additional public hearings. I do not believe that he necessarily has a particular number in mind, but it will be based on the input and the desire for input of the public and the affected individuals.

Mr. KUKOVICH. Madam Speaker, could the gentleman tell me why they do not want to vote this bill at this point?

Mr. BARLEY. Madam Speaker, the calendar today had the bill marked over, and I think that we would obviously want to be consistent with the way the calendar was marked, and that is the reason that we are passing over the bill. Also, the issue of the amendments, we are committed, particularly the one amendment that has been brought before us today, we are committed to considering that through the normal process.

Mr. KUKOVICH. Thank you, Madam Speaker.

Actually, I was hoping for something a little more specific. I was willing to withdraw all of the amendments. At this point I would be willing to withdraw two of the amendments which are the most comprehensive and perhaps the most controversial. I still would at this point, in light of the lack of specificity of the answers and because of the fact that on April 26, 1995, at 17 minutes after 3 o'clock, whenever the majority leader said if I withdrew my amendments we would vote a certain bill, I did withdraw my amendments. That bill was not voted. The track record is not good on this issue.

I would suggest that we vote against passing this bill over. I would only offer one amendment, and then we could move Mr. Readshaw's bill over to the Senate.

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

Mr. DeWEESE. I thank the lady.

Madam Speaker, I would urge that the membership vote not to pass over and that our first-term legislator, Mr. Readshaw, be allowed to proffer his bill. Thank you.

The SPEAKER pro tempore. Does the majority whip, Mr. Barley, wish to be recognized?

Mr. BARLEY. Madam Speaker, there continues to be concern on the issue, and I continue to ask for support to pass over HB 543 for the day.

The SPEAKER pro tempore. On the motion to pass over the bill, those wishing to pass over the bill will vote "aye"; those opposed, "nay."

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

The following roll call was recorded:

YEAS-100

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

NAYS-98

| | | | |
|-------------|-----------|------------|---------------|
| Battisto | Donatucci | Lloyd | Sainato |
| Bebko-Jones | Evans | Lucyk | Santoni |
| Belardi | Fajt | Manderino | Shaner |
| Belfanti | Gamble | Markosek | Staback |
| Bishop | George | Mayernik | Steelman |
| Blaum | Gigliotti | McGeehan | Stetler |
| Boscola | Gordner | Melio | Sturla |
| Butkovitz | Gruitza | Michlovic | Surra |
| Buxton | Haluska | Mihalich | Tangretti |
| Caltagirone | Hanna | Mundy | Thomas |
| Cappabianca | Horsey | Oliver | Tigue |
| Carn | Itkin | Petrarca | Travaglio |
| Cawley | James | Petrone | Trello |
| Cohen, M. | Jarolin | Pistella | Trich |
| Colafella | Josephs | Preston | Van Home |
| Colaizzo | Kaiser | Ramos | Veon |
| Corpora | Keller | Readshaw | Vitali |
| Corrigan | Kirkland | Richardson | Walko |
| Cowell | Krebs | Rieger | Washington |
| Coy | Kukovich | Roberts | Williams |
| Curry | LaGrotta | Robinson | Wozniak |
| Daley | Laughlin | Rocbuck | Wright, D. R. |
| DeLuca | Ledcrer | Rooney | Yewcic |
| Dermody | Lescovitz | Rudy | Youngblood |
| DeWeese | Levdansky | | |

NOT VOTING-1

Bard

EXCUSED-4

McCall Olasz Pesci Scrimenti

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

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

FORMER MEMBER WELCOMED

Mr. GRUPPO. Mr. Speaker?

Mr. Speaker, over here; over here on the Republican side.

The SPEAKER. The Chair recognizes the voice of the gentleman, Mr. Gruppo.

Mr. GRUPPO. Here I am.

While you are taking a little break, I thought some of the older members would be pleased to know that one of our former members is in the hall, Senator Frank O'Connell, to the rear here. He just came in to say hello.

The SPEAKER. The Chair of course welcomes the gentleman, Mr. O'Connell.

The House will be momentarily at ease.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 655, PN 687**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for manufacture, distribution or possession of devices for theft of telecommunications services.

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

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

Mr. CORPORA. Thank you, Mr. Speaker.

I just had a recent discussion with the chairperson of our committee, and there has been a representation that this can run as a separate bill, so I will withdraw the amendment that I have prepared. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

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

The question is, shall the bill pass finally?

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

YEAS-199

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

NAYS-0

NOT VOTING-0

EXCUSED-4

McCall Olasz Pesci Scrimenti

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

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. BAKER called up **HR 161, PN 1957**, entitled:

A Resolution recognizing May 1995 as "Better Hearing and Speech Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

McCall Olasz Pesci Scrimenti

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

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED**

HB 1509, PN 1762

By Rep. DURHAM

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the regulation of taxicabs in cities of the first class.

CONSUMER AFFAIRS.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 1509 be removed from the table.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 1509 be recommitted to the Committee on Appropriations.

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

COMMITTEE MEETING CANCELED

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist, for the purpose of announcing a meeting of the Transportation Committee.

Mr. GEIST. Thank you very much, Mr. Speaker. The Transportation Committee meeting that was scheduled for Thursday has been canceled, and we will notify the members of the Transportation Committee when that meeting is to be rescheduled. Thank you.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Chester County, Mr. Pitts, for the purpose of making an announcement.

Mr. PITTS. Thank you, Mr. Speaker. As soon as we conclude the business for the day, I would like to call a meeting of the House Appropriations Committee

immediately in regular session, room 245, the conference room. Thank you, Mr. Speaker.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel, who calls for an immediate meeting of the Rules Committee at the majority leader's desk.

Members of the Rules Committee will go to the majority leader's desk for a meeting of the Rules Committee.

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. I would like to make a committee announcement.

The SPEAKER. The gentleman is in order.

Mr. MERRY. The Local Government Committee was scheduled to meet at the call of the recess or when we were going to be over. Since it is now 4:20 and it does not look like we will be done at a very early hour, I am going to cancel that meeting.

We do have a meeting scheduled for 9 o'clock tomorrow morning. It would be our intention to take up those items of business scheduled for today, to take them up tomorrow, and do what other business we have before the committee.

So that is the announcement. The Local Government Committee at 9 o'clock tomorrow morning in the Annex, room 22.

The SPEAKER. The Chair thanks the gentleman.

STATE GOVERNMENT COMMITTEE MEETING

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

Mr. CLYMER. For an announcement.

Mr. Speaker, a reminder of the State Government Committee meeting tomorrow at 9 a.m. in room 40. Thank you.

The SPEAKER. The Chair thanks the gentleman.

EDUCATION COMMITTEE MEETING

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

Mr. STAIRS. Thank you, Mr. Speaker.

At the conclusion of today's business, I would like to have a meeting of the House Education Committee at the back of the House to rerefer HB 1459. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Any further announcements?

The Education Committee, please go to the Education Committee meeting at the rear of the hall of the House now.

The House will come to order.

We are waiting for two resolutions to be reprinted. It is going to take about 10 minutes, 15 minutes.

The Appropriations Committee meeting that was scheduled to be held immediately on recess or adjournment will be held now. So members of the Appropriations Committee should move to the

Appropriations hearing room back in the Appropriations complex on the second floor.

I would go to that meeting now. It should be a very short meeting. Other than that, the House will stand at ease.

I would hope that the schoolchildren in the balcony understand that we are at recess right now.

RULES SUSPENDED

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

Mr. PERZEL. Mr. Speaker, I ask that the rules of the House be suspended to permit the consideration of HR 116 and HR 48, which have been distributed to the members. They should be on all of the desks right now.

The SPEAKER. There is no calendar. That is the reason for the suspension of the rules.

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

The following roll call was recorded:

YEAS—189

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

| | | | |
|------------|-----------|---------|---------|
| DiGirolamo | Leh | Rubley | |
| Donatucci | Lescovitz | Rudy | Ryan, |
| Druce | Levdansky | Sainato | Speaker |
| Durham | Lloyd | Santoni | |

NAYS-7

| | | | |
|--------|--------|----------|-------|
| Carone | Krebs | Steelman | Tigue |
| Hanna | Platts | Steil | |

NOT VOTING-3

| | | | |
|--------|------|--------|--|
| Bishop | Carn | Horscy | |
|--------|------|--------|--|

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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

RESOLUTIONS REPORTED FROM COMMITTEE

HR 48, PN 625 By Rep. PERZEL

A Resolution directing the Legislative Budget and Finance Committee to conduct a comprehensive study evaluating existing juvenile programming available across this Commonwealth and to make recommendations to the House of Representatives.

RULES.

HR 116, PN 1558 By Rep. PERZEL

A Resolution designating the month of June as "Blood Donor Awareness Month."

RULES.

RESOLUTIONS

Mr. BLAUM called up HR 48, PN 625, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a comprehensive study evaluating existing juvenile programming available across this Commonwealth and to make recommendations to the House of Representatives.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

| | | | |
|-----------|-----------|-----------|----------|
| Adolph | Egolf | Lloyd | Sather |
| Allen | Evans | Lucyk | Saylor |
| Argall | Fairchild | Lynch | Schroder |
| Armstrong | Fajt | Maitland | Schuler |
| Baker | Fargo | Major | Semmel |
| Bard | Farmer | Manderino | Serafini |

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

NAYS-0

NOT VOTING-1

Carn

EXCUSED-4

| | | | |
|--------|-------|-------|-----------|
| McCall | Olasz | Pesci | Scrimenti |
|--------|-------|-------|-----------|

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

Mr. LYNCH called up HR 116, PN 1558, entitled:

A Resolution designating the month of June as "Blood Donor Awareness Month."

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-2

Carr Josephs

EXCUSED-4

McCall Olasz Pesci Scrimenti

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that the following bills be removed from the tabled bill calendar:

- HB 260;
- HB 287;
- HB 869;
- HB 1010;
- HB 1024;
- HB 1468;
- HB 1639; and
- HB 1509.

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

BILLS RECOMMENDED

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

- HB 260;
- HB 287;
- HB 869;
- HB 1010;
- HB 1024;
- HB 1468;
- HB 1639; and
- HB 1509.

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

FINANCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Erie County, Mr. Boyes, who seeks recognition to announce a committee meeting.

Mr. BOYES. Thank you, Mr. Speaker.

The House Finance Committee will meet immediately at the back of the House for the purpose of reporting SB 933.

BILLS REREPORTED FROM COMMITTEE

HB 1209, PN 1877

By Rep. PITTS

An Act amending the act of July 9, 1990 (P.L.340, No.78), known as the Public Safety Emergency Telephone Act, providing additional powers and duties to counties relating to the naming and numbering of streets within third class cities, boroughs and townships.

APPROPRIATIONS.

HB 1297, PN 1979 (Amended)

By Rep. PITTS

An Act authorizing a video programming municipal tax.

APPROPRIATIONS.

HB 1526, PN 1792

By Rep. PITTS

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.

APPROPRIATIONS.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, *being introduced, returned HB 659, PN 1795*, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

VOTE CORRECTION

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

Mr. ROONEY. Thank you, Mr. Speaker.

On HR 159 my vote was not recorded. I wish to be recorded in the affirmative.

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

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. Does the Republican floor leader have any further business in the regular session? Do the Democratic floor leaders have any further business in regular session?

Hearing none, the Chair recognizes the gentleman from Allegheny County, Mr. Readshaw.

Mr. READSHAW. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 24, 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 4:46 p.m., e.d.t., the House adjourned.