

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, JUNE 6, 1995

SESSION OF 1995

179TH OF THE GENERAL ASSEMBLY

No. 46

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

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

Let us pray:

Holy God, we turn to You with thanks for this free land, for this great Commonwealth, and for the structures and institutions of our representative government. We pray for Your guidance in the midst of complex committee hearings, emerging legislation, and proposals of public policy, that the deliberations of this House may serve the best interests of all Pennsylvanians.

Bless, guide, enlighten, and empower all elected officials who serve here, their appointed officers and support staff, and all who serve in positions of public trust, that they may perform their duties in accordance with Your will, uphold the honor of the rule of law, and maintain the freedom and protection of all the citizens of this State. Sharpen our minds, guide our decisions, focus our deliberations, and empower our actions, for You are the source of all power and Lord of every righteous cause. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, June 5, 1995, will be postponed until printed. The Chair hears no objection.

#### LEAVES OF ABSENCE

The SPEAKER. Does the gentleman, Mr. Barley, have leaves of absence?

Mr. BARLEY. Thank you, Mr. Speaker.

Yes. I have a request for the lady from Susquehanna County, Miss MAJOR, for the day.

The SPEAKER. The Chair recognizes the Democratic whip, who requests leave of absence for the gentleman, Mr. MIHALICH, for today.

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

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1691** By Representatives CORPORA and GRUPPO

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, further restricting disposal of hazardous waste.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 6, 1995.

**No. 1692** By Representatives TRUE, SCHULER, TANGRETTI, BARLEY, E. Z. TAYLOR, YOUNGBLOOD, FARMER, TRELLO, GEIST, PITTS, HERSHEY, GRUPPO, COY, ARMSTRONG, TIGUE, L. I. COHEN, ROHRER, CORRIGAN, LEVDANSKY, EGOLF, LAUGHLIN, ZIMMERMAN, CARONE, RAYMOND, MERRY, STERN and THOMAS

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for alternative procedure for relinquishment of parental rights, for counseling in termination or relinquishment of parental rights and for home study and preplacement reports in adoption.

Referred to Committee on JUDICIARY, June 6, 1995.

**No. 1693** By Representatives D. W. SNYDER, DeLUCA, BUNT, BELARDI, STURLA, FAIRCHILD, SATHER, GORDNER, DALEY, FICHTER, LUCYK, GEIST, HERSHEY, BARLEY, DENT, RAYMOND, KENNEY, STISH, SCRIMENTI, CLYMER, OLASZ, DEMPSEY, TRUE, E. Z. TAYLOR, FARGO, JADLOWIEC, MICHLOVIC, ITKIN, ROONEY, WOZNIAK, VAN HORNE, TRELLO, JOSEPHS, ROBINSON, ARMSTRONG, TIGUE, LYNCH, LAUGHLIN, GIGLIOTTI, L. I. COHEN, RUBLEY, BAKER, BARD, STEELMAN, WALKO, READSHAW, GRUPPO, B. SMITH, LEVDANSKY, HENNESSEY, MERRY, STABACK, STERN, McCALL, SEMMEL, HORSEY, SERAFINI, YOUNGBLOOD, SCHRODER and BROWNE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for visitation rights and partial custody; and making repeals.

Referred to Committee on JUDICIARY, June 6, 1995.

**No. 1694** By Representatives HARHART, NAILOR, JAROLIN, BELARDI, RAYMOND, SAYLOR, FICHTER, SATHER, TRELLO, COLAIZZO, HORSEY, TRAVAGLIO, E. Z. TAYLOR, HALUSKA, MERRY, ZUG, SEMMEL, DIGIROLAMO, ITKIN, BROWNE and SCHRODER

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for powers of council.

Referred to Committee on LOCAL GOVERNMENT, June 6, 1995.

**No. 1695** By Representatives SEMMEL, E. Z. TAYLOR, MAITLAND, LYNCH, DEMPSEY, ROHRER, STISH, TRUE, HERSHEY, SAYLOR, FARGO, ARMSTRONG, JAROLIN, LEH, BROWN, EGOLF, GEIST, FEESE, WAUGH, HUTCHINSON and STERN

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, eliminating the transitionally needy portion of the General Assistance Program.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 6, 1995.

**No. 1696** By Representative SEMMEL

An Act providing procedures for the limited annexation of territory by municipalities; and making repeals.

Referred to Committee on LOCAL GOVERNMENT, June 6, 1995.

**No. 1697** By Representatives LEVDANSKY, PHILLIPS, GODSHALL, BAKER, HANNA, McCALL, WAUGH, TIGUE, CAPPABIANCA, HENNESSEY, HALUSKA, GORDNER, WOGAN, MUNDY, WALKO, PETTIT, ITKIN, PISTELLA, LAUGHLIN and BELARDI

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for performance audits of the Pennsylvania Game Commission.

Referred to Committee on GAME AND FISHERIES, June 6, 1995.

**No. 1698** By Representatives LEVDANSKY, PERZEL, FARGO, HENNESSEY, HALUSKA, WAUGH, McCALL, SAYLOR, TIGUE, CAPPABIANCA, ITKIN, LAUGHLIN, BELARDI, SURRA and HANNA

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, authorizing release of certain information to members of the General Assembly.

Referred to Committee on GAME AND FISHERIES, June 6, 1995.

**No. 1699** By Representatives LEVDANSKY, PERZEL, FARGO, HENNESSEY, HALUSKA, WAUGH, McCALL, SAYLOR, TIGUE, CAPPABIANCA, ITKIN, LAUGHLIN, BELARDI, SURRA and HANNA

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the limitation on disclosure of certain records.

Referred to Committee on GAME AND FISHERIES, June 6, 1995.

**No. 1700** By Representatives STURLA, D. W. SNYDER, KUKOVICH, FAJT, CLYMER, NAILOR, COY, RUBLEY, BELARDI, MELIO, TIGUE, MIHALICH, ROBINSON, CARONE, LEVDANSKY, ARGALL, FAIRCHILD, PETTIT, McGEEHAN, HERMAN, BATTISTO, L. I. COHEN, ITKIN, CORRIGAN, HENNESSEY, FLICK, RUDY, M. N. WRIGHT, BAKER, VAN HORNE, TRAVAGLIO, WALKO, MERRY, TRELLO, HALUSKA, JOSEPHS, BOSCOLA, YOUNGBLOOD, STETLER, WAUGH, HERSHEY and PHILLIPS

An Act establishing the Adopt-a-River Program; providing for powers and duties of the Pennsylvania Fish and Boat Commission; and making an appropriation.

Referred to Committee on GAME AND FISHERIES, June 6, 1995.

**No. 1701** By Representatives KUKOVICH, THOMAS, DeWEESE, RICHARDSON, JOSEPHS, BELARDI, CURRY, MELIO, MIHALICH, STEELMAN, TRELLO, MANDERINO, STURLA, STABACK, MUNDY, PISTELLA, HALUSKA, YOUNGBLOOD and MICHLOVIC

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for health insurance reforms and protections to consumers by limiting reasons of cancellation of insurance, coverage for dependent children, contestability, continuation of coverage of consumers in instances of total disability, replacement of group coverage by another insurer in continuity of coverage of the consumer who change groups, notification of change in coverage, requirement of ten-day free look of insurance, requirements for reinsurance and administrative services, electronic submission of claims and limit on premium increases for small groups.

Referred to Committee on INSURANCE, June 6, 1995.

## MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT-201

Adolph	Egolf	Lucyk	Saylor
Allen	Evans	Lynch	Schroder
Argall	Fairchild	Maitland	Schuler
Armstrong	Fajt	Manderino	Scrimanti
Baker	Fargo	Markosek	Semmel
Bard	Farmer	Marsico	Serafini
Barley	Feese	Masland	Shaner
Battisto	Fichter	Mayernik	Sheehan
Bebko-Jones	Fleagle	McCall	Smith, B.
Belardi	Flick	McGeehan	Smith, S. H.
Belfanti	Gamble	McGill	Snyder, D. W.
Birmelin	Gannon	Melio	Staback
Bishop	Geist	Merry	Stairs
Blaum	George	Michlovic	Steelman
Boscola	Gigliotti	Micozzie	Steil
Boyes	Gladeck	Miller	Stern
Brown	Godshall	Mundy	Stetler
Browne	Gordner	Nailor	Stish
Bunt	Gruitza	Nickol	Strittmatter
Butkovitz	Gruppo	Nyce	Sturla
Buxton	Habay	O'Brien	Surra
Caltagirone	Haluska	Olasz	Tangretti
Cappabianca	Hanna	Oliver	Taylor, E. Z.
Carn	Harhart	Perzel	Taylor, J.
Carone	Hasay	Pesci	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
Colafella	Jadlowiec	Platts	Van Horne
Colaizzo	James	Preston	Vcon
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
DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker
Durham	Lloyd	Sather	

ADDITIONS-0

NOT VOTING-0

EXCUSED-2

Major	Mihalich
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PENNSYLVANIA HONEY QUEEN PRESENTED

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Barley, for the purpose of making a presentation.

Mr. BARLEY. Thank you, Mr. Speaker.

It is my pleasure today to introduce the 1995 Pennsylvania Honey Queen, Miss Jona Hoover.

Jona is a resident of Lancaster County, and she is the daughter of Scott and Sandra Hoover. I would like to introduce her parents, if they would stand.

Jona is a 1994 graduate of Penn Manor High School in Lancaster County where she was active in student council and also the National Honor Society.

She is also involved in various fraternal organizations, including the Masonic Youth, the Order of the Eastern Star, and the Order of the Amaranth.

During the course of the year, Jona will be traveling across the State promoting beekeeping and the honey industry at many of the agricultural events and other events where it is appropriate to promote the honey industry.

In January of 1996 she will travel to Oregon to compete for the title of American Honey Queen, and I am sure she will do very well representing Pennsylvania in that competition.

Jona, on behalf of the Pennsylvania House of Representatives, I want to congratulate you on achieving the title of Pennsylvania Honey Queen for 1995, and I wish you the very best during the coming year.

I also would bring to the attention of the members there is a delicious honey recipe pamphlet on your desks and there is a honey stick. You can use it to sweeten your tea or coffee or any other way you would like to use it, but anyhow, enjoy the honey.

On behalf of the beekeepers and the honey industry of Pennsylvania, we are pleased to be able to recognize Jona here today. Congratulations.

Miss HOOVER. Thank you very much.

GUESTS INTRODUCED

The SPEAKER. I have a great deal of pleasure to make the following introduction.

Today, as the guests of Representatives Allen, Lucyk, and Argall, is a group from Schuylkill County, the Philanthropic Club, and the names of the members who are here: Peggy Jaeger, Mary Jo Crosswell, Ruth Hobbs, Mary Joan Kevlin, Ruth and Charles Ling, Kay and Ryland Lord, Ann Malarkey, Dolores and Joe McKenna, Kathryn Reese, Edna Mae Reilly, Dotty and John Schumacher, Nancy and Bob Stoner, and two very special people.

I am pleased to reintroduce to the members of this House one of its most distinguished former members, the Honorable William Hutchinson, a former member of this House, former member of the Pennsylvania Supreme Court, presently a member of the United States Circuit Court of Appeals for the Third Circuit, here today with the group I just mentioned and his wife, Louise. Would former Representative Hutchinson, when he had a real title, now Judge Hutchinson, please rise.

The members of the Philanthropic Club, if they would rise. They are in the back of the House, and it is nice to see the group from Schuylkill here with us. It is especially nice to see the friendly face of Bill and Louise Hutchinson.

**LESLIE ODOM PRESENTED**

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

Prior to turning the microphone over to the gentleman, Mr. Evans, I would personally like to welcome to the floor his guest, who I think thrilled every member of this House who paid attention to him, Mr. Leslie Odom. Here is a young man who is going to make us proud in the years to come.

Mr. Evans, I am not trying to steal your thunder. I am simply trying to get part of it to spread beyond your umbrella.

Mr. EVANS. Thank you, Mr. Speaker.

The gentleman who I am going to introduce is no stranger to this House. He spoke about 2 years ago. He was in the sixth grade at that time.

I just said to the Speaker that we have brought to you today a number of Leslie Odoms. In the back of the House the people who are with us are the winners of the Sixteenth Annual African American History Month Oratorical Competition. Could they please stand so you can meet the winners and their parents.

The young people you have met in the back of the room are from elementary school, middle school, and high school, and they are all fantastic winners. Unfortunately, we cannot have them all speak, but this person will represent them all. It is someone you heard 2 years ago in the sixth grade; he is now in the eighth grade. He is on his way to the ninth grade, and his father is here also.

I would like to introduce you to Leslie Odom. Leslie.

Mr. ODOM. Black Men United. Since the beginning of mankind, black men have always worked as a unit, as one, to change and improve their condition. Black men first united in the great civilizations of Africa to provide our ancestors with the first numerical systems and advanced studies of science, architecture, and medicine. Black men later united during the era of African captivity in America. Nat Turner, Denmark Vesey, and Gabriel Prosser conspired with their fellow captives in a revolt against slavery. I call upon you now, today, to recall our heritage and the legacy of our forefathers—

Mr. THOMAS. Point of order, Mr. Speaker.

Mr. ODOM. —who individually and collectively sought to improve—

The SPEAKER. Will the gentleman yield.

For what purpose does the gentleman, Mr. Thomas, rise?

Mr. THOMAS. Can we kind of hold it down so we can at least hear the young man. There is too much noise.

Mr. ODOM. —to improve the conditions of our people.

I am prompted by the strong male influence in my own family to examine the need for black men uniting to bring about change. Why? Because today, as we stand on the brink of a new millennium, this will be critical to our survival in the 21st century. Contrary to a historical past of positive male images, today we are plagued by pervasive, negative stereotypes in our society — “A black man did it.” However, before we can begin to reprogram others, we must first reprogram ourselves. We, as young black males, are conditioned on a daily basis to believe that our futures lie in self-destruction when we are simply diamonds in the rough.

These same menaces to society — the drug dealer and the gang banger — are the overlooked and uncut diamonds, the accountants and the political leaders of tomorrow. Young black males by nature work with the tools and materials they have around them. Instead of giving them drugs and guns, let us give them books and computers. Instead of filling their brain with negative images of

themselves and violence, let us fill their brain with knowledge and foresight.

Who is us? We are the keepers of the dream. We are the black men united. We are the fathers, the grandfathers, and the brothers providing guidance and encouragement. We are the frat brothers promoting our uplifting through education. We are the pastors and the deacons promoting our spiritual development. We are the concerned black men incorporated, fostering cultural awareness and higher learning. Simply stated, we are anyone and everyone who has something to contribute to the collective enlightenment of all black men united.

(“U Will Know” was sung by Leslie Odom.)

You will know what it takes to be black men united. Thank you.

**GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the floor of the House today, as the guests of the gentleman, Mr. Tulli, John Payne of Hershey, a township supervisor; Sean Collins, a district office summer intern for the gentleman, Mr. Tulli. Will the guests please rise.

Here today as the guests of Bill Adolph, and I would like to include myself in that, the Chair welcomes Mr. Barry Dozor, a Marple Township commissioner, seated to the left of the Speaker. The gentleman, Mr. Dozor, welcome to Harrisburg.

Here today as the guests of the delegation from Beaver County, seated to the left of the Speaker, Frank Zupcic — I may have misstated that one — Dave Smith, and Fred Fiumara, and whoever wrote this is going to have to take penmanship letters.

Who from Beaver County wrote this? Mr. Colafella, would you come to the rostrum and read these names for me? Now.

I did a good job, he said. All right.

Here today as guests of the gentleman from York, Mr. Waugh, are Paul Ebaugh, a senior from Towson State University, and Melissa Roe, a senior at Lafayette College. These are interns of the gentleman, Mr. Waugh. Would these folks please stand. Here to the left of the Speaker.

And guest pages of the gentleman, Mr. Marsico, from Lower Dauphin High School, Jessica Deary, Mark Deary, and Mya Seibert. Would these guest pages please rise.

**BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 255, PN 237**

By Rep. MERRY

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, providing exemptions for concert music halls.

**LOCAL GOVERNMENT.**

**HB 657, PN 2026 (Amended)** By Rep. MERRY

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for the location of certain public offices and public records.

LOCAL GOVERNMENT.

**HB 1064, PN 1186** By Rep. MERRY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the seats of courts of common pleas.

LOCAL GOVERNMENT.

**HB 1065, PN 1187** By Rep. MERRY

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for the offices and records of certain county officials.

LOCAL GOVERNMENT.

**HB 1276, PN 1462** By Rep. MERRY

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for decrease of number of ward council members.

LOCAL GOVERNMENT.

**HB 1431, PN 2025 (Amended)** By Rep. SERAFINI

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, allowing distributors of malt or brewed beverages to sell on credit.

LIQUOR CONTROL.

**CALENDAR**

**BILLS ON THIRD CONSIDERATION**

**BILL PASSED OVER**

The SPEAKER. The Chair turns to page 1 of today's calendar. HB 1509 is over.

\* \* \*

The House proceeded to third consideration of **HB 1639, PN 1940**, entitled:

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.

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

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

The question is, shall the bill pass finally?

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

**YEAS-201**

Adolph	Egolf	Lucyk	Saylor
Ailen	Evans	Lynch	Schroder
Argall	Fairchild	Maitland	Schuler
Armstrong	Fajt	Manderino	Scriminti
Baker	Fargo	Markosek	Semmel
Bard	Farmer	Marsico	Serafini
Barley	Feese	Masland	Shaner
Battisto	Fichter	Mayernik	Sheehan
Bebko-Jones	Fleagle	McCall	Smith, B.
Belardi	Flick	McGeehan	Smith, S. H.
Belfanti	Gamble	McGill	Snyder, D. W.
Birmelin	Gannon	Melio	Staback
Bishop	Geist	Merry	Stairs
Blaum	George	Michlovic	Steelman
Boscola	Gigliotti	Micozzie	Steil
Boyes	Gladeck	Miller	Stern
Brown	Godshall	Mundy	Stetler
Browne	Gordner	Nailor	Stish
Bunt	Gruitza	Nickol	Strittmatter
Butkovitz	Gruppo	Nyce	Sturla
Buxton	Habay	O'Brien	Surra
Caltagirone	Haluska	Olasz	Tangretti
Cappabianca	Hanna	Oliver	Taylor, E. Z.
Carn	Harhart	Perzel	Taylor, J.
Carone	Hasay	Pesci	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
Colafrilla	Jadlowiec	Platts	Van Horne
Colaizzo	James	Preston	Veon
Comi	Jarolin	Ramos	Vitali
Cornell	Josephs	Raymond	Walko
Corpora	Kaiser	Readshaw	Washington
Corrigan	Keller	Reber	Waugh
Cowell	Kennedy	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	Rudley	Zug
DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker
Durham	Lloyd	Sather	

**NAYS-0**

**NOT VOTING-0**

**EXCUSED-2**

Major Mihalich

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

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

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**BILLS PASSED OVER TEMPORARILY**

The SPEAKER. On page 2 of today's calendar, the first two bills on that page are over temporarily.

\* \* \*

The House proceeded to third consideration of **SB 933, PN 989**, entitled:

An Act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1995-1996.

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

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

The question is, shall the bill pass finally?

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

**YEAS-201**

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Major Mihalic

The two-thirds majority required by Act 32 of 1985 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 1238, PN 1398**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, revising provisions relating to annuitants of the Public School Employees' Retirement System or the State Employees' Retirement System who return to school service or State service; and making a repeal.

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

The SPEAKER. The gentleman, Mr. Coy, it is the understanding of the Chair that you have withdrawn your amendments to HB 1238. Is that accurate?

Mr. COY. Mr. Speaker, if I may make a brief remark.

The SPEAKER. The gentleman is in order.

Mr. COY. Thank you, Mr. Speaker.

I spoke with the gentleman, Mr. Clymer, the chairman of the Committee on State Government, had a conversation with him about this matter, and he indicated to me that he would be willing to have his committee consider these measures at some time later in this session. Many of us who feel that they are worthwhile and should be considered by the legislature appreciate the chairman's willingness to consider them at a later date, and with that commitment, I would withdraw the amendments at this time.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Cohen, has he withdrawn his amendments to HB 1238? Thank you.

The gentleman, Mr. Nickol? Thank you.  
 The gentleman, Mr. Veon?  
 Mr. DeWEESE. Mr. Speaker, the gentleman, Mr. Veon, withdraws his amendments also.  
 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-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Major Mihalich

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

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

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The House proceeded to third consideration of **HB 1526, PN 1792**, entitled:

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.

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

Mr. **TRICH** offered the following amendment No. **A2791**:

Amend Title, page 1, line 9, by removing the period after "eligibility" and inserting  
 ; and making a repeal.

Amend Sec. 2 (Sec. 303), page 3, line 6, by inserting after "plan."  
Once a claimant has been determined to be eligible to participate in the program, that claimant shall not thereafter be determined to be ineligible solely on the basis of increases in the amount of benefits received under the Social Security Act (49 Stat. 620, 42 U.S.C. § 301 et seq.).

Amend Bill, page 3, by inserting between lines 8 and 9  
 Section 3. Section 360 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, is repealed.

Amend Sec. 3, page 3, line 9, by striking out "3." and inserting  
 4. (a)

Amend Sec. 3, page 3, by inserting between lines 11 and 12  
 (b) The amendment of section 303(a) of the act shall be retroactive to September 1, 1991.

Amend Sec. 4, page 3, line 12, by striking out "4" and inserting  
 5

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

AMENDMENT WITHDRAWN

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

Mr. TRICH. Thank you, Mr. Speaker.

Many of us on both sides of the aisle have been trying to deal with the dilemma that we have all faced with our seniors where they used to be eligible for PACE (Pharmaceutical Assistance Contract for the Elderly) but because of a Social Security increase have been knocked off of the eligibility rolls.

HB 1526, a bill that I am glad to cosponsor, goes a great way in trying to correct that problem. Other amendments that have been

agreed to will go even further to correct that problem. Because of that, my particular amendment will be withdrawn at this time, and I would urge my colleagues to support the bill and the amendments that will follow. Thank you, Mr. Speaker.

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

Mr. ROONEY offered the following amendment No. A2792:

Amend Sec. 1 (Sec. 302), page 2, line 6, by inserting brackets before and after "paragraph (2)" and inserting immediately thereafter paragraphs (2) and (3)

Amend Sec. 1 (Sec. 302), page 2, by inserting between lines 22 and 23

(3) For calendar years beginning and after January 1, 1996, the maximum annual income amounts described in paragraph (1) shall be adjusted upward by the same percentage increase in the Consumer Price Index (CPI). The amount calculated for any calendar year shall be based on the percentage increase in the CPI experiment during the immediately preceding Federal fiscal year ending August 31. The amount so calculated shall be published as a notice in the Pennsylvania Bulletin prior to the first day of January next succeeding; and shall apply to the calendar year beginning on that date. This calculation and the publication of the notice shall be performed by the department.

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

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

Mr. ROONEY. Thank you, Mr. Speaker.

The fundamental purpose or intent behind my amendment is to address the issue that Representative Trich just spoke of, and that is, each year somewhere between 15,000 and 17,000 older Pennsylvanians who are currently enrolled in the PACE program are no longer eligible based upon nominal increases in their Social Security. This bill would add a cost-of-living adjustment and therefore allow the 15,000 to 17,000 older Pennsylvanians to remain in the program.

It is my understanding this is an agreed-to amendment, and I would ask for your support.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Boyes.

Mr. BOYES. Thank you, Mr. Speaker.

On the amendment that is before us, 2792, it is an agreed-to amendment, and I would urge an affirmative vote on the amendment.

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

The following roll call was recorded:

YEAS-201

Adolph	Egolf	Lucyk	Saylor
Allen	Evans	Lynch	Schroder
Argall	Fairchild	Maitland	Schuler
Armstrong	Fajt	Manderino	Scriminto
Baker	Fargo	Markosek	Semmel
Bard	Farmer	Marsico	Serafini

Barley	Feese	Masland	Shaner
Battisto	Fichter	Mayernik	Sheehan
Bebko-Jones	Fleagle	McCall	Smith, B.
Belardi	Flick	McGeehan	Smith, S. H.
Belfanti	Gamble	McGill	Snyder, D. W.
Birmelin	Gannon	Melio	Staback
Bishop	Geist	Merry	Stairs
Blaum	George	Michiovic	Steelman
Boscola	Gigliotti	Micozzie	Steil
Boyes	Gladeck	Miller	Stern
Brown	Godshall	Mundy	Stetler
Browne	Gordner	Nailor	Stish
Bunt	Gruitza	Nickol	Strittmatter
Butkovitz	Gruppo	Nyce	Sturla
Buxton	Habay	O'Brien	Surra
Caltagirone	Haluska	Olasz	Tangretti
Cappabianca	Hanna	Oliver	Taylor, E. Z.
Carn	Harhart	Perzel	Taylor, J.
Carone	Hasay	Pesci	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
Colafella	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
DiGirolando	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdanskyy	Santoni	Speaker
Durham	Lloyd	Sather	

NAYS-0

NOT VOTING-0

EXCUSED-2

Major Mihalich

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

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

Mr. STURLA offered the following amendment No. A2798:

Amend Sec. 1, page 1, line 12, by striking out "definition of" and inserting

definitions of "income" and

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



Amend Sec. 1 (Sec. 302), page 2, by inserting between lines 3 and 4

"Income." All income from whatever source derived, including, but not limited to, salaries, wages, bonuses, commissions, income from self-employment, alimony, support money, cash public assistance and relief, the gross amount of any pensions or annuities, including railroad retirement benefits, all benefits received under the Federal Social Security Act (except Medicare benefits), all benefits received under State unemployment insurance laws and veterans' disability payments, all interest received from the Federal Government or any state government, or any instrumentality or political subdivision thereof, realized capital gains, rentals, workmen's compensation and the gross amount of loss of time insurance benefits, life insurance benefits and proceeds, except the first \$5,000 of the total of death benefits payments, and gifts of cash or property, other than transfers by gift between members of a household, in excess of a total value of \$300, but shall not include surplus food or other relief in kind supplied by a government agency or property tax rebate. All costs of prescription drugs, including copayments, shall be deducted from income pursuant to the system established under section 303(a.1).

Amend Sec. 2, page 2, line 24, by inserting after "amended"

and the section is amended by adding a subsection

Amend Sec. 2 (Sec. 303), page 3, by inserting between lines 7 and 8

(a.1) System to determine eligibility.—The department shall establish a system to provide for the eligibility of individuals whose income exceeds the maximum annual income but whose prescription drug expenses, when deducted from the individual's income, would reduce a claimant's income to the maximum annual amount.

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

definitions of "income" and

On the question,

Will the House agree to the amendment?

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

Mr. STURLA. Mr. Speaker, would the prime sponsor of the bill rise for a brief interrogation, because I am trying to determine whether or not to withdraw this amendment.

The SPEAKER. The gentleman, Mr. Butkovitz, indicates he will stand for interrogation. The gentleman, Mr. Sturla, may begin.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the way the bill is currently written, if someone is on the PACE program, qualifies for the PACE program, but because of cost-of-living increases or various other reasons they would be disqualified, under your proposal they are allowed to take their prescription costs, their current prescription costs, and add that to the amount that is the qualifying level so it basically increases it. Is that correct?

Mr. BUTKOVITZ. That is correct.

For people who were on the PACE program in the preceding year, their eligibility threshold will be increased by the amount of the PACE paid-for prescription price of the preceding year.

Mr. STURLA. Okay. So if I made \$13,000 last year as a single individual and had \$3,000 in prescription costs, my eligibility level the next year would be \$16,000. Is that correct?

Mr. BUTKOVITZ. Provided that you were on PACE last year and they paid that bill; yes.

Mr. STURLA. Okay. So I was on PACE last year; now this year I can make \$15,999 and qualify for PACE. Is that correct?

Mr. BUTKOVITZ. Yes.

Mr. STURLA. Okay. What about the person who was not on PACE the year before who is making \$13,500 and has \$3,000 in prescription costs. Would they qualify for PACE?

Mr. BUTKOVITZ. The bill is designed to preserve as many current recipients as possible. The resources are not there to extend benefits to that class of beneficiary.

Mr. STURLA. Okay. Given that, I believe I will offer my amendment, because I think it is critical to fairness in the PACE system, and so I would like to proceed with offering that amendment at this point in time.

The SPEAKER. The Chair recognized the gentleman on his amendment.

Mr. STURLA. Thank you, Mr. Speaker.

What this amendment basically does is says that anybody who is over the current income level that is necessary to qualify for PACE but who spends an equivalent amount of money on pharmaceuticals to get their income down to the level to qualify for PACE would now qualify for PACE, and it says that the department shall set up a system to do this.

Now, the system that I would hope that they would set up would be one where, let us say the example I just used, the person who is making \$13,500 and has \$3,000 in prescription costs, who currently does not qualify for PACE. They would go in and apply for the program. They would be denied, but they would be put on a list, and since we do computer tracking of every pharmaceutical prescription that is done through the PACE program, those people would be tracked, and for their first \$500 of expenditures, they would pay out of their own pocket just like they currently do. After they have paid out their first \$500, they would then qualify for the PACE program, and the remaining \$2,500 of their prescription costs would be applied under the PACE program.

What this does is provide equity in this program. We constantly have this situation, and we have tried to remedy this— In the 5 years I have been here, we have tried to remedy this at least a half dozen times, and we have remedied it by bumping up the inequity. We went from \$11,000 or \$12,000 to \$13,000. So what we did was we said, gee, now there is a new level of inequity, and what we are doing with the bill today is saying if you used to qualify for PACE but next year you have a windfall and you make lots of money, as long as you are spending money on drugs, that is okay. So there is an incentive to actually spend a lot of money.

If I am on PACE now, I want to go out and spend as much as I can on drugs, because next year my level gets driven up to \$16,000 or \$17,000 or \$18,000. The more I spend on drugs, the higher level I qualify for next year, the more I can make next year. And at the same time we are saying to somebody who is only \$100 or \$200 over the level right now who has that same prescription cost, sorry, you do not qualify; you cannot get reimbursed anything, not one red cent by the State, and I think that is wholly inequitable.

What my amendment does is put a level playing field on this. It says to people who are above the PACE level, you spend your own dollars until you spend down to the level that you would qualify for PACE, and then we will kick in for you. I think it is a much more equitable system, and I think it is time we do it in Pennsylvania. Thank you.

I urge your vote "yes."

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-191

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

NAYS-10

Clymer	Godshall	Richardson	Ryan,
Druce	Lawless	Sather	Speaker
Geist	Maitland	Steil	

NOT VOTING-0

EXCUSED-2

Major	Mihalich
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The majority having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS-201

Adolph	Egolf	Lucyk	Saylor
Allen	Evans	Lynch	Schroder
Argall	Fairchild	Maitland	Schuler
Armstrong	Fajt	Manderino	Scrimenti
Baker	Fargo	Markosek	Semmel
Bard	Farmer	Marsico	Serafini
Barley	Feese	Masland	Shaner
Battisto	Fichter	Mayernik	Sheehan
Bebko-Jones	Fleagle	McCall	Smith, B.
Belardi	Flick	McGeehan	Smith, S. H.
Belfanti	Gamble	McGill	Snyder, D. W.
Birmelin	Gannon	Melio	Staback
Bishop	Geist	Merry	Stairs
Blaum	George	Michlovic	Steelman
Boscota	Gigliotti	Micozzie	Steil
Boyes	Gladeck	Miller	Stern
Brown	Godshall	Mundy	Stetler
Browne	Gordner	Nailor	Stish
Bunt	Gruitza	Nickol	Strittmatter
Butkovitz	Gruppo	Nyce	Sturla
Buxton	Habay	O'Brien	Surra
Caltagirone	Haluska	Olasz	Tangretti
Cappabianca	Hanna	Oliver	Taylor, E. Z.
Carn	Harhart	Perzel	Taylor, J.
Carone	Hasay	Pesci	Thomas
Cawley	Hennessey	Petrarca	Tigue
Chadwick	Herman	Petrone	Travaglio
Civera	Hershey	Pettit	Trello
Clark	Hess	Phillips	Trich
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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	Rubley	Zug
DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker
Durham	Lloyd	Sather	

NAYS-0

NOT VOTING-0

## EXCUSED-2

Major                   Mihalich

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 1297, PN 1979**, entitled:

An Act authorizing a video programming municipal tax.

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

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

The Chair recognizes the gentleman from Bucks, Mr. Corrigan.  
Mr. CORRIGAN. Thank you, Mr. Speaker.

Mr. Speaker, HB 1297 establishes the Video Programming Municipal Tax Authorization Act, and what that does—

The SPEAKER. The gentleman will yield.  
There is entirely too much conversation on the floor.  
The gentleman, Mr. Corrigan.  
Mr. CORRIGAN. Thank you, Mr. Speaker.

What the bill does is provide for local municipalities in that currently, local cable companies pay a franchise fee to local governments across Pennsylvania. This bill provides a tax for, in this case, the Bell companies who are entering the cable TV market.

The purpose of the bill, as I said, is to hold local municipalities harmless if not provide additional revenue for them. I would ask the members of the House to vote favorably for this bill, Mr. Speaker.

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

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the maker of the bill.

The SPEAKER. The gentleman, Mr. Corrigan, indicates he will stand for interrogation. The gentleman, Mr. Williams, may proceed.

Mr. WILLIAMS. Mr. Speaker, I am not quite clear on exactly what I heard, and I did hear the word "tax," and so before I vote on any taxes, I want to be clear about what I am voting for with relationship to that and who is going to pay the taxes. So if the gentleman could kindly explain to us what he means by taxes and who is going to pay the taxes and the magnitude of those taxes, I would appreciate that.

Mr. CORRIGAN. What it is, Mr. Speaker, what the bill does is extend to new people getting into the video programming business the ability for local municipalities to remain whole. For instance, if a consumer in your district now has cable and he

decides that he wants to switch to the Bell system, there is no mechanism for the municipality to collect the franchise tax. What this bill does is permits the municipality to tax the Bell system at the same rate as they are taxing the cable companies.

Mr. WILLIAMS. Who pays the tax? Who pays the increase? Is it the municipality or the person who pays the cable bill?

Mr. CORRIGAN. What happens in the industry, Mr. Speaker, is that the cable companies and Bell systems and everyone else pass that tax on to the consumer. That is how it is done presently.

Mr. WILLIAMS. All right. So that means Bell Telephone, are we speaking of Bell Telephone specifically or generally or—

Mr. CORRIGAN. Well, in this case they are the subject of this bill, yes.

Mr. WILLIAMS. So Bell Telephone in terms of this would now be allowed to do something they are not currently able to do.

Mr. CORRIGAN. No; that is not correct.

What the situation is in Pennsylvania today, as a result of FCC (Federal Communications Commission) rulings, the Bell companies can now provide the service in Pennsylvania. They can come in and do it, but there is no provision for the governments, the local entities, to collect the tax.

In other words, if Bell comes in and sells the service now, they would be taking away from the municipal coffers. Bell is saying, you know, we want to make the playing field level, and we are willing to pay the tax, and this bill mandates that they do that.

Mr. WILLIAMS. So you are saying Bell Telephone is asking to pay a tax?

Mr. CORRIGAN. Yes; that is correct.

Mr. WILLIAMS. They are asking to put themselves in a position to pay a tax to pass along to the consumer though, right? I mean—

Mr. CORRIGAN. Well, they are willing— I think a better way of saying that is that the people that provide programming now pay a tax. Why would they get into that business and not be willing to pay the same tax? And yes, you are correct. Everyone passes the tax on to the consumer. That is the nature of the business.

Mr. WILLIAMS. So if Bell Telephone came in right now and offered that to my consumers — I am assuming Philadelphia County would be included in this — if Bell Telephone came in right now and offered that service, it would be cheaper than the competitor minus the tax.

Mr. CORRIGAN. That is correct.

Mr. WILLIAMS. So why would I not want to be able to offer to my constituents something minus the taxes? Why would I not want to be able to offer something to my constituents at a discounted cost?

Mr. CORRIGAN. I am not sure I understand your question.

Mr. WILLIAMS. If Bell Telephone can get into the market cheaper and my constituent will benefit by that, why would I care about the additional revenue?

Mr. CORRIGAN. Well, because the city of Philadelphia, if someone decides to switch, presently the city would lose money.

Mr. WILLIAMS. But I am from the city of Philadelphia, and to my knowledge—

The SPEAKER. The gentleman will yield.

Conferences on the floor, please break up.

The gentleman may proceed.

Mr. WILLIAMS. My understanding is that there is an advantage that Bell would have in terms of the marketplace. So then I am not trying to create an advantage for any particular entity, but I also understand that Bell would not carry any kind of

liability with regard to it either. They would not be paying for the toll at the door; the consumer would be paying for it. So my greatest concern is for the consumer, not, frankly, for Bell or anybody else in the process.

I recognize that they may be able to get into the field at some level of advantage, but I do not see that as something that I am particularly concerned about. But maybe I am missing something, so that is why I am asking the question.

I understand that it is a new tax, it is an additional cost to the consumer, and it is a pass-along kind of revenue-increasing stream. You said that in Philadelphia County those would be revenues that we lost if somebody switched over. I am appreciative of that, but I have not received anything from my municipality crying out for this tax. I have not received from my mayor, for instance, any written documentation saying support it or oppose it. So I am inclined to be reluctant to vote for a tax. I am just trying to figure out what I am missing other than what has been presented to me.

Mr. CORRIGAN. I think, Mr. Speaker, what we are talking about is instead of a new tax, it is a duplication. In other words, what this bill is intended to do and the way the bill came about was the cable industry in Pennsylvania has franchise areas, and there have been problems in some parts of the State with franchise areas and the public not being able to deal with the cable companies. That is how this bill came about.

The idea and my hope is that these two giants, the Bell companies and the cable industry, will bang heads, so to speak, in order to get your business, and in order to provide a better service, they are going to compete with one another for your programming dollars.

My understanding of it is that as a result of this bill and as a result of the competition that will come about, there will be more programming and there will be more dollars generated for the local coffers. I think for that reason the people in your district and mine as well will definitely benefit, because the quality of the programming will be much better. I would like to be able to tell you that the price will come down, but I cannot. But I think the competition will be healthy for the consumers in Pennsylvania.

Each and every person that has a TV set will now have an opportunity to choose, and this bill gives them the opportunity to choose, but it also holds harmless the local municipality. I am not going to propose a bill that is not going to be revenue neutral at least for those communities in Pennsylvania who collect the franchise tax.

Mr. WILLIAMS. Mr. Speaker, that ends my period of interrogation. I would like to close with comments.

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

Mr. WILLIAMS. Thank you, Mr. Speaker.

I understand that the municipality is held harmless, I understand that the entity involved is held harmless, but I am also clear that the consumer is not held harmless, and there is a new tax that we are being confronted with. And in this time of regulatory scrutiny in terms of revenue scrutiny, in terms of responsibility in the legislative body, we need to be clear that we are voting for a tax, and our consumers will in fact bear the brunt of this responsibility.

I have heard that, you know, there is increased programming, there is competition and the like, and I respect that, but the bottom line is, I think that increased competition, I think that increased programming can be gained by increased efficiencies within the marketplace without passing that cost along to the consumer.

Again, I have not heard from, you know, my mayor or the administration that this is something that we need to be supportive of, that we need to increase our taxes, or that we are going to lose revenues in a dramatic way. If I did hear that, then I probably would be inclined to support it. But at this point in time I am not quite clear, other than the consumer is going to pay for this tax, that it is something that I think all of us should be reluctant to, because I am not sure that they are going to be that much happier to hear that we passed this along today during these very strenuous and strained times financially. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of the gentleman, Mr. Cornell, from Montgomery County, the fourth grade class from the Pennypack Elementary School in Hatboro. Would the class please rise. Welcome to Harrisburg. They are in the balcony.

### CONSIDERATION OF HB 1297 CONTINUED

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

Mr. RAYMOND. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to comment on a few of the items that were pointed out by the previous speaker.

Number one, it is not a new tax. This is just an extension of the existing franchise tax to video programming to keep the level playing field for programming services offered. What this bill does do is provide for competition in the cable and video programming industry, and that in and of itself should provide for some lowered costs, we would think, as the competition happens.

If we do not do this bill and institute this video programming tax on the video programming, all our municipalities will lose revenue and it will be an unlevel playing field. All the municipality groups up here — the Boroughs Association, the Township Commissioners — all those groups are aware of this bill, they support this bill, because they know that it will keep them whole. If we do not enact this bill, what it will do is force a tax increase on all those municipalities to make up for the lost revenue.

This is nothing different than a sales tax that we have on items when you sell items. It is the same thing. You are taxing cable; it should tax video programming. It is one and the same, and I urge a "yes" vote on the bill. Thank you.

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the author of the bill?

The SPEAKER. The gentleman, Mr. Corrigan, indicates that he will stand for interrogation. You may proceed.

Mr. THOMAS. Mr. Speaker, who will ultimately benefit from this legislation?

Mr. CORRIGAN. The immediate beneficiaries are local municipalities — that is, the city of Philadelphia where you live and Bristol Borough where I live — in that someone desiring to switch from cable to another system will be paying into those local coffers at the rate of anywhere between 3 and 5 percent of their bill.

Mr. THOMAS. Mr. Speaker, is it true that Bell Atlantic will be the greatest recipient of revenues arising out of this bill?

Mr. CORRIGAN. I cannot say that. I can say that the bill is designed to create competition in the industry. The giants, the Sammons company and those other giant cable companies, will now be competing with the Bell systems. Whether or not— Or let me put it this way. Which side will be more successful, I am not sure. My understanding is the result will be better programming, and you and I will have the benefit of these two massive conglomerates banging heads.

I cannot answer that.

Mr. THOMAS. And the conglomerates that you are referring to would be the cable companies versus Bell Atlantic?

Mr. CORRIGAN. Well, you have to also throw in the consumer. You know, the bill is a consumer-oriented bill. In other words, with franchise areas and no competition in franchise areas, the consumer was taking it on the chin. That is how I got into this.

Mr. THOMAS. Okay. So, Mr. Speaker, in essence, Bell Atlantic is extremely interested in the passage of this bill because it will allow them to compete with these other companies. Is that correct?

Mr. CORRIGAN. No, that is not correct either.

Bell Atlantic can now compete with those other companies, only right now they do not have to pay the tax. This bill provides that they pay the tax and make the communities whole.

The FCC has given the Bell companies permission to come into Pennsylvania and sell their product, and they can do that today, only they do not have to pay the tax.

#### MOTION TO TABLE

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I have concluded my interrogation or my inquiry, because it was not really an interrogation, and I would like to make some comments for the record.

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

Mr. THOMAS. Mr. Speaker, I have the utmost respect for the author of this bill, and I know that his intentions are well founded, and I have always supported initiatives that he has advanced, because 9 times out of 10 those initiatives involve good public policy. In this particular instance, though, I would like to move that this bill be laid on the table temporarily, and the reason I would like for the bill to be laid on the table is because I think that this body, the House of Representatives, needs to get an understanding with Bell Atlantic—

The SPEAKER. The gentleman will yield.

Having made the motion, it is no longer debatable.

Mr. THOMAS. Can I withdraw the motion?

The SPEAKER. I thought you were smart enough to do that.

#### MOTION WITHDRAWN

Mr. THOMAS. I withdraw the motion temporarily.

The SPEAKER. Go ahead.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I think that this body needs to get an understanding with Bell Atlantic prior to providing Bell with any additional opportunities. I mean, here is why there needs to be an understanding.

I have introduced a resolution, and I am asking that we hold up on passage of HB 1297 until the resolution is addressed. The resolution in effect directs the Business and Commerce Committee

of this House to investigate the circumstances around Act 67 of 1993.

Many of you remember when Bell Atlantic came to this body and asked for approval to lay fiber-optic cable throughout Pennsylvania, and Bell made certain commitments at that time. One commitment that Bell made was that they would wire rural Pennsylvania, that rural Pennsylvania would benefit from this fiber installation.

They also—

The SPEAKER. The gentleman will yield.

The gentleman is off on a Bell Atlantic discourse and not on the bill. Now, come on, be fair about it. I have tried to give you leeway, but you are beginning to abuse it, and you just cannot do that.

Mr. THOMAS. Well, let me limit it, Mr. Speaker. Thank you.

#### MOTION TO TABLE

Mr. THOMAS. Mr. Speaker, I would like to move that HB 1297 be laid over until questions surrounding Act 67 are resolved.

So I am making a motion to table HB 1297 until questions around Act 67 of 1993 have been resolved.

The SPEAKER. A motion to table is fine. A motion to table until certain questions are answered is a little vague.

Mr. THOMAS. That was for the record, Mr. Speaker. The motion is to table HB 1297. Thank you.

The SPEAKER. Thank you, sir.

The question before the House is the motion of the gentleman, Mr. Thomas, to lay on the table HB 1297.

On the question,

Will the House agree to the motion?

The SPEAKER. This is not debatable except by the two floor leaders.

The gentleman, Mr. Perzel, has yielded to the gentleman, Mr. Boyes, his time to debate. The gentleman, Mr. Boyes, is recognized.

Mr. BOYES. Thank you, Mr. Speaker.

Mr. Speaker, before us, HB 1297 has been through a long process. It has been before the House, and everyone has been invited in to participate in that process.

I commend the prime sponsors of the bill, Representative Corrigan and Representative Raymond, for their efforts in making sure that every party was heard in every consideration. Amendments were accepted to the bill, and from all indications that we had received, all those parties were satisfied with the process.

Thus, in due respect to the gentleman, Mr. Thomas, I oppose the motion to table and would urge that we take the bill up for immediate consideration. Thank you.

The SPEAKER. On the question—

Mr. DeWESE. Mr. Speaker, I would like to yield to the gentleman from Bucks, Mr. Corrigan.

The SPEAKER. The Chair recognizes the gentleman from Bucks.

Mr. CORRIGAN. Thank you, Mr. Speaker.

Mr. Speaker, I would also like to oppose the motion to table.

I think the gentleman has some legitimate gripes, but his concerns have nothing to do with HB 1297. I think those concerns

should be taken up at a different time and not interfere with a bill that has been in the works for 3 or 4 months, has received an awful lot of attention—

The SPEAKER. Will the gentleman yield.

MOTION WITHDRAWN

Mr. THOMAS. Point of order, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman rise?

Mr. THOMAS. I withdraw my motion.

The SPEAKER. The Chair thanks the gentleman.

The motion is withdrawn.

On the question recurring,

Shall the bill pass finally?

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

YEAS—191

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

NAYS—10

Birmelin	James	Steil	Thomas
Druce	Richardson	Stish	Williams
Hasay	Serafini		

NOT VOTING—0

EXCUSED—2

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

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

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House Brent Hege, here as the guest intern for Representative Egolf. Would Brent please rise.

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

On HB 1526, the Sturla amendment 2798, I voted in the negative, and I would like to be recorded in the affirmative.

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

Any further corrections? Any announcements of committee meetings?

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Sather.

Mr. SATHER. Mr. Speaker, I would like to submit for the record comments on SB 933's passage for the record.

The SPEAKER. The remarks will be submitted. The Chair thanks the gentleman.

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

I rise to ask your support for SB 933. This bill contains the same language as HB 1440, which we together as a legislative body passed unanimously on May 22.

These funds will be used to construct a manufacturing facility in Hungtingdon County by Berg Electronics, Inc., which will create 500 new jobs within 3 years of operation.

In addition to the Berg Electronics project, the bill includes a \$2-million appropriation for a loan to Bush Industries, Inc., to construct a new distribution and manufacturing facility in Erie, creating 300 jobs within 3 years.

A rigid construction schedule applies to snow belt sites. Southern States such as North Carolina, South Carolina, and others have a longer construction season. Timing is critical to these projects because the facilities must be up and operational by October 1996 to meet production contract commitments.

Berg Electronics has committed a \$25-million capital investment in Pennsylvania. This corporation currently has Pennsylvania plants in Hazleton, Clearfield, Eters, and Emigsville. They are the second largest manufacturer of electrical connectors in the world.

Huntingdon County, at 10.1 percent, currently has the second highest unemployment rate in the State. There is a great deal of concern for the people of the area and the local economy. The addition of Berg Electronics would surely be a step in the right direction.

Pennsylvania, specifically Huntingdon County, was one of many sites Berg looked at for its new facility. Berg chose a site in Pennsylvania because they believe Pennsylvania is pro-employer, pro-worker, and pro-growth — factors which will enable Berg to prosper, thus providing jobs.

The continuing strong work ethic and good citizenry of Huntingdon County residents had a definite impact on the decision of this corporation to locate in this area of Pennsylvania.

The people of Huntingdon County and the south-central region are not asking for a government handout but a hand-up. They are seeking help to create badly needed jobs and community improvement. The cooperation of local government officials to assist Berg in their startup year is a great example of how, with combined efforts, economic development works.

As previously proven by this body, this is not a political, partisan issue. It is jobs that will provide many needy families with a better quality of living. It is new industry and jobs that will enhance and stimulate the existing business community.

For all these reasons, I once again ask your support for these Sunny Day funds, which will surely bring a ray of sunshine into the lives of many. Thank you.

### HEALTH AND HUMAN SERVICES COMMITTEE MEETING

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

Mr. CORNELL. Thank you, Mr. Speaker.

I would like to announce an immediate meeting of the Health and Human Services Committee in room 39 of the East Wing upon the declaration of recess.

The SPEAKER. The Chair thanks the gentleman.

### RECESS

The SPEAKER. Any further announcements?

Does the majority leader have any further business? The gentleman, Mr. Itkin, any further business?

Hearing none, this House stands in recess until 2 p.m., unless sooner recalled by the Chair.

### AFTER RECESS

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

### 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  
June 5, 1995

RESOLVED, (the House of Representatives concurring), That when the Regular Session of the Senate adjourns this week it reconvene on Monday, June 12, 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 12, 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.

### BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 406, PN 426

By Rep. PICCOLA

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for additional duties of the Department of Corrections in relation to prison inmate medical needs.

JUDICIARY.

HB 1053, PN 1173

By Rep. PICCOLA

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, adding provisions relating to the operation and suspension of adult oriented establishments; and imposing penalties.

JUDICIARY.

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

SB 283, PN 1197 (Amended)

By Rep. PICCOLA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for exceptions to the interception and disclosure of communications by inmates of correctional institutions; and prohibiting the provision of butane to minors.

JUDICIARY.

### CALENDAR CONTINUED

#### RESOLUTIONS PURSUANT TO RULE 35

Mrs. RUDY called up HR 164, PN 2011, entitled:

A Resolution congratulating the Township of Armagh, Mifflin County, on its 225th Anniversary.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Major Mihalich

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

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Mrs. RUDY called up **HR 165, PN 2012**, entitled:

A Resolution congratulating the Borough of Bellefonte on its 200th Anniversary.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-198

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

NAYS-0



NOT VOTING-3

James Washington Williams

EXCUSED-2

Major Mihalich

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

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Mr. TIGUE called up **HR 166, PN 2022**, entitled:

A Resolution relating to maintaining the status quo at Tobyhanna Army Depot, Pennsylvania.

On the question,  
Will the House adopt the resolution?

The **SPEAKER**. On the question of the adoption of the resolution, the Chair recognizes the gentleman, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I, on the resolution, will certainly vote for the resolution, and I think all of us probably know that we have two major military installations in the Commonwealth which are on the list, Letterkenny in Franklin County and Tobyhanna in the northeast part of the State. While many of us vote for this resolution and support the efforts of the folks in the northeastern part of the State, I do not think that it should be construed that any of us are any less supportive of the depot in the south-central part of the State. Many of us feel strongly that both of these bases are important, and we are happy to support their mutual existence and continued existence after this decision.

So I am very happy to support the folks in the northeast in their effort and want everyone to know that it is a joint effort to keep both these bases, Tobyhanna and Letterkenny, alive and functioning in Pennsylvania. Thank you, Mr. Speaker.

The **SPEAKER**. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-3

Fajt Hanna Preston

EXCUSED-2

Major Mihalich

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

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. ARGALL called up **HR 168, PN 2039**, entitled:

A Resolution memorializing the Congress of the United States to oppose any changes in the railbanking provisions of the National Trails System Act.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Major Mihalich

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

GUEST INTRODUCED

The SPEAKER. The Chair at this time is pleased to welcome to the hall of the House, as the guest of the gentleman from York, Mr. Nickol, Mr. Jose Calix, who is seated to the left of the Speaker. Will the gentleman please rise.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 702, PN 1899**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, adding, revising and deleting provisions relating to townships of the second class.

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

Mr. **SNYDER** offered the following amendment No. **A3016**:

Amend Table of Contents, page 5, by inserting between lines 9 and 10

Section 1508.1. Operating Reserve Fund.

Amend Sec. 1 (Sec. 2502), page 291, line 26, by striking out "THE" and inserting

In the case of a sanitary sewer system constructed by the township pursuant to either section 2501 or 2516, the

Amend Sec. 1 (Sec. 2502), page 291, line 27, by striking out "TAP-IN CONNECTION" and inserting and charge to property owners that desire to or are required to connect to the township's sewer system a connection fee, a customer facilities fee, a tapping fee

Amend Sec. 1 (Sec. 2502), page 291, line 28, by striking out "SECTION 4(T)" and inserting

clause (t) of subsection B of section 4

Amend Sec. 1 (Sec. 2502), page 292, line 24, by striking out "pay a tapping fee and"

Amend Sec. 1 (Sec. 2502), page 292, lines 26 through 30; page 293, lines 1 through 11, by striking out "AFTER A TAKEOVER BY OR" in line 26 and all of lines 27 through 30, page 292, all of lines 1 through 11, page 293 and inserting

(c) Whenever a sewer system or any part or extension thereof owned by a township has been constructed by the township at the expense of a private person or corporation or has been constructed by a private person or corporation under the supervision of the township at the expense of the private person or corporation, the board of supervisors shall have the right to charge a tapping fee, including a reimbursement component, and refund said reimbursement component to the person or corporation who has paid for the construction of said sewer system or any part or extension thereof.

Amend Sec. 1 (Sec. 2603), page 324, line 5, by inserting after "consumption."

In the case of a water system provided by the township or a joint water board, the board of supervisors may impose and charge to property owners who desire to or are required to connect to the water system a connection fee, a customer facilities fee, a tapping fee, and other similar fees as enumerated and defined by clause (t) of subsection B of section 4 of the act of May 2, 1945 (P.L.382, No.164), known as the "Municipality Authorities Act of 1945." Whenever a water system or any part or extension thereof owned by a township has been constructed by the

township at the expense of a private person or corporation or has been constructed by a private person or corporation under the supervision of the township at the expense of the private person or corporation, the board of supervisors shall have the right to charge a tapping fee, including a reimbursement component, and refund said reimbursement component to the person or corporation who has paid for the construction of said water system or any part or extension thereof.

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

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

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, HB 702 is a codification of the Second Class Township Code. It has been the subject of drafting and review and redrafting for the past 7 years or more. During the last two sessions, the House Local Government Committee has gone through the bill quite extensively, and this session, under the chairmanship of Representative Merry, the bill was reported out of committee a couple weeks ago.

This amendment is a technical change in the bill as it was reported out of the committee. This particular amendment deals with the tapping-fee issue that was to address the appellate court case of Hornstein from the Commonwealth Court, and in the draft, we only address sewer systems for connections and tapping fees, and this is to expand that to water systems.

I ask for affirmative support. Thank you.

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

The following roll call was recorded:

YEAS-201

Table listing names of members who voted 'YEAS-201', including Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Battisto, Bebko-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Carn, Carone, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Egolf, Evans, Fairchild, Fajt, Fargo, Farmer, Feese, Fichter, Fleagle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Godner, Gruitza, Gruppo, Habay, Haluska, Hanna, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Lucyk, Lynch, Maitland, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, Melio, Merry, Michlovic, Micozzie, Miller, Mundy, Nailor, Nickol, Nyce, O'Brien, Olasz, Oliver, Perzel, Pesci, Petrarca, Petrone, Pettit, Phillips, Piccola, Pistella, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stish, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigve, Travaglio, Trello, Trich, True, Tulli.

Table listing names of members who did not vote or were excused, including Cohen, M., Colafella, Colaizzo, Conti, Cornell, Corpora, Corrigan, Cowell, Coy, Curry, Daley, DeLuca, Dempsey, Dent, Dermody, DeWeese, DiGirolamo, Donatucci, Druce, Durham, Itkin, Jadlowiec, James, Jarolin, Josephs, Kaiser, Keller, Kenney, King, Kirkland, Krebs, Kukovich, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lloyd, Pitts, Platts, Preston, Ramos, Raymond, Readshaw, Reber, Reinard, Richardson, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Rubley, Rudy, Sainato, Santoni, Sather, Vance, Van Horne, Veon, Vitali, Walko, Washington, Waugh, Williams, Wogan, Wozniak, Wright, D. R., Wright, M. N., Yewcic, Youngblood, Zimmerman, Zug, Ryan, Speaker.

NAYS-0

NOT VOTING-0

EXCUSED-2

Major Mihalich

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?  
Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS-201

Table listing names of members who voted 'YEAS-201', including Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Battisto, Bebko-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Egolf, Evans, Fairchild, Fajt, Fargo, Farmer, Feese, Fichter, Fleagle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Godner, Gruitza, Gruppo, Habay, Haluska, Hanna, Lynch, Maitland, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, Melio, Merry, Michlovic, Micozzie, Miller, Mundy, Nailor, Nickol, Nyce, O'Brien, Olasz, Oliver, Schuler, Scrimenti, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stish, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stish, Strittmatter, Trello, True, Tulli.

Carn	Harhart	Perzel	Taylor, J.
Carone	Hasay	Pesci	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
Colaafella	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	Sather	

NAYS-0

NOT VOTING-0

EXCUSED-2

Major Mihalich

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.

STATEMENT BY MR. SNYDER

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

Mr. SNYDER. Mr. Speaker, point of personal privilege.

The SPEAKER. The gentleman may proceed.

Mr. SNYDER. Thank you.

Mr. Speaker, HB 702, as I noted, was the culmination of a lot of work, and I would like to thank Chairnan Jim Merry and Chairman Frank Pistella for the many years and effort that they put into this effort.

The SPEAKER. Mr. Snyder, how many people do you think read that front to back ?

Mr. SNYDER. I know the Local Government Committee did; the Local Government Committee members did.

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The House proceeded to third consideration of **HB 1209, PN 1877**, entitled:

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.

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

Mr. B. SMITH offered the following amendment No. **A3026**:

Amend Sec. 1 (Sec. 4), page 2, line 5, by inserting after "vehicles." In the event such directive is given by the county, the county shall reimburse those municipalities for the expense incurred with complying with the directive.

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

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman from York, Mr. Smith.

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

Amendment 3026 simply clarifies the intent of the bill that the counties will reimburse the local governments if they are assigned the task of numbering buildings within the township or borough or whatever the local government is.

I would ask for your support.

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

The following roll call was recorded:

YEAS-201

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

Cawley	Hennessey	Petrarca	Tigue
Chadwick	Herman	Petrone	Travaglio
Civera	Hershey	Petit	Trello
Clark	Hess	Phillips	Trich
Clymer	Horsey	Piccola	True
Cohen, J. I.	Hutchinson	Pistella	Tulli
Cohen, M.	Itkin	Pins	Vance
Colafiglia	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	Yewic
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-0

NOT VOTING-0

EXCUSED-2

Major Mihalich

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?

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Does the gentleman, Mr. Civera, desire recognition?

Mr. CIVERA. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Civera, is recognized on final passage.

Mr. CIVERA. Thank you, Mr. Speaker.

Would the prime sponsor of HB 1209 stand for a brief interrogation, please?

The SPEAKER. He is immediately in back of you. The gentleman, Mr. Smith, indicates he will stand for interrogation. The gentleman, Mr. Civera, may begin.

Mr. CIVERA. Mr. Speaker, the provisions of this HB 1209, you are amending Act 78, which would be the act that the "911" money comes into from the surcharge on the telephones, and it is my understanding that that money that goes into the counties at the present time, some of that money would be taken from your bill to provide street signs in the different municipalities or counties?

Mr. B. SMITH. It is my understanding that the money can already be utilized for that purpose. This simply clarifies that for

municipalities and local governments, the funding can be used for this purpose, which is already law, as interpreted by the Department of Community Affairs.

Mr. CIVERA. Mr. Speaker, if I understand you correctly, the money, though, presently only could be used by the counties and not by the individual boroughs or townships. Am I correct?

Mr. B. SMITH. Mr. Speaker, it is my understanding that at the present time it is unclear as to whether it could be used for this purpose. With my amendment and with this bill, it definitely defines, without a shadow of doubt, that it can be used for this purpose, which is to save lives.

Mr. CIVERA. That is all I have for interrogation, Mr. Speaker. May I speak on the final passage of the bill?

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

Mr. CIVERA. Mr. Speaker, I understand exactly what you are trying to do, and I think your intent is a good one. However, after having public hearings on HB 911 in the last 2 weeks in Harrisburg, we come to find that the money that is used for the surcharge on your telephone bill so the counties can adopt "911," the county coordinators throughout the entire Commonwealth of Pennsylvania are having difficulty meeting their budget. What they would like to do is go back in and open up Act 78 so additional funds could be made. For this use, I think there is a shortfall of dollars. They are complaining that the counties now have to increase their millage to operate under Act 78, and some of the things that we would like to do, if we got in to amend Act 78, is to use some of this money for training purposes.

Now, I understand, for a public safety interest and to protect lives, putting signs up in local municipalities, which I do not think it can be used for that because it comes under county government, but I think that that is something that the local municipalities have to look at. When the intent of the legislation was written for "911," it was not to tap that fund to go in and take care of street signs in local municipalities. What the original act was intended to do and what the intention of the General Assembly was was that we would adopt an "Enhanced 911" system on a countywide basis.

My concern is this – and please, Mr. Speaker, listen to what I am trying to say here – that we are finding stories that in some of the counties that are involved in the "911" system, it is not working to its full potential, and there are some ideas from the members of this General Assembly that would like to take it away from the county government and put it into the boroughs and put it into the townships. If this bill passes, we are going to start back from scratch one to accommodate what you are trying to accommodate here. If we open it up for the local boroughs and municipalities, then why not open it up that the local boroughs and the municipalities would dispatch "911," and that is what my concern is, because the cost would be astronomical. We could not control the dollars if you go back into the local boroughs. It has to be done on a countywide basis.

What I would like to suggest to you, since my committee is working on HB 911, is that if we could take some of your ideas, because we have intentions of amending Act 78, but I think if we do it this way, we are not going to be able to accomplish what we want to accomplish, and the dollar funds that have been designated that are tacked onto your telephone bill are not enough at the present time to keep the "Enhanced 911" system in place.

I would ask my colleagues – and my colleague, Mr. Smith, is a good friend; I hate to get up and oppose this HB 1209 – but I think I am leading you in the right direction to say not to vote for

this because this is not the time to get into that Act 78. Thank you, Mr. Speaker.

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

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

I want to explain just a little bit about "Enhanced 911." In other words, when somebody calls "911," the dispatcher will see on the display screen the address and phone number of the person calling "911." It works fine if you have a building number and a street address, but if that lights up and it is Box 52, RD 1, Etters, how can the dispatcher send emergency personnel to that residence? They can, but there will be confusion. Time will be lost; lives can be lost.

This bill is only applicable if your county has "Enhanced 911" or is moving toward "Enhanced 911." What "Enhanced 911" means is that the residents of your county are already paying as much as \$1.25 per month for "Enhanced 911," but they are not getting speedy service because dispatchers do not know where to send emergency personnel.

I respectfully request your support of this measure. It will save lives. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,  
Shall the bill pass finally?

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

YEAS-199

Table listing names of members who voted 'YEAS-199' in four columns: Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Battisto, Bebkco-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Cam, Carone, Cawley, Chadwick, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Colaizzo, Conti, Cornell, Corpora, Corrigan, Cowell, Evans, Fairchild, Fajt, Fargo, Farmer, Feese, Fichter, Fleagle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Gruitza, Gruppo, Habay, Haluska, Hanna, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Itkin, Jadlowiec, James, Jarolin, Josephs, Kaiser, Keller, Kenney, Lucyk, Lynch, Maitland, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, Melio, Merry, Michlovic, Micozzie, Miller, Mundy, Nailor, Nickol, Nyce, O'Brien, Olasz, Oliver, Perzel, Pesci, Petrarca, Petrone, Pettit, Phillips, Piccola, Pistella, Pitts, Platts, Preston, Ramos, Raymond, Readshaw, Reber, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stish, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, True, Tulli, Vance, Van Horne, Veon, Walko, Washington, Waugh

Table listing names of members who did not vote in four columns: Coy, Curry, Daley, DeLuca, Dempsey, Dent, Dermody, DeWeese, DiGirolamo, Donatucci, Druce, Durham, Egolf, King, Kirkland, Krebs, Kukovich, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lloyd, Reinard, Richardson, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Rubley, Rudy, Sainato, Santoni, Williams, Wogan, Wozniak, Wright, D. R., Wright, M. N., Yewcic, Youngblood, Zimmerman, Zug, Ryan, Speaker

NAYS-2

Civera Vitali

NOT VOTING-0

EXCUSED-2

Major Mihalich

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

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

BILL ON CONCURRENCE  
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to HB 659, PN 1795, entitled:

An Act amending the act of July 3, 1986 (P.L.396, No.86), entitled "An act requiring notice of rate increases, policy cancellations and nonrenewals by property and casualty insurers," further providing for increases in premium rates.

On the question,  
Will the House concur in Senate amendments?

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

YEAS-201

Table listing names of members who voted 'YEAS-201' in four columns: Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Battisto, Bebkco-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Egolf, Evans, Fairchild, Fajt, Fargo, Farmer, Feese, Fichter, Fleagle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Lucyk, Lynch, Maitland, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, Melio, Merry, Michlovic, Micozzie, Miller, Mundy, Nailor, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stish

Bunt	Gruitza	Nickol	Strittmatter
Butkovitz	Gruppo	Nyce	Sturla
Buxton	Habay	O'Brien	Surra
Caltagirone	Haluska	Olasz	Tangretti
Cappabianca	Hanna	Oliver	Taylor, E. Z.
Carn	Harhart	Perzel	Taylor, J.
Carone	Hasay	Pesci	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
Colafella	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
DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker
Durham	Lloyd	Sather	

NAYS-0

NOT VOTING-0

EXCUSED-2

Major Mihalich

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Chester County, Mr. Pitts, for the purpose of making an announcement.

Mr. PITTS. Mr. Speaker, I would like to call an immediate meeting of the House Appropriations Committee in the conference room, room 245.

The SPEAKER. There will be an immediate meeting of the Appropriations Committee in the Appropriations Committee conference room in their complex.

**BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES**

**HB 593, PN 656** By Rep. CORNELL

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for a public health dentist within the Department of Health.

HEALTH AND HUMAN SERVICES.

**HB 595, PN 2042 (Amended)** By Rep. CORNELL

An Act providing for the prevention, detection, treatment and follow-up of cases of hepatitis B among firefighters, paramedics, emergency medical technicians, ambulance attendants, first responders and law enforcement officers; and making an appropriation.

HEALTH AND HUMAN SERVICES.

**HB 1578, PN 2043 (Amended)** By Rep. CORNELL

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

HEALTH AND HUMAN SERVICES.

**BILLS SIGNED BY SPEAKER**

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

**HB 659, PN 1795**

An Act amending the act of July 3, 1986 (P.L.396, No.86), entitled "An act requiring notice of rate increases, policy cancellations and nonrenewals by property and casualty insurers," further providing for increases in premium rates.

**SB 655, PN 687**

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.

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

The SPEAKER. The House will be at ease awaiting the return of the Appropriations Committee.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 543, PN 576**, entitled:

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the date of the general primary in years in which the President of the United States is nominated.

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

The SPEAKER. Mr. Vitali, we have a list of four amendments here with your name on it, but it is my understanding you are offering only one. Would you advise us which one you are offering?

Mr. VITALI. Mr. Speaker, that would be amendment 2376 to HB 543.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. VITALI offered the following amendment No. **A2376**:

Amend Title, page 1, line 13, by removing the period after "nominated" and inserting

and for reports, documents, data base and public access.

Amend Bill, page 2, by inserting between lines 9 and 10 Section 2. The act is amended by adding a section to read:

Section 1643. Reports, Documents, Data Base and Public Access.—(a) The Secretary of the Commonwealth shall develop a computer data base that shall contain all information necessary for the proper administration of this article, including information on contributions to and expenditures by candidates and their authorized committees and distributions of moneys. Such data base shall be accessible to the public by means, including direct access through personal computer.

(b) The secretary shall prepare and make available materials, including, to the extent feasible, computer software, to facilitate the task of compliance with the disclosure and recordkeeping requirements of this article.

(c) (1) A list of campaign contributions and expenditures and reports must be made available for public inspection at the office of the supervisor no later than two business days after receipt.

(2) The secretary shall not require the viewer to provide any information or identification as a condition of viewing the computer data base.

(3) The secretary shall ensure that the documents and reports are available for copying or purchase at a reasonable cost, not to exceed actual costs to the department.

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

3

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

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

Mr. VITALI. Thank you, Mr. Speaker.

This amendment would bring Pennsylvania up to date with regard to the election bureau. It would require that the election bureau be computerized.

Many other States have election bureaus that are computerized. The benefit is that campaign expenditures, campaign expense reports are more accessible to the public, and it provides for a more organized office.

I think it is a good-government vote. It is endorsed by many groups, and I would appreciate an affirmative vote.

**GERMANENESS QUESTIONED**

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

Mr. GAMBLE. Mr. Speaker, I would like to raise the question of germaneness on this amendment.

We all know full well that there is a time element on HB 543, and if we are to have this bill passed, there have been other members who have been kind enough to recognize how important it is that this bill pass both the House and the Senate by the end of June and—

Mr. DRUCE. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman rise?

Mr. DRUCE. If I may apologize to the member from Allegheny County.

I do not believe the members have this amendment or any of the other amendments pertaining to HB 543 on their desks at this time.

The SPEAKER. Will all the gentlemen yield for a moment.

The gentleman, Mr. Clymer.

Mr. CLYMER. Mr. Speaker, I am going to request that we hold this bill over.

Many of us were prepared to debate the bill but we did not bring our materials with us. We are just not prepared to run the bill because we saw that on the calendar it was marked over, and I would appreciate it if we could do this bill tomorrow and not at this time.

**MOTION TO PASS OVER**

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

Mr. BARLEY. Thank you, Mr. Speaker.

Because of the fact that there is considerable confusion over the amendments and the amendments not being distributed and the fact that the bill was originally marked over for the day, I request that we go over the bill for the day.

The SPEAKER. Without objection, the bill is passed over for the day.

The Chair recognizes the gentleman, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I object to the bill being over for the day.

The SPEAKER. Thank you.

The Chair recognizes the gentleman, Mr. Barley, who moves that HB 543 be passed over for the day.

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



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

Mr. GAMBLE. Mr. Speaker, I respectfully request that we vote "no."

Representative Readshaw and a few of us have been working very hard on this bill, and we had an agreement that we would attempt this bill today and many amendments were withdrawn so that we could. This has been off again, on again for the last few weeks, and I think, really, we can get this over in about 15 or 20 minutes if we deal with it today.

The whole story here is that we have got to pass this bill clean if it is to pass the House and the Senate and be signed by the Governor so we are no longer a stepsister in national politics during a Presidential year. It is a very simple issue, and all of the amendments that will be offered, which will be two or three, we are going to ask that they be dealt with another day and that they are not germane to this bill.

So for that reason I would ask that we do vote this bill and we vote "no" to go over it today because of the agreement that we had a few hours ago with leadership on the other side.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the debate is not on the fact that we are not going to run the bill. The bill is to be run. We are simply saying that we would like to pass it over so that those of us who want to actively debate the bill can do that. I am just not prepared to do it.

We had a very active agenda that was set up for today, and that took quite a bit of our time. It is just that this is just an inopportune time to do it. We are just saying, just pass it over for today; we will do it tomorrow or at the convenience of leadership. We are not saying it is going to be postponed forever, but we would like to have the opportunity to be able to do justice to it in debate. Thank you.

I therefore support a positive vote to pass over this legislation.

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

Mr. DeWEESE. The gentleman, Mr. Perzel, many times during the last several months has indicated his satisfaction with the flow of business and with the notification procedures that he has engendered in our chamber.

Cognizant of Mr. Perzel's proclamations, I am happily in agreement with the gentleman from Oakdale. I think that, notwithstanding the idealism inherent in Mr. Kukovich's proposals over these many years, they will be addressed in short order.

The gentleman from Bucks, Mr. Conti, the gentleman from Bucks, Mr. Clymer, as well as some of the Republican leadership team have indicated to me that campaign finance reform will be dealt with at the earliest possible moment.

The New England States have come together and arranged a primary election season that will be advantageous to New England. Michigan and Indiana, Illinois, Ohio, Pennsylvania, some of us are trying to do the same.

Mr. Readshaw's bill deserves to be heard and dealt with, and with all due respect to the gentleman, Mr. Clymer, I am going to accede to Mr. Perzel's comments over and over again that sufficient notifications have been rendered and that the processes inherent in our chamber that the majority leader has crafted are okay.

I would like to ask our membership to go along with Mr. Gamble, Mr. Readshaw, and that we vote "no" and not pass this measure over. Thank you, Mr. Speaker.

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

Mr. DRUCE. Mr. Speaker, since the majority leader is not here, I think many of us on this side of the aisle would agree with the comments made by the Democratic leader about his efforts to inform the membership of the bills we are about to run.

Consistent with that argument then, we should pass over this bill, because most of the members in this House, if not all, were under the assumption the bill would not be dealt with today and therefore probably did not bring with them the materials that they may have wanted for a full and complete discussion on the issue.

I believe we should support the comments made by the Democratic leader, but frankly, it is to support going over the bill, because that is the information provided by the majority leader today, and vote this bill on another day. Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the lady from Philadelphia, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I do not know why it takes a whole day for people to go to their offices and get their material.

I propose a 5-minute recess and then we take up this bill.

The SPEAKER. Is that in the form of a motion?

Ms. JOSEPHS. Good idea, Mr. Speaker. Thank you.

I make a motion that we take a 7 1/2-minute recess for people to go to their office, get their material, and let us do this bill. Thank you, Mr. Speaker.

The SPEAKER. Does anyone care to debate this 7 1/2-minute delay?

Does the gentleman, Mr. Barley, care to debate this 7 1/2-minute delay with the lady, with a 7 1/2-minute limitation on debate?

Mr. BARLEY. Mr. Speaker, I think we have a motion on the board, and at this point I think we should deal with that motion and not break for any recess and just go about the business that we are here to take care of.

## PARLIAMENTARY INQUIRY

Mr. MARKOSEK. Mr. Speaker?

The SPEAKER. The gentleman, Mr. Markosek.

Mr. MARKOSEK. Point of parliamentary inquiry, please.

The SPEAKER. The gentleman will state it.

Mr. MARKOSEK. The lady, Ms. Josephs, made a motion. So would we assume then that the motion that Mr. Barley just mentioned was her motion or was he referring to the previous motion?

The SPEAKER. The lady, Ms. Josephs, won by default. The 7 1/2 minutes has passed my clock.

Mr. MARKOSEK. Thank you.

The SPEAKER. We now have returned to the underlying motion of whether or not the bill shall be passed over for today.

On that question, those in favor of the matter being held over — and the motion was made, I believe, until tomorrow. Is that correct? — that the matter be held over until tomorrow will vote "aye"; those opposed will vote "no."

Mr. DeWEESE. Mr. Speaker, could you use that same fast clock you have been using, please?

The SPEAKER. I have it right here. Tick-tock.

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

The following roll call was recorded:

YEAS-97

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

NAYS-103

Battisto	Donatucci	Lloyd	Rudy
Bebko-Jones	Evans	Lucyk	Sainato
Belardi	Fajt	Manderino	Santoni
Belfanti	Feese	Markosek	Scrimenti
Bishop	Gamble	Mayernik	Shaner
Blaum	George	McCall	Staback
Boscola	Gigliotti	McGeehan	Steelman
Butkovitz	Gordner	Melio	Stetler
Buxton	Gruitz	Michlovic	Sturla
Caltagirone	Haluska	Mundy	Surra
Cappabianca	Hanna	Olasz	Tangretti
Carn	Horsey	Oliver	Thomas
Cawley	Itkin	Pesci	Tigue
Cohen, M.	James	Petrarca	Travaglio
Colafella	Jarolin	Petrone	Trello
Colaizzo	Josephs	Pistella	Trich
Corpora	Kaiser	Platts	Van Horne
Corrigan	Keller	Preston	Veon
Cowell	Kirkland	Ramos	Vitali
Coy	Krebs	Readshaw	Walko
Curry	Kukovich	Richardson	Washington
Daley	LaGrotta	Rieger	Wozniak
DeLuca	Laughlin	Roberts	Wright, D. R.
Dempsey	Lederer	Robinson	Yewcic
Dermody	Lescovitz	Roebuck	Youngblood
DeWeese	Levdansky	Rooney	

NOT VOTING-1

Williams

EXCUSED-2

Major Mihalich

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

The SPEAKER. Have the Vitali amendments 2376 been distributed?

The House will stand at ease awaiting the distribution of the amendments.

While the amendments are being handed out, I would like to give initial notice that it is my understanding that session will begin tomorrow morning at 9 a.m.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. I have also been asked to make the following announcement: The Pennsylvania Legislative Sportsmen Caucus breakfast is now scheduled at 8 a.m. in the majority caucus room for tomorrow morning, Wednesday, June 7. They originally were going to have it at 5:30 a.m., the way true sportsmen should have their breakfast, but they had no takers.

CONSIDERATION OF HB 543 CONTINUED

The SPEAKER. Are the Vitali amendments distributed in the back?

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

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

Mr. VITALI. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

Mr. REBER. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. Will the gentleman, Mr. Vitali, yield.

For what purpose does the gentleman, Mr. Reber, rise?

Mr. REBER. Mr. Speaker, first of all, I do not have a copy of the amendment, and second of all, if I even had a copy of the amendment, I would not have had an opportunity to review the amendment. I do not know if under the rules of the House we are at least supposed to have an opportunity to be able to read from start to finish the amendment before it is offered on the floor. I am voicing my objection to Mr. Vitali proceeding to debate the amendment before we physically have a copy of it as well as an opportunity to at least read it one time from point A to point Z.

I apologize to the Chair for interrupting, because in my 15 years in the House, I have never felt compelled to do the same.

Mr. VITALI. Mr. Speaker, despite the fact that this amendment has been on the computer screen—

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

Mr. VITALI. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. VITALI. Putting aside the fact that this amendment has been on the House computer screen now for the better part of 2 weeks, it is a very short and straightforward amendment.

What the amendment does, Mr. Speaker, is simply bring Pennsylvania into the 20th century. What it does is simply require the election bureau to computerize. It is very straightforward. The hardware would be very inexpensive to obtain. Much of the technical know-how is already in-house.

I have spoken with the election bureau, and I have worked with them on this amendment. This amendment is the product of give-and-take with the election bureau. All this amendment would do would be to simply require that when campaign expense reports are filed, they be put on computer. Now, the purpose of that is to help our constituents. The people we represent have a right to know about contributions and expenditures, and by putting these on the computer, you are simply allowing access.

If you are for open government, you should be for this amendment. If you have nothing to hide in your campaign reports, you should be for this amendment. If you are for increased public access and participation, you should be for this amendment. This is a very straightforward amendment. It is computerization. It is something that has been adopted by many other States.

I have personally visited New Jersey; they have computerization. I have personally visited New York City; they have computerization. I have spoken with Washington, San Francisco, other jurisdictions. Pennsylvania is in the stone age. Many people, many jurisdictions have computerized since the seventies.

All this does is say to the people of Pennsylvania, we are ready to enter the 20th century. It is a very easy vote, a very simple vote. It is a vote for good government. Thank you, Mr. Speaker.

#### PARLIAMENTARY INQUIRY

Mr. HORSEY. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. The gentleman, Mr. Horsey.

Mr. HORSEY. I just need to know, is there a fiscal note on this or has there been one issued, please?

The SPEAKER. Believe it or not, Mr. Horsey, I was just checking into that myself.

Mr. HORSEY. Thank you, Mr. Speaker.

The SPEAKER. My understanding is there is no fiscal note attached to this. Is that correct, Mr. Vitali?

Mr. VITALI. Mr. Speaker, Chairman Pitts has prepared a fiscal note for this. I believe the amount of the fiscal note is \$150,000.

I do not know whether— I assume it has not been distributed. We certainly could remedy that—

The SPEAKER. Mr. Vitali, is there a fiscal note?

Mr. VITALI. One has been prepared; that is my understanding.

The SPEAKER. Have you distributed a fiscal note?

Mr. VITALI. The fiscal note I do not believe has been distributed.

The SPEAKER. Thank you.

#### GERMANENESS QUESTIONED

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

Mr. MAYERNIK. Thank you, Mr. Speaker.

Representative Readshaw has worked long and hard on this bill. I agree with Representative Vitali's intent of what he intends to do in this amendment, but I do question the germaneness of his amendments, and I would like to see this bill run clean. So I would like to make a motion that the House vote on germaneness of the Vitali amendment.

#### PARLIAMENTARY INQUIRY

Mr. DALEY. Point of parliamentary inquiry.

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

Mr. DALEY. Thank you, Mr. Speaker.

Point of parliamentary inquiry.

Is it not true under rule 19(a), "Fiscal Notes," that no bill can be considered that has to have a fiscal note by this legislative body unless it is a general appropriation bill or an amendment thereto?

The SPEAKER. Yes. And 19(a) further says that it must be distributed.

Mr. DALEY. Thank you, Mr. Speaker.

#### AMENDMENT RULED OUT OF ORDER

Mr. DALEY. Then what would be the ruling of the Chair regarding this amendment, Mr. Speaker?

The SPEAKER. That it cannot be taken up at this time.

The gentleman, Mr. Vitali.

Mr. VITALI. If I may, Mr. Speaker, I believe this is a technical problem that can be remedied very quickly.

Again, the fiscal note simply will say \$150,000. Mr. Pitts can verify that.

If the House would, I would simply, if the House deems it appropriate—

Mr. DALEY. Point of order, Mr. Speaker.

Mr. VITALI.—ask for a brief recess. We will just—

The SPEAKER. Will the gentleman, Mr. Vitali, yield.

#### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes Mr. Daley.

Mr. DALEY. Point of parliamentary inquiry again, Mr. Speaker.

It is my understanding that you ruled that this amendment is out of order, cannot be considered, and Mr. Vitali continues to debate this amendment. This amendment should be off the board. Am I correct, Mr. Speaker?

The SPEAKER. Well, I am willing to allow the gentleman to discuss it in a reasonable fashion. When he becomes unreasonable, I will turn him over to Mr. Gamble.

Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, in all due respect to Mr. Vitali, this bill has been on and off the calendar for a couple weeks now, and there has been a lot of work and discussion and negotiation to get it where it is. Now, he has a total reform package, and all we

want to do is change the date of the Presidential election for this major industrial State so that we are no longer a stepsister.

I would say that, you know, if he wants to reform the whole campaign law, then he should have had his ducks in order today, and he does not, and I think that we should follow the lead of Representative Daley and get on with the next order of business.

The SPEAKER. I agree with the gentleman. If we are going to do reform, we should not start it by breaking the rules.

The clerk will strike the amendment from the board.

The Chair recognizes the gentleman, Mr. Pitts.

Mr. PITTS. For the information of the members, we do not have a request for a fiscal note for this amendment and we have not prepared one.

Mr. VITALI. I think we have just made this interesting, Mr. Speaker.

I will go back to my file and fish that out. I can tell you the exact amount of the fiscal note. It is \$150,000. I did not pull that figure out of the air.

I also might note that—

The SPEAKER. You also have not been recognized. Kindly take your seat.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. May I speak for 60 seconds on unanimous consent on this subject?

The SPEAKER. You are a floor leader and you are entitled to the floor, as far as I am concerned, whenever you want it, within a reasonable amount of time.

Mr. DeWEESE. Thank you, Mr. Speaker.

Real quickly, and I will only utilize 60 seconds.

On behalf of the gentleman, Mr. Vitali, although I am going to vote with the gentleman, Mr. Gamble, I think the membership should know that at one point earlier in the last several weeks of this debate, Mr. Vitali had at least four amendments that he was going to proffer. He acquiesced to the idea of only offering one. So as we decide on this question and as I vote with Mr. Gamble, to the fairness of Mr. Vitali's situation, it should be noted by all the members that he at one point had four amendments that he wanted to offer and he did acquiesce to offering only one.

I just wanted that stated for the record, and I thank the Chair for his indulgence.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on third consideration?

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

I have listed on the green amendment sheet three amendments.

As I said 2 weeks ago and as I told the members earlier today who were interested in this issue, that I would withdraw the two that are much more comprehensive and only offer A2559, which is identical to Representative Conti's bill which deals with campaign finance reform in a much more restrictive way.

I do have a fiscal note here dated May 22, which states that there is no fiscal impact on the operations of the Commonwealth. To the best of my knowledge, that has been duplicated but not yet distributed to the members.

The SPEAKER. Will the gentleman yield.

The clerk will read the amendment.

Will the gentleman identify which amendment he is submitting at this time.

Mr. KUKOVICH. 2559, Mr. Speaker.

The SPEAKER. 2559.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. KUKOVICH offered the following amendment No. A2559:

Amend Title, page 1, line 13, by removing the period after "nominated" and inserting

; further defining "independent expenditure"; and providing for organization of political committees, for contributions and for independent expenditures.

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

Section 2. Section 1621(e) of the act is amended to read:

Section 1621. Definitions.—As used in this article, the following words have the following meanings:

\*\*\*

(e) [The words "independent expenditure" shall mean an expenditure by a person made for the purpose of influencing an election without cooperation or consultation with any candidate or any political committee authorized by that candidate and which is not made in concert with or at the request or suggestion of any candidate or political committee or agent thereof.]

The words "independent expenditure" shall mean an expenditure by a person for a communication expressly advocating the election or defeat of a clearly identified candidate which is not made with the cooperation or prior consent of, in consultation with or at the request or suggestion of a candidate or any agent or authorized committee of the candidate. For purposes of this definition:

(1) The word "agent" shall mean any person who has actual oral or written authority, either express or implied, to make or to authorize the making of expenditures on behalf of a candidate, or shall mean any person who has been placed in a position within the campaign organization where it would reasonably appear that in the ordinary course of campaign related activities he may authorize expenditures.

(2) The words "clearly identified candidate" shall mean that the name of the candidate appears, a photograph or drawing of the candidate appears or the identity of the candidate is otherwise apparent by unambiguous reference.

(3) The words "expressly advocating" shall mean any communication containing a message which supports or opposes any candidate, including, but not limited to, the name of the candidate, a picture of the candidate or expressions such as "vote for," "elect," "support," "vote against," "defeat" or "reject."

(4) The words "made with the cooperation or prior consent of, in consultation with or at the request or suggestion of a candidate or any agent or authorized committee of the candidate" shall mean any arrangement, coordination or direction by the candidate or his agent prior to the publication, distribution, display or broadcast of the communication. An expenditure shall be presumed to be so made when it is:

(i) Based on information about the candidate's plans, projects or needs provided to the expending person by the candidate or by the candidate's agents, with a view toward having an expenditure made.

(ii) Made by or through any person who is or has been authorized to raise or expend funds, who is or has been an officer of an authorized committee, including a political party committee, or who is or has been receiving any form of compensation from the candidate, the candidate's committee or agent.

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Section 3. Section 1622 of the act is amended by adding a subsection to read:

Section 1622. Organization of Political Committees; Treasurer and Assistant Treasurer; Records of Candidate and Committees.—

\*\*\*

(c) A candidate shall not have more than one candidate's political committee per office sought.

Section 4. Section 1628 of the act, amended July 11, 1980 (P.L.600, No.128), is amended to read:

Section 1628. Late Contributions [and Independent Expenditures].—

Any candidate or political committee, authorized by a candidate and created solely for the purpose of influencing an election on behalf of that candidate, which receives any contribution or pledge of five hundred dollars (\$500) or more[, and any person making an independent expenditure, as defined by this act, of five hundred dollars (\$500) or more] after the final pre-election report has been deemed completed shall report such contribution[, pledge or expenditure] or pledge to the appropriate supervisor by telegram, facsimile or mailgram. Such telegram, facsimile or mailgram shall be sent by the candidate, chairman or treasurer of the political committee within twenty-four (24) hours of receipt of the contribution. [It shall be the duty of the supervisor to confirm the substance of such telegram or mailgram.] Any candidate in his own behalf, or chairman, treasurer or candidate [in] on behalf of the political committee or the candidate's campaign committee may also comply with this section by appearing personally before such supervisor and reporting such late contributions or pledges.

Section 5. The act is amended by adding sections to read:

Section 1628.1 Independent Expenditures.—

(a) An expenditure not defined under section 1621 as an independent expenditure shall be an in-kind contribution to the candidate and an expenditure by the candidate, unless otherwise exempted.

(b) The financing of the dissemination, distribution or republication, in whole or in part, of any broadcast or any written, graphic or other form of campaign materials prepared by the candidate, his campaign committees or their authorized agents shall be considered a contribution for the purpose of contribution limitations and reporting responsibilities by the person making the expenditure but shall not be considered an expenditure by the candidate or his authorized committees unless made with the cooperation or with the prior consent of, or in consultation with, or at the request or suggestion of, a candidate or any authorized agent or committee thereof.

(c) Any communication which falls under this section shall include the following statement on the communication:

Notice to voters (required by law). This advertisement is not authorized or approved by any candidate. It is paid for by (name, address, city, state).

This statement must:

(1) Appear on each page or fold of the written communication in at least ten point type, or in type at least ten (10) per cent of the largest size type used in a written communication directed at more than one voter, such as a billboard or poster, whichever is larger.

(2) Not be subject to the half-tone or screening process.

(3) Be in a printed or drawn box set apart from any other printed matter.

(4) Be clearly spoken on any broadcast advertisement.

(d) Every person who makes an independent expenditure aggregating in excess of two hundred fifty dollars (\$250) during a calendar year in any election shall file a signed statement and a copy of the material paid for with the independent expenditure in accordance with the provisions of section 1631 within twenty-four (24) hours of making the expenditure. In addition, the person who makes an independent expenditure shall send a copy of the material submitted to each candidate in that race by overnight mail, facsimile or courier service.

(e) Within twenty-four (24) hours of receipt of the material described in subsection (c), each candidate shall file a statement under the provisions of section 1631 if either of the following apply:

(1) The materials expressly advocate the election of his candidacy.

(2) The materials expressly advocate the defeat of his opponent.

(f) The signed statement submitted by the person making the expenditure shall include the following information:

(1) The reporting person's name, mailing address, occupation and name of employer, if any, or in the case of a separate segregated committee, the name and address of the connected organization.

(2) The name and mailing address of the person to whom the expenditure was made.

(3) The amount, date and purpose of each expenditure.

(4) A statement which indicates whether the expenditure was in support of or in opposition to a candidate, together with the candidate's name and office sought.

(5) A notarized certification under penalty of perjury as to whether the expenditure was made in cooperation, consultation or concert with or at the request or suggestion of any candidate or any authorized committee or agent of any candidate.

(6) The identification of each person who made a contribution in excess of two hundred dollars (\$200) to the person filing the report, which contribution was made for the purpose of furthering the reported independent expenditure.

(g) The statement submitted by a candidate shall identify the date of the expenditure as provided for by the expending person and include a notarized certification under penalty of perjury as to whether the expenditure was made in cooperation, consultation or concert with the person making the expenditure or at the request or suggestion of the candidate or any authorized committee or agent of the candidate. The statement shall be signed by the candidate.

(h) No expenditure by an authorized committee of a candidate on behalf of that candidate shall qualify as an independent expenditure.

(i) (1) Any person who does not report an expenditure of funds as required under subsection (e) commits a misdemeanor of the first degree and shall, upon conviction, be subject to a fine of not more than ten thousand dollars (\$10,000) or to imprisonment for up to five (5) years, or both.

(2) A person shall not be deemed elected to a public office under the laws of this Commonwealth, or enter upon the duties thereof, or receive any salary or emoluments therefrom, if the affidavit required in subsection (f) has not been submitted as described.

(3) Any candidate who does not submit the affidavit as required under subsection (f) commits a misdemeanor of the second degree and shall, upon conviction, be subject to a fine of not more than five thousand dollars (\$5,000) or to imprisonment for up to two (2) years, or both.

Section 1634.2. Limitations on Contributions.—

(a) Aggregate contributions from any person to any candidate, his authorized committee or agent shall not exceed one thousand dollars (\$1,000) for each election. Furthermore, for each election, no candidate, his authorized committee or agent shall accept or receive more than one thousand (\$1,000) in aggregate contributions from any person.

(b) Aggregate contributions from a single political action committee to any candidate, his authorized committee or agent shall not exceed five thousand dollars (\$5,000) for each election. Furthermore, for each election, no candidate, his authorized committee or agent shall accept or receive more than five thousand (\$5,000) in aggregate contributions from a single political action committee.

(c) It shall be unlawful for any single political action committee registered with the Department of State in accordance with section 1624 to make any contributions or loans to any other single political action committee registered with the Department of State. Furthermore, it shall be unlawful for any single political action committee registered with the Department of State in accordance with section 1624 to accept or receive any contributions from any other single political action committee registered with the Department of State.

(d) Aggregate contributions from a single candidate's political committee to any other single candidate's political committee or any single political action committee shall not exceed five thousand dollars (\$5,000) in a calendar year. Furthermore, during any calendar year, no

single political action committee or single candidate's political committee shall accept or receive more than five thousand dollars (\$5,000) in aggregate contributions from any single candidate's political committee.

(e) The provisions of this section are not applicable to any contribution made for the purpose of influencing any election for Federal office.

Section 6. This act shall take effect in 60 days.

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

The SPEAKER. The Chair apologizes to the gentleman and recognizes him.

Mr. KUKOVICH. Mr. Speaker, this amendment is something that has been worked on by Representative Conti since actually towards the end of last session. There has been some work done by the chair of the committee, to which I am grateful. I think it is important to move this kind of issue. I think it is the least we can possibly do in the area of campaign finance reform.

What it does is simply put a limit of contributions for the primary and general for all candidates in the State – statewide, judicial, and State House and State Senate – at \$1,000 for an individual, \$5,000 for political action committees. That conforms to the Federal election law. There are two other items to that amendment, one that deals with disclosure and definition of “independent expenditures” and one that deals with restricting contributions between committees.

I think it is the bare minimum that we can do. I think at a time whenever those of us who have seen scandals in this Commonwealth – and literally every scandal behind it has been something to do with campaign finances and campaign funds, from the days of CTA (Computer Technology Associates) and the tragedy that occurred to Bud Dwyer to the allegations that are in the newspapers around the State today about the Attorney General – at the root of every one of those scandals that has done nothing but breed disrespect for the system of government we have here and to make our jobs that much more difficult, we have needed to reform the campaign finance system in this State.

Pennsylvania is one of the most backward in the United States in this area. All I am asking today is that we take a chance to vote on a bill that members on both sides of the aisle agree on, amendatory language which members on both sides of the aisle agree, and I would ask for an affirmative vote.

### GERMANENESS QUESTIONED

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

Mr. GAMBLE. Mr. Speaker, I would like to raise the question of germaneness.

Representative Kukovich, without any question, has worked harder on rewriting the Election Code than anyone in this chamber, and I am sure that he will have an opportunity to deal with that on another day.

I think we all know well enough that, and just to reiterate, if we do not pass this bill clean today, HB 543, to change the date every 4 years in the Presidential year to the third Tuesday of March – that is all we want to do – and if we load this up with at least even one amendment, this will never make it to the Governor's desk on time.

I believe that rewriting the Election Code is not germane to changing a date, an election date in the primary election in a

Presidential year, and I would ask that you vote that this is not germane to the bill.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Kukovich, for the second time.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I respect what Representative Gamble is trying to do for his colleague from Allegheny County, and I tend to agree with that, but members have to keep in mind, this is not a Senate bill that is over here and, if we amend it, it has got to go back. This is a House bill originating in this chamber. Whether there is amendatory language or not, it still has to go to the Senate. If the Senate is so moved to pass this bill in an expeditious fashion and they do not like the language, they can simply take it out. That will cause no delay. That will not prevent this bill from moving through to the Governor's desk if that really is the will of this chamber and of the State Senate.

I would also say that we have got to be careful about this precedence of using germaneness as a parliamentary trick to prevent us from voting on serious substantive language. Representative Gamble admitted that what he wants to do here is allow a bill to go through clean. That has nothing to do with germaneness.

I would suggest that the members check section 402 of Mason's Manual which addresses germaneness, and there are two sections that I will read from, one on the bottom of page 264 that says, “To determine whether an amendment is germane, the question to be answered is whether the question is relevant, appropriate, and in a natural and logical sequence to the subject matter of the original proposal.”

Historically, the precedent has always been in this chamber that if the language of the amendment is drafted to the same title of the bill, it is germane. We do that with School Code bills, transportation bills, Election Code bills. This bill of Mr. Readshaw's is an Election Code bill. This amendment of mine is an Election Code bill. That has always been ruled to be germane.

Section 3 of that same rule in Mason's Manual on the top of page 265 says, “To be germane, the amendment is required only to relate to the same subject. It may entirely change the effect of...the...motion or measure and still be germane to the subject.” This amendment does not change the original subject matter. It lets it in, simply adds this language, to reform the campaign finance system.

By any interpretation, this amendment is germane, and I would offer that the amendment should respond accordingly and vote that this is a germane amendment.

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, will the maker of the germaneness motion stand for a brief interrogation?

Mr. GAMBLE. Yes.

The SPEAKER. The gentleman, Mr. Gamble, indicates he would be pleased to stand for interrogation. You may begin.

Mr. LEVDANSKY. Mr. Speaker, I am astounded and amazed at your constitutional-law prowess here. Under your motion, essentially what you argue is that Representative Kukovich's campaign finance reform legislation, which to us – we have been

working on this for years — amends the Election Code, you propose that it is not germane to the Election Code. Given your constitutional prowess, could you indicate to me what statute on the existing legal structure in this State this amendment would in fact be germane to?

Mr. GAMBLE. Mr. Speaker, I have not claimed to have any constitutional prowess. I merely said that to change the election date every 4 years in the Presidential election, a bill that needs to go through clean is not where to rewrite the Election Code. The place to rewrite the Election Code, Mr. Speaker, is the State Committee, and your ideas and the ideas of Mr. Kukovich and Mr. Vitali should be all pulled together among that very versatile committee of 23 and come up with a fine bill that we can all deal with, but not today, because we need to expedite. And so I do not think that it is germane to reform the entire election process in the State of Pennsylvania on a bill that merely wants to change the date of a primary election.

Mr. LEVDANSKY. Mr. Speaker, let me make sure I understand this.

You cannot point to another statute to which this amendment would be more applicable, more germane. What you are saying essentially is you want to, you know— I think you want two things. You want Representative Readshaw's bill passed free and clean. I mean, I support Representative Readshaw's legislation. I am a cosponsor of the legislation. Yet despite that fact, we have no clearance that this legislation is going to be considered in the Senate or whether or not it would meet with the Governor's approval, all which would be necessary before June 30 in order for this legislation to affect next year's primary.

So what I hear from you is that you are not really that much concerned about germaneness; what you want to see is this legislation passed without any amendment. Is that more in line? Is that an appropriate—

Mr. GAMBLE. No, Mr. Speaker; do not put words in my mouth. I believe we have both been here long enough to see the question of germaneness raised, and it was not always raised by a constitutional attorney. I raise the question that the time and the place to rewrite the election reform package is not here in the House on a bill that changes a date and needs to be expedited.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I do not have any more questions for the maker of the motion. I would, however, like to speak to the issue.

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

Mr. LEVDANSKY. Look, Mr. Speaker, very, very few members sitting on this floor are really versed and qualified to question constitutionality or germaneness of issues. There are a few constitutional attorneys here that are qualified and capable to do that, but all too often, and I submit to you this is probably the most flagrant example of using the germaneness motion to hide behind voting on the substance of an issue. That is what we are doing here. You know, this is a legislative ploy to avoid dealing with this issue. It is just the latest in a series of attempts that have been thrown in the way of those of us that want to try to reform the campaign finance law in this State. If ever there was a bill, I would argue, that is not only germane, but I would argue, even more important, it is Representative Kukovich's legislation.

As a sponsor of similar legislation to Representative Kukovich's, I have often heard from many of my colleagues, well, Dave, you know, I just have not heard this hue and cry from the public out there that we want campaign finance reform legislation. Well, Mr. Speaker and Mr. Gamble and Mr. Readshaw, I do not

hear a hue and cry from the electorate saying that they want to change the primary in Pennsylvania. I have not gotten one call or one letter from one constituent anywhere in this State requesting the date of the primary to be changed, yet we think it is that significant that it ought to be.

### POINT OF ORDER

Mr. COLAFELLA. Point of order, Mr. Speaker.

Mr. LEVDANSKY. I would argue, Mr. Speaker—

The SPEAKER. The gentleman will yield.

The Chair recognizes the gentleman, Mr. Colafella. For what purpose does the gentleman rise?

Mr. COLAFELLA. Mr. Speaker, I would like to just mention that I would appreciate if he would just talk about germaneness of the bill rather than to personally criticize members about how they plan to vote and why they plan to vote.

The SPEAKER. I think the point is well taken. The gentleman might pay attention to that slight reprimand.

Mr. LEVDANSKY. Mr. Speaker, nonetheless — I am not going to belabor the point — a vote saying that this is not germane is a vote to duck and hide from the issue of campaign finance reform. The fact that large and exceedingly influential campaign contributions do influence, do influence the legislative process at times is a real issue that we need to deal with. Changing the election date is certainly a relevant issue, but I would argue that an even more relevant and a more timely issue is dealing with the issue of campaign finance law reform in this Commonwealth and would urge a vote for germaneness. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The question before the House is the question as to the germaneness of the amendment. The Chair recognizes the gentleman, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, as you will point out and have pointed out, the question of germaneness is a question that is decided by the members of this House, and it sometimes is used to protect the members, used by the members to protect themselves, from people who pursue their own causes at the expense of every other member of this House.

The SPEAKER. On the question, those who believe the amendment to be germane shall vote "aye"; those who believe it not germane shall vote in the negative.

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

### YEAS-67

Argall	Egolf	Masland	Sainato
Belardi	Evans	McCall	Scrimenti
Belfanti	George	Melio	Smith, S. H.
Bishop	Gordner	Michlovic	Staback
Blaum	Gruitza	Mundy	Steelman
Boscola	Hanna	Nailor	Stetler
Browne	Jadlowiec	Nickol	Sturla
Cappabianca	Jarolin	Pesci	Surra
Carn	Josephs	Petrone	Tangretti
Cawley	Kaiser	Pistella	Tigue
Clark	Kirkland	Platts	Trich
Cohen, M.	Krebs	Reber	Vance
Corpora	Kukovich	Roberts	Vitali

Corrigan	LaGrotta	Robinson	Williams
Cowell	Levdansky	Roebuck	Wozniak
Curry	Lloyd	Rooney	Yewcic
Dent	Manderino	Rudy	

NAYS-133

Adolph	Fajt	Lucyk	Schuler
Allen	Fargo	Lynch	Semmel
Armstrong	Farmer	Maitland	Serafini
Baker	Feese	Markosek	Shaner
Bard	Fichter	Marsico	Sheehan
Barley	Fleagle	Mayernik	Smith, B.
Battisto	Flick	McGeehan	Snyder, D. W.
Bebko-Jones	Gamble	McGill	Stairs
Birmelin	Gannon	Merry	Steil
Boyes	Geist	Micozzie	Stern
Brown	Gigliotti	Miller	Stish
Bunt	Gladeck	Nyce	Strittmatter
Butkovitz	Godshall	O'Brien	Taylor, E. Z.
Buxton	Gruppo	Olasz	Taylor, J.
Caltagirone	Habay	Oliver	Thomas
Chadwick	Haluska	Perzel	Travaglio
Civera	Harhart	Petrarca	Trello
Clymer	Hasay	Pettit	True
Cohen, L. I.	Hennessey	Phillips	Tulli
Colafella	Herman	Piccola	Van Horne
Colaizzo	Hershey	Pitts	Veon
Conti	Hess	Preston	Walko
Cornell	Horsey	Ramos	Washington
Coy	Hutchinson	Raymond	Waugh
Daley	Itkin	Readshaw	Wogan
DeLuca	James	Reinard	Wright, D. R.
Dempsey	Keller	Richardson	Wright, M. N.
Dermody	Kenney	Rieger	Youngblood
DeWeese	King	Rohrer	Zimmerman
DiGirolamo	Laughlin	Rublely	Zug
Donatucci	Lawless	Santoni	
Druce	Lederer	Sather	Ryan, Speaker
Durham	Leh	Saylor	
Fairchild	Lescovitz	Schroder	

NOT VOTING-1

Carone

EXCUSED-2

Major Mihalich

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?

Mr. LEVDANSKY offered the following amendment No. A3023:

Amend Title, page 1, line 13, by removing the period after "nominated" and inserting

; and providing for limitations on contributions.

Amend Bill, page 2, by inserting between lines 9 and 10 Section 2. The act is amended by adding a section to read:

Section 1634.2. Limitations on Contributions.-

(a) No person or political action committee may give to any candidate aggregate contributions in an amount more than the amount

listed in the table of this section. For purposes of this section, a primary election and a general election shall be considered two separate and distinct elections. This subsection shall not apply to contributions to a candidate or a candidate's political committee by the candidate or the candidate's parents, spouse, children, brothers or sisters. For purposes of these limits, affiliated committees shall be deemed to constitute a single political committee.

TABLE

POLITICAL OFFICE	INDIVIDUAL LIMIT	POLITICAL COMMITTEE LIMIT
Senate	\$250	\$500
House	\$250	\$500

(b) During calendar years in which the candidate's election is not held, contributions from individuals are limited to twenty (20) per cent of the amounts listed in the table in subsection (a).

(c) Restrictions on contributions established in subsections (a) and (b) shall be in the aggregate applying to combined contributions made directly to the candidate or his committee.

(d) For the purposes of this section, "affiliated committees" means two or more political action committees sponsored by affiliated corporations, unincorporated associations or other affiliated organizations. For purposes of this definition, an organization is deemed to be affiliated with another organization if it is a parent, branch, subsidiary, division, department or local unit of the other organization.

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

3

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

AMENDMENT WITHDRAWN

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

Mr. LEVDANSKY. Mr. Speaker, I think by the previous vote it is obvious that this chamber does not want to deal with this issue today. My hope is that one day this chamber will show a little collective integrity and deal with this issue, but in the meantime, I will withdraw my amendment.

The SPEAKER. The Chair thanks the gentleman.

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

MOTION TO SUSPEND RULES

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

Mr. VITALI. Thank you, Mr. Speaker.

I would move to suspend the rules for the purpose of considering amendment 2376. What I have in lieu of a fiscal note is a fiscal note drafted to a different bill but identical language. As we speak, I can also tell you that something is being faxed from my district office that perhaps is to the same language.

But the fact of the matter is, if we are concerned about the fiscal note, we do have a fiscal note dated April 13 in the amount of \$90,000, and that is being faxed, and if we could, I would move to suspend the rules for the purpose of proceeding without the fiscal note. That fax should be coming from my district office momentarily.



## MOTION RULED OUT OF ORDER

The SPEAKER. The gentleman will yield.

I believe the gentleman has lost the opportunity to do what he is asking the House to do at this time, because when I found that what you wanted to do earlier was out of order, your option at that point was to appeal the ruling of the Chair. Not having appealed the ruling of the Chair, that issue closed, and I believe the issue being closed, a suspension of the rules is too late now and not effective.

Mr. VITALI. If I may, Mr. Speaker—

The SPEAKER. The gentleman may speak.

Mr. VITALI. The rule which governs your pronouncement right there, if I would move to suspend that rule so that we could in fact proceed, whatever rule is constraining you, it is my belief that that in fact can be suspended. I cannot help but think that if there is the desire to deal with this, we cannot. The fact of the matter is, this is a highly technical point. We have a fiscal note. We know what the amount is. Let us not kid ourselves.

The SPEAKER. The gentleman will yield.

I have again ruled, and your option is to appeal my ruling.

## RULING OF CHAIR APPEALED

Mr. VITALI. I would appeal that ruling, Mr. Speaker.

The SPEAKER. I am sorry?

Mr. VITALI. I move to appeal your ruling, sir.

The SPEAKER. All right.

The decision of the Chair was that his motion to suspend was out of order in light of the earlier decision of the Chair, and from that decision the gentleman is taking an appeal, and if you do not understand what I have just said, then stand in line and talk to Clancy in a little while.

## APPEAL WITHDRAWN

Mr. VITALI. I would like to withdraw that motion, if I could.

The SPEAKER. The Chair recognizes the gentleman.

Mr. VITALI. On the advice of counsel, I would like to withdraw that motion to appeal the ruling of the Chair.

The SPEAKER. Thank you, neighbor.

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?

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

Mr. READSHAW. Mr. Speaker, I would like to speak to the bill, please.

The SPEAKER. The gentleman is in order.

Mr. READSHAW. Mr. Speaker, currently Pennsylvania's Presidential primary is on the fourth Tuesday in April, and by that time many of the candidates who are running for President have dropped out. Sometimes the eventual winner is clearly evident by the time Pennsylvanians get to vote, and by that time, 75 percent

of the delegates to both the Democratic and Republican Conventions are selected.

HB 543 would move the date to the third Tuesday in March, and on that date, Pennsylvanians would be voting along with citizens from Ohio, Illinois, Michigan, and Wisconsin. However, with Pennsylvania being the most populous of those five States, Pennsylvania would most likely receive the most attention from the candidates from both parties. This would cause them to address issues of concern to Pennsylvanians in detail and would provide our citizens more to judge the candidates than by TV advertisements.

Mr. Speaker, I would like to urge everyone to support the bill. I believe it is good for Pennsylvanians. Thank you very much.

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

Mr. KAISER. Thank you, Mr. Speaker.

I stand to support HB 543. If this bill becomes legislation, Pennsylvania will be one of five States holding a primary that day. In those States, four of them — Illinois, Michigan, Ohio, and Pennsylvania — were severely hit by the recession over 10 years ago. The fifth State, Wisconsin, which is agricultural and also has an industrial base, was severely hit, too.

It is time that we get our priorities in order. Usually during the Presidential campaign, our election is so far back on the calendar we have very little say-so in the system. If our election day is moved up, we will have more muscle, and that is what we need here in Pennsylvania. We need to flex our muscle, and it is most important that with this bill we can do that.

We all want to be a player in the political system. If we vote for the Readshaw bill and it becomes law, we will again be a player in the United States. We are the fifth largest State, and it is most important that we get this legislation through. So I ask you, please support the Readshaw House bill. Thank you.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this legislation.

Let me begin by telling you that the circulating period in which petitions will be circulated will be from December, that 3-week period that we have from December to January. That means members and committee people will be circulating their petitions during the Christmas holidays, and I am sure people would like people knocking on their doors saying sign my petition under these kinds of circumstances. We do have weather conditions, which in my opinion will impede the number of people that will come out to vote.

The third-party candidates can begin to circulate their petitions January 10, which is the day that we would have to have our petitions processed by the board of elections. So that gives them from January 10, I understand, until August to do their circulation.

You heard the argument saying that because Pennsylvania is a populous State, the fifth populous State, that somehow we should be running all over ourselves to get the attention of those Presidential candidates, be they Democrat or be they Republican. I submit to you two points: number one, that there are a lot of candidates that are out there, the votes may be very close, and the third Tuesday in April may indeed be a date of advantage for Pennsylvania; and then secondly, Mr. Speaker, does anyone truly think that this State, that this great, wonderful State that we serve in, that candidates will not want to come and solicit us and seek to get our support, to get the electoral votes from Pennsylvania?

If they do not, then they do it at their risk. I think that we have enough going for us that candidates will come to us regardless of the outcome in March, as other speakers have mentioned, because we are a State that indeed, Mr. Speaker, brings recognition, and candidates will come to Pennsylvania regardless of the circumstances to seek our support.

And also, Mr. Speaker, I think it is important that the members know that the circulating periods for these other States that have been mentioned — Illinois and Michigan and Ohio — differ. They do not have that 3-week timeframe during the holidays. Their timeframes can begin earlier or later, and so it is a bit easier for them to do the circulating of petitions. But again, the members must know that we are going to be caught in that 3-week timeframe over the holidays, and I do not think that is advantageous at all.

Mr. Speaker, one other point that I have to make is that some of these other States have two primaries. They do not have the kind of situation we have in Pennsylvania where it is not only the Presidential primary but the primary for the House members. They have a secondary primary after the Presidential election in the fall of the year, so they have it a little bit easier in trying to get the job done.

Mr. Speaker, I encourage the members of this House to reject HB 543, to keep our primary date where it is, and that is the third Tuesday in April. I think it was Representative Mark Cohen from Philadelphia that had put that legislation in some years ago to give us that date. So I ask for a “no” vote on this legislation. Thank you, Mr. Speaker.

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

Mr. STRITTMATTER. Thank you, Mr. Speaker.

I would like to stand and support this legislation and would like to thank all the members who have worked so hard in a bipartisan manner to push this bill forward. Especially working in that regard, Representative Chadwick, who on our side has worked on this for a long time as well, acceding to Representative Readshaw in a bipartisan effort to show our support to allow our citizens a chance in the Presidential politics. In fact, what we have heard from our constituents is the fact that they would like to have a say in who is going to be our next President.

In all deference to our chairman who said that, well, Pennsylvania would not be taken for granted and people will certainly come to Pennsylvania because they are running for President, I say that in the past 20 years, that has not been the case. So I think it is wise for us to try to move our date so that we will have some say in the Presidential election. If this date is not good, in 4 years, then fine, we can change it at that time, but I would ask that we support this bill today. Thank you.

The SPEAKER. The gentleman, Mr. Nickol, from York is recognized.

Mr. NICKOL. Thank you, Mr. Speaker.

I find it almost comical to read about all the States in this Nation tripping over each other to move their primary to the front. What we are doing is front-loading the whole primary system. Inadvertently what we are going to do is increase the power of money in the process. Candidates cannot make the same intensive personal efforts State by State if all the primaries are up front.

Mr. Speaker, I learned an important lesson in kindergarten: We all cannot be first. I think Pennsylvania should be satisfied with being a kin maker later in the primary lineup. I see no reason that we should tamper with our primary date.

I urge members to vote against this piece of legislation. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

YEAS—118

Baker	Evans	Mayernik	Serafini
Battisto	Fajt	McCall	Shaner
Bebko-Jones	Fleagle	McGeehan	Smith, B.
Belardi	Gamble	Melio	Snyder, D. W.
Belfanti	George	Michlovic	Staback
Bishop	Gigliotti	Mundy	Steelman
Blaum	Godshall	Nailor	Stetler
Bunt	Gordner	O'Brien	Strittmatter
Butkovitz	Gruitza	Olasz	Sturla
Buxton	Haluska	Oliver	Surra
Caltagirone	Hanna	Pesci	Tangretti
Cappabianca	Hasay	Petrarca	Taylor, J.
Carn	Horsey	Petrone	Thomas
Cawley	Itkin	Pistella	Tigue
Chadwick	James	Platts	Travaglio
Clark	Jarolin	Preston	Trello
Cohen, M.	Josephs	Ramos	Trich
Colaella	Kaiser	Readshaw	Tulli
Colaizzo	Keller	Rieger	Vance
Corpora	Kirkland	Robinson	Van Horne
Corrigan	LaGrotta	Roebuck	Veon
Cowell	Laughlin	Rooney	Vitali
Coy	Lawless	Rubley	Waiko
Curry	Lederer	Rudy	Washington
Daley	Lescovitz	Sainato	Williams
DeLuca	Levdanskiy	Santoni	Wozniak
Dent	Lucyk	Schroder	Wright, D. R.
Dermody	Manderino	Scrimenti	Yewcic
DeWeese	Markosek	Semmel	Youngblood
Donatucci	Marsico		

NAYS—83

Adolph	Fairchild	Kukovich	Roberts
Allen	Fargo	Leh	Rohrer
Argall	Farmer	Lloyd	Sather
Armstrong	Feese	Lynch	Saylor
Bard	Fichter	Maitland	Schuler
Barley	Flick	Masland	Sheehan
Birmelin	Gannon	McGill	Smith, S. H.
Boscola	Geist	Merry	Stairs
Boyes	Gladeck	Micozzie	Steil
Brown	Gruppo	Miller	Stern
Browne	Habay	Nickol	Stish
Carone	Harhart	Nyce	Taylor, E. Z.
Civera	Hennessey	Perzel	Truc
Clymer	Herman	Pettit	Waugh
Cohen, L. I.	Hershey	Phillips	Wogan
Conti	Hess	Piccola	Wright, M. N.
Cornell	Hutchinson	Pitts	Zimmerman
Dempsey	Jadlowiec	Raymond	Zug
DiGirolamo	Kenney	Reber	
Druce	King	Reinard	Ryan,
Durham	Krebs	Richardson	Speaker
Egolf			

NOT VOTING—0

## EXCUSED-2

Major

Mihalich

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

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

**BILL REREPORTED FROM COMMITTEE****HB 1400, PN 2020**

By Rep. PITTS

An Act creating the Department of Conservation and Natural Resources consisting of certain functions of the Department of Environmental Resources and the Department of Community Affairs; renaming the Department of Environmental Resources as the Department of Environmental Protection; defining the role of the Environmental Quality Board in the Department of Environmental Protection; making changes to responsibilities of the State Conservation Commission and the Department of Agriculture; transferring certain powers and duties to the Department of Health and Human Services; and repealing inconsistent acts.

APPROPRIATIONS.

**SUPPLEMENTAL CALENDAR B****BILL ON SECOND CONSIDERATION**

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

**HB 1400, PN 2020.****RULES COMMITTEE MEETING**

The SPEAKER. There will be an immediate meeting of the Rules Committee at the majority leader's desk. There will be an immediate meeting of the Rules Committee at the majority leader's desk.

**RECESS**

The SPEAKER. It is the intention of the Chair to recess the regular session, move into special session, return later into the regular session.

So without more at this time, the Chair declares the regular session in recess to the call of the Chair.

**AFTER RECESS**

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

**THE SPEAKER PRO TEMPORE  
(PATRICIA H. VANCE) PRESIDING****BILLS REREPORTED FROM COMMITTEE****HB 406, PN 426**

By Rep. PERZEL

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for additional duties of the Department of Corrections in relation to prison inmate medical needs.

RULES.

**HB 1053, PN 1173**

By Rep. PERZEL

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, adding provisions relating to the operation and suspension of adult oriented establishments; and imposing penalties.

RULES.

**RESOLUTION REPORTED  
FROM COMMITTEE****HR 139, PN 1837**

By Rep. PERZEL

A Resolution urging the Pennsylvania Turnpike Commission to conduct a study of the need and feasibility of adding additional tolled interchanges on the *Northeast Extension of the Pennsylvania Turnpike*.

RULES.

**BILL REMOVED FROM TABLE**

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

Mr. PERZEL. Madam Speaker, I move that SB 283 be removed from the table.

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

**BILLS RECOMMITTED**

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

Mr. PERZEL. Madam Speaker, I move that SB 283, HB 1053, and HB 406 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 pro tempore. The House Education Committee is announcing that their meeting for tomorrow at 9 o'clock has been canceled.

**URBAN AFFAIRS COMMITTEE MEETING**

The SPEAKER pro tempore. The Urban Affairs Committee announces that the committee meeting originally scheduled for 10 a.m. in room 40 has been moved to the back of the House tomorrow morning at 10 a.m.

**BILLS AND RESOLUTIONS PASSED OVER**

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

**ADJOURNMENT**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Sainato, from Lawrence County.

Mr. SAINATO. Madam Speaker, I move that this House do now adjourn until Wednesday, June 7, 1995, at 10 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 5:44 p.m., e.d.t., the House adjourned.