

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 27, 1995

SESSION OF 1995

179TH OF THE GENERAL ASSEMBLY

No. 58

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

The SPEAKER. The prayer today will be offered by our guest chaplain, Rabbi James Michaels from Temple Israel in Wilkes-Barre, here today as the guest of Representative Mundy and Representative Blaum.

RABBI JAMES MICHAELS offered the following prayer:

Twenty-seven hundred years ago, the prophet Micah urged his people to do justice, love mercy, and walk humbly with God. These words ring out through the centuries, giving us guidance for the way in which we not only can govern our lives but also govern a civil society.

Today the world cries out for justice, mercy, and humility. In the midst of plenty, there are those who are hungry and homeless. In a land of freedom, there are some who would impose their opinions on those who exercise their right to be different, and in a land with the promise of liberty, there are many who long for the simple right to walk on the streets in safety and security.

O Lord, bless the women and men of the Pennsylvania State legislature with courage and foresight. Where there is despair, allow them to bring hope; where there is fear, let them bring reassurance; where there is injustice, help them provide a beacon of reason and guidance; and where there is waste, let them lead us in repaying our debt to the earth.

Through the days and weeks ahead, may the members of this esteemed body lead the people of our Commonwealth to faithful service to each other, for only through our willingness to serve humanity will we ultimately serve the Lord.

Let us all hearken to the Biblical call, "Justice, justice, shall you pursue," that we and our descendants may live. 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 26, 1995, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair is advised by the majority whip and by the office of the minority whip, Mr. Itkin, that there are no leaves of absence. Has there been any change in that? Is that information still accurate? The Chair assumes that is accurate.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll call. The members will proceed to vote.

The following roll call was recorded:

PRESENT—203

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—0

**PARADE ALL-AMERICAN
SOCCER PLAYERS PRESENTED**

The SPEAKER. Will the gentleman, Mr. Tulli, come to the rostrum.

Mr. TULLI. Mr. Speaker, colleagues, I wish to introduce to you today two Parade All-American soccer players. Ms. Jaime Pagliarulo and Mr. Ben Olsen have just graduated from high school, and both of them have been recognized as Parade All-American soccer players in a nationwide poll.

Joining them today I wish to introduce their parents, Carol and Dana Olsen and Todd and Linda Pagliarulo.

Jaime Pagliarulo has been chosen for Parade's All-American high school girls soccer team as an outstanding goalie. She is noted for her athletic talent, but I think we should also recognize today, as we take a moment, that she is a high academic achiever also, and she will be going on to George Mason University.

Ben Olsen also, as he graduated from Middletown High School, has been named as a Parade All-American member, but he has the added distinction, ladies and gentlemen, that you will appreciate as being named the All-American number one boys soccer player in the United States of America. Ben also has been a high academic achiever and is certainly to be recognized for that also.

Both Jaime and Ben are going to receive your congratulations in a citation, and I wish you to join me in congratulating them at this time. Thank you.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House Ms. Lindsey Arnold, a guest page, here as the guest of Representative Howard Fargo. Lindsey, would you please rise to be recognized. Here she is, right here in the center aisle.

And we have a special assistant to Representative Pistella today — Master Alex Clark. Where is Alex? He was here a little earlier today. There he is. Come on, stand up there, Alex.

And as a guest page, the guest of Representative Katie True, is Patrick — and I cannot quite make it out, whether it is Clearer or Cleaner — but— Cleaver. Oh, my gosh; it is Fran Cleaver's son. I will be killed for that one. Patrick, where are you? I just saw— I was with him a moment ago. Where did he get to? Fran, I did that on purpose to get your attention.

We have here, as the guests of both the Republican and Democrat delegations from Philadelphia, Michael Karp and his two daughters, Penelope and Athena Karp. They are seated here at the majority leader's desk.

REPUBLICAN CAUCUS

The SPEAKER. Does the gentleman, Mr. Fargo, have an announcement with respect to caucus?

Mr. FARGO. Thank you, Mr. Speaker.

The Republican members will caucus immediately in the majority caucus room. We will return for session at 3:30.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman, Mr. Cohen, with respect to the Democratic caucus.

Mr. COHEN. Mr. Speaker, there will be a Democratic caucus immediately upon the recess. We have a very busy agenda today. I urge everybody's attendance.

**STATE GOVERNMENT
COMMITTEE MEETING**

The SPEAKER. Are there any further announcements?

Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, at the call of recess at the back of the hall there will be a very short meeting of the State Government Committee; a very short meeting of the State Government Committee at the back of the hall at the call of recess.

The SPEAKER. The Chair thanks the gentleman.

GUEST INTRODUCED

The SPEAKER. Representative Rubley has a guest here today that we would like to welcome — Helena Plater-Zyberk. She is a summer intern at Representative Rubley's district office, majoring in international studies, German, and economics at American University. She is seated in the gallery. Would Helena please rise or wave so that we recognize her. There she is.

Does the majority leader or Democratic floor leaders have any further business prior to the declaration of a recess?

There will be no further votes prior to the declaration of a recess. However, the Chair will remain open to take care of some housekeeping matters.

The members may retire to their respective caucus rooms at this time.

SENATE MESSAGE**HOUSE BILL
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, returned **HB 1481, PN 1730**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 861, PN 2122**.

SENATE MESSAGE**AMENDED HOUSE BILLS RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, returned **HB 929, PN 2279**; and **HB 1154, PN 2296**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE**AMENDED SENATE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 729, PN 1297**.

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

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 861, PN 2122

An Act amending the act of May 17, 1929 (P.L.1798, No.591), referred to as the Forest Reserves Municipal Financial Relief Law, increasing the amount paid by the Commonwealth; and providing for an annual charge for tax-exempt lands.

HB 1098, PN 1242

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for transfer of restaurant licenses to certain deteriorated areas.

HB 1481, PN 1730

An Act amending the act of November 30, 1965 (P.L.847, No.356), known as the Banking Code of 1965, to harmonize with the Federal interstate banking law by providing for interstate mergers and branching; providing for authorization to receive deposits, fiduciary powers, bank holding companies, limits on indebtedness, qualifications of directors, conversions and enforcement and other provisions applicable to the department.

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

**BILLS ON CONCURRENCE REPORTED
FROM RULES COMMITTEE****HB 2, PN 2244**

By Rep. PERZEL

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the Public Welfare Code, providing for a job training program, for Federal funds for legal services; prohibiting leases for use of a premises in Philadelphia for operating a financial exchange office; restricting leases involving the Embreeville Center; further providing for administration of assistance, for the workfare program, for a program for identification of assistance recipients, for eligibility for assistance and for determination of need; prohibiting duplicate payments and providing for expedited authorization; further providing for medical need determinations and for relatives' responsibility for medical assistance; providing for penalties for failure to appear at criminal proceedings; and further providing for employment incentive payments and for repayment from probate estates.

RULES.

HB 20, PN 2278

By Rep. PERZEL

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 investment of school district funds, and for the compensation of the special board of control and for tuition grants for certain children with exceptionalities; prohibiting the possession of weapons; further providing for children with exceptionalities; providing for safe schools and for agricultural education programs; imposing duties on the Department of Education; further providing for community college reimbursement and for small district assistance; providing for basic education funding and for aid to districts suffering revenue loss due to reduction in assessed valuation of taxable property; further providing for payments to intermediate units, for payment for nonpublic school transportation, for special education payments to school districts and extraordinary special education program expenses; and providing for distance learning grants.

RULES.

HB 215, PN 2301 (Amended)

By Rep. PERZEL

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for medical history information and for involuntary termination of parental rights.

RULES.

HB 247, PN 2300 (Amended)

By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of neglect of care-dependent person; further providing for insurance fraud; and further prohibiting prostitution.

RULES.

HB 701, PN 2143

By Rep. PERZEL

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, providing for adoption of property maintenance regulations and standard codes; eliminating provisions for milk inspection; and further providing for the manufacture and purchase of electricity.

RULES.

HB 1480, PN 2239

By Rep. PERZEL

An Act providing for the capital budget for the fiscal year 1995-1996.

RULES.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 665, PN 2018**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting certain entertainment in specified establishments.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 665 be recommitted to the Committee on Rules.

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

The House proceeded to third consideration of **HB 881, PN 976**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the regulation of obscenity.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 881 be recommitted to the Committee on Rules.

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

The House proceeded to third consideration of **HB 940, PN 2019**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of public indecency; and providing penalties.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 940 be recommitted to the Committee on Rules.

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

The House proceeded to third consideration of **HB 1053, PN 1173**, entitled:

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.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 1053 be recommitted to the Committee on Rules.

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

The House proceeded to third consideration of **SB 283, PN 1197**, entitled:

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.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that SB 283 be recommitted to the Committee on Rules.

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

SUPPLEMENTAL CALENDAR A

BILLS ON SECOND CONSIDERATION

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

SB 476, PN 1004; SB 578, PN 1316; and SB 873, PN 923.

RECESS

The SPEAKER. Does the majority leader or Democratic floor leader have anything further prior to the recess?

Hearing no requests, the Chair declares this House in recess until 3:30.

RECESS EXTENDED

The time of recess was extended until 4 p.m.; further extended until 4:30 p.m.

AFTER RECESS

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 701 be recommitted to the Committee on Rules.

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

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 248, PN 230**, with information that the Senate has passed the same without amendment.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair acknowledges receipt of additions and deletions for sponsorships of bills, which the clerk will file.

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

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

Mr. FLICK. Mr. Speaker, I wonder if I could call an immediate meeting of the Intergovernmental Affairs Committee at the rear of the House?

The SPEAKER. No. It would be inappropriate to meet at this time. We are about to start the voting schedule.

BILL SIGNED BY SPEAKER

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

HB 248, PN 230

An Act providing for the adoption of a capital project to be financed from current revenues of the Game Fund.

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

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 1212, PN 2281**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SUPPLEMENTAL CALENDAR B

BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 20, PN 2278**, entitled:

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 investment of school district funds, and for the compensation of the special board of

control and for tuition grants for certain children with exceptionalities; prohibiting the possession of weapons; further providing for children with exceptionalities; providing for safe schools and for agricultural education programs; imposing duties on the Department of Education; further providing for community college reimbursement and for small district assistance; providing for basic education funding and for aid to districts suffering revenue loss due to reduction in assessed valuation of taxable property; further providing for payments to intermediate units, for payment for nonpublic school transportation, for special education payments to school districts and extraordinary special education program expenses; and providing for distance learning grants.

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

The SPEAKER. It is the understanding of the Chair that the gentleman, Mr. Itkin, desires recognition. The Chair recognizes the gentleman, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, as we attempt to conclude our efforts during this fiscal year and consider those programmatic changes in education for the next year and deal with HB 20 which provides the formula for how we would spend the money in the budget that we sent to the Governor, a concern I have exists with the funding for special education.

We see that HB 20, taken in tandem with the budget in three separate areas, denies appropriate special education funding. Number one, there was a substantial reduction to two major school districts in their special education direct appropriation, and those two were school districts in intermediate units — the Pittsburgh and Philadelphia intermediate units. There has been a reduction to those two school districts in the aggregate of \$11,258,000. We have in essence in this budget and in HB 20 shortchanged Pittsburgh and Philadelphia \$11,258,000 from what they had received in the prior year. This is especially offensive in view of the fact that we now have this year a budget surplus approaching one-half billion dollars, and yet we see, with respect to the two major school districts — Pittsburgh and Philadelphia — we have reduced their direct appropriation for special education by over \$11 million.

In addition, we have also hurt 48 school districts who will receive less from the special education formula funding than they received last year due to the fact that our formula for calculating special education funding has very little to do with the number of special education students but rather is tied to overall enrollment, and because a school district has lost, because a school district has lost a normal child from its rolls, that particular school district will receive less special education funding although the need has not changed for that school district one iota. And there are 48 school districts that will receive less funding this year due to declining student enrollments than they got last year, and I think that it would be appropriate for us to consider holding harmless those school districts where we have this circumstance developing.

And finally, as I look in-house with respect to HB 20, I see that in the area of extraordinary special education costs, that particular provision that deals with those school districts that have extraordinary special education needs because they have a great number of special education students and where their expenses exceed the norm by perhaps in excess of 150 percent, that this General Assembly recognized last session that we should provide an additional pot of money so that these school districts can provide the funding that they need and do the expenditures that they will have to be making. What we see now is that last year we

put in an appropriation of \$10,500,000, but yet for these particular districts, the costs incurred for these districts was \$12,200,000, an increase of \$1.7 million, and this bill compounds the misappropriation or less appropriation by continuing that base amount for the 50-percent payment this year. So the total loss to these 45 school districts is \$2,550,000.

MOTION TO SUSPEND RULES

Mr. ITKIN. Mr. Speaker, I believe that because we are the beneficiaries of substantial surplus this year and a huge amount of unappropriated funding in that surplus, that we should fund these programs, and I make a motion that we suspend the rules for the consideration of amendment A4379 to HB 20 which would provide for \$14,269,000 as an appropriation item plus the particular categories that I previously mentioned.

Mr. Speaker, I so move that we suspend the rules for this purpose — for this purpose only — to consider amendment A4379.

The SPEAKER. The question before the House is the motion of the gentleman, Mr. Itkin, to suspend the rules of the House to permit him to offer amendment A4379 to HB 20.

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

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

The members will recall that the rules permit only the two floor leaders to debate this question. The gentleman, Mr. Perzel, has yielded his time to the gentleman, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker, for letting me oppose this motion to suspend the rules.

In front of us today is HB 20, which will be the vehicle for the school subsidies and other legislative education matters to be taken up by the General Assembly. I would certainly hope that the members on both sides of the aisle will join me in opposing the suspension of the rules, because we have so very much in this bill for education in the Commonwealth, and I hope that we can all join together to oppose the suspension of the rules. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-95

Battisto	Donatucci	Manderino	Sainato
Bebko-Jones	Evans	Markosek	Santoni
Belardi	Fajt	Mayernik	Scrimenti
Belfanti	George	McCall	Shaner
Bishop	Gigliotti	McGeehan	Staback
Blaum	Gordner	Melio	Steelman
Boscola	Gruitza	Michlovic	Stetler
Butkovitz	Haluska	Mihalich	Sturla
Buxton	Hanna	Mundy	Surra
Caltagirone	Horsely	Oliver	Tangretti
Cappabianca	Itkin	Pesci	Thomas
Carn	James	Petrarca	Tigue
Cohen, M.	Jarolin	Petrone	Travaglio
Colafella	Josephs	Pistella	Trich
Colaizzo	Keller	Preston	Van Horne
Corpora	Kirkland	Ramos	Veon

Corrigan	Kukovich	Readshaw	Walko
Cowell	LaGrotta	Richardson	Washington
Coy	Laughlin	Rieger	Williams
Curry	Lederer	Roberts	Wozniak
Daley	Lescovitz	Robinson	Wright, D. R.
DeLuca	Levdansky	Roebuck	Yewcic
Dermody	Lloyd	Rooney	Youngblood
DeWeese	Lucyk	Rudy	

NAYS-107

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

NOT VOTING-1

Cawley

EXCUSED-0

Less than a majority of the members elected to the House having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

The SPEAKER. Does the gentleman, Mr. Belfanti, wish to be recognized on this issue?

Mr. BELFANTI. Sorry, Mr. Speaker; I was not paying attention. What issue? HB 20, Mr. Speaker?

The SPEAKER. I am not going to tell you.

The issue that is on the board, the question of concurrence in the Senate amendments to HB 20.

Mr. BELFANTI. Thank you, Mr. Speaker.

HB 20, as you know, deals with the Department of Education and schooling, and in that regard, Mr. Speaker, I found it quite alarming—

The SPEAKER. The gentleman will yield.

Conferences on the floor, please break up. Members of staff not involved in the concurrence vote on HB 20 should leave the floor, or at the very least be silent.

The Chair recognizes the gentleman, Mr. Belfanti.

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

Mr. Speaker, in reviewing the budget document, I found it rather alarming that a few institutions that were created by this General Assembly were removed from the budget, including from within the Department of Education budget. In that regard, Mr. Speaker, and since we did not have the opportunity to amend the budget document, I would like to take this opportunity to request that the members consider reinserting \$650,000 to Indiana University of Pennsylvania for the labor studies program—

The SPEAKER. The gentleman will yield.

The question before the House is one of concurrence, to either concur or nonconcur on HB 20.

MOTION TO SUSPEND RULES

Mr. BELFANTI. Thank you, Mr. Speaker. I appreciate that.

In that regard then, I would like to make a motion that we suspend the rules for the purpose of my offering amendment 4286.

Simply put, it is a \$650,000 appropriation to the Department of Education to be used at IUP for a very longstanding program that has done a lot of good.

The SPEAKER. The Chair thanks the gentleman.

The question before the House is the motion of the gentleman, Mr. Belfanti, to suspend the House rules to permit him to offer amendment A4286.

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

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

Mr. STAIRS. Thank you, Mr. Speaker.

I again ask the members not to suspend the rules.

Certainly his appropriation that he talks about could have merit, but I think it should have been done in the budget, and this is not the appropriate place to resolve this, in HB 20. So I would hope that we could again vote "no" to suspend the rules.

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

The following roll call was recorded:

YEAS-95

Battisto	Donatucci	Lloyd	Sainato
Bebko-Jones	Evans	Lucyk	Santoni
Belardi	Fajt	Manderino	Scrimenti
Belfanti	Geist	Markosek	Shaner
Bishop	George	McCall	Staback
Blaum	Gigliotti	McGeehan	Steelman
Boscola	Gordner	Melio	Stetler
Butkovitz	Gruitza	Michlovic	Sturla
Buxton	Haluska	Mihalich	Surra
Caltagirone	Hanna	Mundy	Tangretti
Cappabianca	Horsey	Oliver	Thomas
Carn	Itkin	Pesci	Travaglio
Cohen, M.	James	Petrarca	Trich
Colafella	Jarolin	Petrone	Van Horne

Colaizzo	Josephs	Pistella	Veon
Corpora	Kaiser	Preston	Vitali
Corrigan	Keller	Ramos	Walko
Cowell	Kirkland	Richardson	Washington
Coy	Kukovich	Rieger	Williams
Curry	LaGrotta	Roberts	Wozniak
Daley	Laughlin	Robinson	Wright, D. R.
DeLuca	Lederer	Roebuck	Yewcic
Dermody	Lescovitz	Rooney	Youngblood
DeWeese	Levdansky	Rudy	

NAYS-107

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

NOT VOTING-1

Cawley

EXCUSED-0

Less than a majority of the members elected to the House having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

The SPEAKER. The gentleman, Mr. Belfanti.
Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, on concurrence of HB 20, it also disturbed me during the review of the actions that have taken place in this chamber over the course of the last week or two that the Pennsylvania MILRITE (Make Industry and Labor Right in Today's Economy) Council was removed from the budget over the strong—

The SPEAKER. The gentleman will yield.

The gentleman's remarks are restricted to the concurrence on HB 20.

MOTION TO SUSPEND RULES

Mr. BELFANTI. Thank you, Mr. Speaker.

Within the Department of Education, I believe there is room for an organization such as the MILRITE Council, which was very responsible for us reaching compromises on controversial issues such as unemployment compensation.

So I would like to make a motion that we suspend the rules so that I could offer amendment 4285, reestablishing the MILRITE Council budget item of \$350,000.

The SPEAKER. The question before the House is the motion of the gentleman to suspend the rules to permit the offering of amendment A4285.

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

The SPEAKER. The gentleman, Mr. Stairs.
Mr. STAIRS. Thank you, Mr. Speaker.

I certainly again ask for a nonsuspension of the rules, and to clarify the previous speaker, the MILRITE Council is part of L and I, Labor and Industry, and certainly this should have been resolved when we did the budget.

So it is certainly not appropriate to be referring to Education; it should be an L and I matter, Labor and Industry, so I ask for a nonsuspension of the rules. Vote "no."

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-97

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

NAYS-101

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

NOT VOTING-5

Allen	Cornell	Serafini	Trello
Cawley			

EXCUSED-0

Less than a majority of the members elected to the House having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

GUESTS INTRODUCED

The SPEAKER. The Chair at this time would like to welcome to the hall of the House, as a special House guest, the intern of Representative Sara Steelman, Megan Akers, who is working in Representative Steelman's district office. She is a senior at Indiana University of Pennsylvania, majoring in political science. Would Megan please stand and be recognized.

Also with us today are Wendy Brown and Traci Hileman of Claysburg, Pennsylvania, here as the guests of Representative Stern. They are seated to the left of the Speaker. Would they please stand.

We have another special guest page, the son of Representative Benjamin Ramos, Neftali Ramos. He is acting as a guest page also. Would he please stand and be recognized.

Now, earlier I saw the gentleman, Mr. Horsey, with his son - although I do not see him right now - who is a law student, and should he return to the floor I would like to introduce him, because I know Mr. Horsey is very proud of him, as well he should be.

VOTE CORRECTION

The SPEAKER. For what purpose does the lady, Mrs. Cohen, rise?

Mrs. COHEN. To correct the record, Mr. Speaker.

The SPEAKER. The lady will state it.

Mrs. COHEN. Thank you, Mr. Speaker.

On that last motion to suspend, my switch malfunctioned, and I would like to be recorded in the negative.

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

Mrs. COHEN. Thank you.

CONSIDERATION OF HB 20 CONTINUED

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

Mr. ITKIN. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. ITKIN. Mr. Speaker, HB 20 and the budget measure which we sent the Governor fails to consider any support for the Connelley Technical Institute and its adult education programs.

In the past, Connelley, which has an excellent reputation in western Pennsylvania and in fact throughout the State, received a \$1.8-million appropriation from the Commonwealth.

The SPEAKER. The gentleman will yield.

The question before the House is one of concurrence.

Mr. ITKIN. I understand, Mr. Speaker. I wish to discuss why I believe that HB 20 is inadequate.

HB 20 fails to properly consider the funding for the Connelley Institute. The Senate amendments fail to do that.

Connelley serves more than 5,300 students. Although 75 percent of them are from Pittsburgh, the remaining 25 percent are from suburban communities in western Pennsylvania. In fact, the Pittsburgh School District that thinks so highly of the Connelley program provides \$200,000 in additional funding over and above the \$1.8 million that it receives from the State in order to make sure that the school continues, and the Federal Government has provided Connelley with almost nearly \$2 million in additional Federal job-training money, for a total annual budget of \$5.9 million.

MOTION TO SUSPEND RULES

Mr. ITKIN. The failure in the Senate amendments to make any consideration for Connelley jeopardizes the continued existence of the school, and for that purpose, Mr. Speaker, I move that we suspend the rules for the purpose of considering amendment A4383 for the purpose of restoring the \$1.8-million appropriation to the Pittsburgh School District for the programs at the Connelley Technical Institute.

Mr. Speaker, I so move the suspension of the rules for the consideration of this amendment only.

The SPEAKER. The question before the House is the motion of the gentleman, Mr. Itkin, to suspend the rules to permit the offering of amendment A4383.

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

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

Mr. STAIRS. Thank you, Mr. Speaker.

I stand again to oppose the suspension of the rules and ask that you vote "no."

In years past, this money was in the budget through you might say legislative incentives, and I think the budget is the place to address this issue, not in our subsidy code that we are doing now, and certainly hoping that the Pittsburgh School District can work to help to fund this school.

So I would ask for a vote not to suspend the rules. Thank you.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-94

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

NAYS-106

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

Druce	Krebs	Rubley	
Durham	Lawless	Sather	Ryan,
Egolf	Leh	Saylor	Speaker

NOT VOTING-3

Cawley	Kaiser	Zimmerman
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EXCUSED-0

Less than a majority of the members elected to the House having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House concur in Senate amendments?

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

Mr. ITKIN. Mr. Speaker, continuing my debate on the amendments added by the Senate to HB 20 and the House's consideration of concurring in those amendments, one of the things that comes to mind that is very distressing is that in the budget under the Community Conservation and Employment Program, that all of the money in that particular line item was stricken for past programs, and in its place there were a series of what we know as WAM's (walking around money) placed in and that money spent in the community conservation line for a number of individual projects placed in the budget.

Now, in so doing, what was eliminated from the education component of our educational program at the State office is the Progressive Readiness Employment Program, known as PREP. This program provides education, vocational training, job readiness, job acquisition skills, and support services for persons who are not really even able to find jobs. Yes, it is a program to take people who need remedial work before they can even be considered for a job-training program, and without the PREP program, these persons have no way to prepare themselves for gainful employment in our Commonwealth. The Senate amendments to HB 20 fail to address this particular issue.

MOTION TO SUSPEND RULES

Mr. ITKIN. I now move that the rules of the House be suspended so that we can consider amendment A4396, which is an amendment to HB 20 for the purpose of providing the traditional funding of \$1,268,000 for this Progressive Readiness Employment Program. This is a program that helps statewide in many, many counties throughout the State - east, west, north, south - and, Mr. Speaker, I move that the rules of the House be suspended for the sole purpose of considering amendment 4396. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The question before the House is the motion of the gentleman, Mr. Itkin, to suspend the rules of the House to permit him to offer amendment A4396.

On the question,

Will the House agree to the motion?

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

Mr. STAIRS. Thank you, Mr. Speaker.

Representative Itkin refers to this program in a way that it was a WAM program but not funded by the Department of Education, so it should have been addressed in the budget and not in the school subsidy appropriation. So I would again ask the members to vote “no” on suspension of the rules. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—96

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

NAYS—102

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

NOT VOTING—5

Cawley	Evans	George	Trello
Durham			

EXCUSED—0

Less than a majority of the members elected to the House having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Evans.

Mr. EVANS. Mr. Speaker, my switch seemed to be inoperative. I was pressing the “yes” on that last particular motion.

Mr. Speaker, I was just pressing “yes” on that motion. I would like to make my remarks for the record.

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

I will ask the clerk to watch the board, as well as you, on the next roll call to see if there is any problem.

CONSIDERATION OF HB 20 CONTINUED

The SPEAKER. The question recurs, will the House concur in the amendments inserted by the Senate?

The gentleman, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, the legislation that is before us in the form of HB 20 has many pieces to it, and it is a very important piece of legislation and I generally react in a favorable way toward it. Its shortcomings have to do more with what is not in the bill or not addressed by the bill than what is contained therein.

Members on both sides of this aisle surely support the safe-school initiative. We have voted on that in the past. We surely support the effort to address the problem of weapons in schools. We have voted on that in the past. We see for the first time language dealing with our community colleges, and I think that members on both sides of the aisle surely will support that. And other provisions of the bill provide for the means of distributing billions of dollars of funds to our school districts, which were provided for in the budget sent to the Governor, and that is all to the good.

As we pass this, though, and I would urge that we pass it, I would also urge that we keep in mind what is not here, issues that we cannot long ignore, issues that, frankly, we should have been dealing with now but which we choose not to address in the context of this budget.

Representative Itkin through his efforts to suspend the rules wanted to offer some amendments to cure some problems with respect to special education funding. Mr. Speaker, we need to remind ourselves that the current system that we are using to distribute dollars to our 501 school districts for special education funding has nothing to do with real kids. Our current formula does not consider the number of children who require services, nor does

the formula consider the costs that are incurred by school districts. We must change that.

Unfortunately, this bill moves away from one of the things that we initiated last year to try to correct the problem in part. Last year we tried to recognize that there are a number of school districts around this State that have a huge gap between what they spend for special education and what they get from the State through our formula, and we tried to provide some supplemental assistance.

This budget and this bill provide for cutting in half that supplemental assistance, and the crime is that some of our school districts now, for the new year, will actually receive less special education assistance for 1995-96 than they got during 1994-95. And to make the matter even worse, many of those school districts that will experience the decrease in special education funding are among the poorer school districts in this State.

Surely we have a problem that we need to correct, and surely we have a problem with special education funding that is ignored and, to some degree, exacerbated with the details of this budget and the provisions of HB 20.

Secondly, although we provide for the distribution of more than \$3 billion of regular education subsidy to our school districts, and although this budget provides for a distribution of an additional \$140 million-plus over last year's figures to our school districts, and although the budget and this particular bill do appropriately recognize some of the special needs of smaller districts and the smallest districts of this State, we again fail to do anything about the larger problem of school finance equity. And to my dismay, what we do with this budget and with this bill, HB 20, we abandon what we started over the last couple of years, and that was an attempt to build into this State a system of school funding that would provide a guaranteed foundation for every youngster in this State, even those who happen to be born into or live in the poorest districts of this State. This legislation backs away from that and would have us in no way incrementally, this year, address the problem of equity.

The fact is, we continue to have more than 200 of your school districts, our school districts, suing the State, and you have heard me say that I do not know if they are constitutionally correct, but surely they are morally correct. Our current system is not defensible when we have such enormous gaps among the school districts in terms of the resources available.

Unfortunately, this bill and this budget combined send a wrong message, particularly send a wrong message to the courts who have this case and who are observing what we do. We provide with this legislation no indication of serious interest in addressing the equity problem. We provide no direction in terms of how we will address this problem incrementally over any period of time. We provide no sense of direction in terms of how we would approach this, let alone any kind of schedule to which we would commit ourselves. What we do with our actions with this budget and with the distribution scheme for these billions of dollars is say to the courts, you come in and do it to us; you come in and decide what the school finance system in this State will be like to ultimately address the problems of equity, and, Mr. Speaker, I think that that is a terrible mistake for us, because the solutions they are likely to impose on us will be far more costly, far more precipitous, far more irksome to some of the wealthier districts and I think far more burdensome to all taxpayers in this State.

And finally, Mr. Speaker, another item that is not addressed in this budget or in this bill has to do with a legal obligation of the Commonwealth, and I mention this because it affects a

school district represented by Representative Michlovic and myself. It is the Woodland Hills School District, which is operating under Federal court order, and the Federal courts have directed the State to pay a significant share of the extraordinary desegregation costs involved with that case. In each of the last several years, we have included funds in the budget to pay for the State's obligations. This budget and this language of HB 20 provide for no distribution of State funds to honor that obligation. Just recently again the Federal court reaffirmed the State must be a partner, a significant partner, in paying for these costs, and although there is not language here today and there were not dollars in the budget bill that we sent to the Governor, we cannot walk away from that obligation; we will have to pay that bill. So whether we do it through a supplemental or through some other mechanism, that is another issue that we will find back at our doorstep, another financial obligation that we will have to honor.

Mr. Speaker, those are three important shortcomings of this legislation, but because it does also represent progress, it does also represent a way for us to distribute billions of dollars to our school districts who depend on these dollars and who would be shortchanged, if you will, who would incur additional costs if these dollars would not flow to them in a timely fashion, for those reasons I would urge that we approve the amendments or concur in the amendments to HB 20. Thank you, Mr. Speaker.

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

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

Mr. Speaker, I would agree with the gentleman, Mr. Cowell, that there are many good things in this bill, and I certainly appreciate and admire the work that the gentleman, Mr. Stairs, did in putting this bill together; the gentleman, Mr. Cowell; and other members of the Education Committee I recognize on a bipartisan basis. So I would agree with the gentleman, Mr. Cowell, that what is wrong with this bill is certainly not what is in it, because I think there are a number of good things in it that Ron Cowell just articulated, but I think it is important for this House to recognize, in my opinion anyhow, that what is not in this bill is a very good reason to vote against it.

I would like to emphasize the points that the gentleman, Mr. Cowell, made about education equity. I have come to the conclusion, Mr. Speaker, that there is no more important education reform issue to the people of Pennsylvania, to the children of Pennsylvania, and to this legislature than the education equity issue. The fact is that in Pennsylvania today the quality of the education you get absolutely depends on where you were born and where you were raised and what school you get to attend. There is no doubt in my mind that the most important education reform issue facing Pennsylvania and, again, facing this legislature is our obligation to provide an equal education for every child in Pennsylvania regardless of where they were born and regardless of where they live and regardless of what school they go to.

I would like to emphasize also, as Mr. Cowell said, if this legislature does not deal with this issue, I think it is very clear as you look around the Nation that courts have stepped in in every State where this has become a problem and become an issue. The courts have stepped in and required the legislature to solve this education equity issue. I think it is incumbent upon this legislature to solve that issue.

This bill is a dramatic departure from providing an equal education to every child in Pennsylvania. Wealthier school districts in Pennsylvania get a larger increase in school funding than poorer

school districts under the formula in HB 20. That is the wrong direction for this legislature. That is a direction that ought to have this court in Pennsylvania sit up and take notice that we are not capable of dealing with a very serious funding problem.

For all of those reasons and the other reasons that Mr. Cowell articulated, I would respectfully disagree with his ultimate outcome, and I would ask for a negative vote on HB 20. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of concurrence on HB 20, the Chair recognizes the gentleman, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

Last April this House overwhelmingly and unanimously passed HB 20. HB 20 originally was legislation that I had sponsored along with many other people interested in agriculture in Pennsylvania, agriculture education in our Commonwealth, to develop curriculum to enlighten and educate our student body about the importance of agriculture in our economy and in our number one industry in Pennsylvania. Last Friday the Senate chose to use this piece of legislation as the vehicle for the school subsidy and education programs for the Commonwealth.

I certainly agree with Representative Cowell, who has spoken in favor of this legislation. There are many, many good items in here. There are a few shortcomings, but we certainly take a gigantic step forward in making education better in our Commonwealth.

Among a couple of items in here for our poorer school districts is a recontinuance or reintroduction, if you might say, of the small district assistance. We had this in previous budgets. It was taken out in the last couple years, and we have reinstated the small district assistance for particularly our rural areas.

Another item is distance learning, a wave of the future and certainly a way for rural education to more efficiently educate our young people, and even reinstatement of the aid to distressed districts. Our seven distressed school districts are able to receive moneys through this appropriation. We are increasing subsidy to all 501 districts, increasing money for special education, and also increasing money for nonpublic pupil transportation, a big cost item to our school districts.

Also, our community colleges, which we support very enthusiastically, it certainly gives them a much-needed boost to their appropriations. Not to mention the importance of safe schools. We cannot learn without a good learning environment of safe schools, where we have a transfer of records from students transferring from one district to another district, enabling grants for safe schools, and also, we are meeting the Federal guidelines for the Federal gun-free schools. We have until October to implement this legislation, and this is included in this bill.

Also, new investment opportunities are available for school districts of ways to invest money, to make more money for their districts.

Overall, we see a 4.4-percent increase. This is the most increase in basic education spending in recent years, and certainly we are going a long ways to address our education concerns. Yes, there is more that needs to be done. Hopefully, our Education Committee can work this summer to come up with new ways of meeting equity, new ways of solving many of the problems that we do have.

So, Mr. Speaker, I would hope that all the members could join us in this landmark legislation to improve our subsidy for this fiscal year. Thank you, Mr. Speaker.

On the question recurring,
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—185

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

NAYS—18

Bishop	Horsey	Oliver	Robinson
Cawley	Itkin	Preston	Trich
DeWeese	James	Ramos	Veon
Evans	Manderino	Richardson	Washington
Hanna	Melio		

NOT VOTING—0

EXCUSED—0

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.

The House proceeded to consideration of concurrence in Senate amendments to **HB 1480, PN 2239**, entitled:

An Act providing for the capital budget for the fiscal year 1995-1996.

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-203

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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.

BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 247, PN 2300**, as further amended by the House Rules Committee:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for insurance fraud; and further prohibiting prostitution.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The **SPEAKER**. Does the gentleman from Luzerne, Mr. Blaum, desire recognition on this?

Mr. **BLAUM**. Yes, Mr. Speaker.

The **SPEAKER**. The gentleman is recognized.

Mr. **BLAUM**. Thank you, Mr. Speaker.

Mr. Speaker, I would like the attention of all the members of the House on this important issue.

Currently before us is concurrence on HB 247, a good piece of legislation sponsored by Representative Zug. The members of the House may remember that when we considered HB 247 some time ago, PN 2045, we included in here a very important amendment which deals with elder abuse in Pennsylvania — that is, protecting elderly people across the Commonwealth who are care-dependent and establishing for the first time in Pennsylvania criminal penalties to allow the Attorney General's Office to properly protect these senior citizens who cannot take care of themselves.

This amendment passed this House unanimously, I believe; was inserted into HB 247 with Representative Zug's agreement; and passed this House on final passage unanimously. This legislation then went over to the Senate, where it was considered. The Senate offered two amendments which we agreed with which actually improved the elder abuse language, and the full Senate approved HB 247 with the elder abuse language contained in it. It then came back to the House on concurrence, and inexplicably, the House Rules Committee, for whatever reason, this afternoon removed only the elder abuse language. I think that was a mistake. I think that was a disservice to the elderly people of Pennsylvania who need this kind of protection.

RULES SUSPENDED

Mr. BLAUM. I do not want to hold up in any way Representative Zug's legislation. What I would like to do at this point is to ask for a suspension of the rules — and I believe that I am making the appropriate motion, and if I am not, Mr. Speaker, I would like for you to correct me — to suspend the rules so that I can make a motion to revert to the prior printer's number, which would be PN 2045, so that this House could adopt the form of HB 247 that it adopted previously and that the Senate adopted.

So, Mr. Speaker, at this time — I believe that is the correct motion — I would move to suspend the rules so that I could offer a motion to revert to a prior printer's number.

The SPEAKER. The gentleman is correct in his procedure. Now I have to struggle for a minute to be correct in the way I put the motion.

You in effect will have to make two successful motions. You will have to move first to suspend the rules to allow your second motion, your second motion being the motion to revert to the prior printer's number.

Mr. BLAUM. Yes, sir.

The SPEAKER. Do we agree?

Mr. BLAUM. Yes.

The SPEAKER. All right.

The gentleman, Mr. Blaum, moves that the rules of the House be suspended to permit him to make a second motion to revert to the prior printer's number on HB 247.

On the question,

Will the House agree to the motion?

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

Mr. PERZEL. Mr. Speaker, with all due respect to the gentleman, Mr. Blaum, the Senate has indicated to us that they will not allow this bill to pass with his amendment in it, so if he is successful in reverting to the prior printer's number, Mr. Speaker, we will not be able to get the bill anyway.

So I would urge that we do not suspend the rules. Thank you, Mr. Speaker.

The SPEAKER. On the question of suspension, the gentleman, Mr. DeWeese, yields his time to the gentleman, Mr. Blaum. The gentleman may proceed.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, that is just not true. What was done to this bill was a shame for the elderly people of Pennsylvania. The Senate passed this bill. I do not know what the final vote was, but they passed this bill. If we revert to a prior printer's number and we pass it as we should, it is my understanding that—

The SPEAKER. Will the gentleman yield.

The question before the House is suspension, not the second part of your debate, which is on the—

Mr. BLAUM. But I am pointing out that what the gentleman, the previous speaker, said was just not true, Mr. Speaker. If we pass this after having reverted to a prior printer's number, it goes right to the Governor.

The Senate passed this. All of your Senators voted for this legislation with the elder abuse language contained in it, which you supported previously, which is a darn good piece of legislation, worked on by members of both sides of the aisle, and all I am asking is that we suspend the rules so that we could revert to a

prior printer's number, pass Representative Zug's bill, which is a darn good one, and send it right to Governor Ridge.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—105

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

NAYS—96

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

NOT VOTING-2

Butkovitz Keller

EXCUSED-0

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,
Will the House concur in Senate amendments as amended by the Rules Committee?

**BILL REVERTED TO
PRIOR PRINTER'S NUMBER**

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

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, my thanks to the members of the House for that vote. I think it was the right one for the elderly people of Pennsylvania who are care-dependent.

Now what the next motion we would make is to revert to a prior printer's number, so then if that is approved, the bill would be in the form in which it came back from the Senate; we can agree to it and send it right to Governor Ridge.

So I would move that we revert to the prior printer's number, Mr. Speaker.

The SPEAKER. My records indicate the prior printer's number being 2045. Is that correct?

Mr. BLAUM. Yes, sir.

The SPEAKER. The motion of the gentleman, Mr. Blaum, is to revert to PN 2045.

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

The following roll call was recorded:

YEAS-203

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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-203

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 273, PN 1260**, entitled:

An Act amending the act of October 23, 1988 (P. L. 1059, No. 122), entitled "An act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges;....," further providing for a conveyance of land to the Kirwan Heights Volunteer Fire Department located in Collier Township, Allegheny County; and authorizing the Department of Military Affairs and the Department of General Services, with the approval of the Governor, to sell and convey to the Philadelphia Authority for Industrial Development certain land situate in Philadelphia County.

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

Mr. **KENNEY** offered the following amendment No. **A4347**:

Amend Title, page 2, line 38, by striking out "AND"
Amend Title, page 2, line 42, by removing the period after "COUNTY" and inserting

; and authorizing the Department of Public Welfare and the Department of General Services, with the approval of the Governor, to sell and convey to the Glaziers & Glassworkers Union Local #252 certain land situate in the City of Philadelphia, Pennsylvania.

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

Section 3. (a) The Department of Public Welfare and the Department of General Services, with the approval of the Governor, are hereby authorized and directed on behalf of the Commonwealth of Pennsylvania, to grant, sell and convey to the Glaziers & Glassworkers Union Local #252 for consideration equal to the fair market value as determined by appraisal and agreed to by the parties, the tract of land described in subsection (b).

(b) The property to be conveyed under subsection (a) is the following tract of land situate in the 66th Ward of the City of Philadelphia, Pennsylvania, bounded and described as follows:

Beginning at a point on the southwesterly side of Southampton - Byberry Road (70 feet wide) at the distance of 497.198 feet northwestwardly from a point of tangency, said point of tangency being the northwesterly end of a curve connecting the northwesterly side of Townsend Road (70 feet wide) with the southwesterly side of the said Southampton - Byberry Road, having the radius of 25 feet and the arc distance of 39.082 feet; thence extending south 48 degrees 31 minutes 54 seconds west, the distance of 353.740 feet to a point; thence extending north 41 degrees 28 minutes 6 seconds west, the distance of 91.590 feet to a point; thence extending north 48 degrees 31 minutes 54 seconds east, along the southeasterly side of a certain 35-foot wide proposed easement, the distance of 354.427 feet to a point on the southwesterly side of the said Southampton - Byberry Road; thence extending south 41 degrees 2 minutes 19 seconds east, along the southwesterly side of the said Southampton - Byberry Road, the distance of 91.592 feet to the first mentioned point and place of beginning less and excepting the Department of Public Welfare's Woodhaven Institutional Road (a.k.a. "Williams Lane").

Containing an area of 32,430 square feet or 0.74449 acres, being the same premises as described in accordance with a Survey and Plan of Property (F-2275) made by Barry Slepion, Surveyor and Regulator of the Fourth Survey District dated May 22, 1995.

(c) The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(d) The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth.

(e) Costs and fees incidental to the conveyance shall be borne by the grantee.

Amend Sec. 3, page 9, line 10, by striking out "3" and inserting

4

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 Philadelphia, Mr. Kenney.

Mr. **KENNEY**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would transfer and convey to the Glaziers and Glassworkers Union Local 252 in Philadelphia

approximately 1 acre of ground that is presently under the control of the Department of Welfare at the fair market value, and I would ask for the House's approval. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-198

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

NAYS-3

Cohen, M.	Robinson	Vitali
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NOT VOTING-2

Laughlin Taylor, J.

EXCUSED-0

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. FAIRCHILD offered the following amendment No. A4359:

Amend Title, page 2, line 38, by striking out "AND"
Amend Title, page 2, line 42, by removing the period after "COUNTY" and inserting
; and authorizing and directing the Department of General Services, with the approval of the Governor, to convey to Penn Township a tract of land situate in Penn Township, Snyder County, Pennsylvania.

Amend Bill, page 9, by inserting between lines 9 and 10
Section 3. (a) The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to convey to Penn Township, Snyder County, the following tract of land situate in Penn Township, Snyder County, Pennsylvania, for a consideration of one-half of the fair market value, the following:

All that certain tract or parcel of land situate in Penn Township, Snyder County, Pennsylvania, more particularly bounded and described as follows:

Beginning at a point in the center line of Pennsylvania State Route 1011 which point is also the north corner of land of the Penn Township supervisors; thence along land of the Penn Township supervisors, south 38 degrees 51 minutes 52 seconds west a distance of 512.15 feet to a point; thence along same, south 5 degrees 15 minutes 49 seconds east a distance of 337.17 feet to a point; thence along land now or formerly of Hank Chiarkas, south 84 degrees 44 minutes 11 seconds west a distance of 814.26 feet to a point; thence along land now or formerly of J. Walter Stauffer and Cleta H. Stauffer, north 4 degrees 51 minutes 28 seconds west a distance of 1,684.55 feet to a point; thence along land of same and a dirt lane, north 84 degrees 44 minutes 11 seconds east a distance of 323.20 feet to a point in the center line of Pennsylvania State Route 1011; thence along the center line of Pennsylvania State Route 1011, south 36 degrees 54 minutes 25 seconds east a distance of 365.07 feet to a point; thence along same on a curve to the left having a radius of 1,031.09 feet and a length of 256.06 feet to a point; thence along same, south 51 degrees 8 minutes 8 seconds east a distance of 674.72 feet to a point, the place of beginning.

Containing 30.28 acres of vacant land of which 0.49 of an acre is within the highway right-of-way. Being a portion of Parcel No. 107 on Snyder County Tax Map PN-8.

Being part of Tract One which Stephen Traver, et al, by their deed dated February 19, 1919, recorded April 15, 1919, in the Office of the Recorder of Deeds in and for Snyder County at Middleburg, Pennsylvania, in Deed Book 40 at page 21, granted and conveyed to the Commonwealth of Pennsylvania.

(b) The conveyance shall be made under and subject to all easements, servitudes and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not

appearing of record, for any portion of the land or improvements erected thereon.

(c) The deed of conveyance shall contain a clause that the property conveyed shall be used for any municipal purpose permitted under the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, by Penn Township, Snyder County, and if at any time Penn Township or its successor in function conveys the property or permits the property to be used for any purpose other than those specified in this subsection, the title to the property shall immediately revert to and revest in the Commonwealth of Pennsylvania.

(d) The proceeds of this sale shall be paid into the Agricultural Conservation Easement Purchase Fund.

(e) The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(f) Costs and fees incidental to this conveyance shall be borne by the grantee.

Amend Sec. 3, page 9, line 10, by striking out "3" and inserting

4

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. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

My amendment is a simple land transfer amendment between the Commonwealth and Penn Township in Snyder County. There has been an appraisal, and the amount of the cost is one-half the appraised value as per current Pennsylvania statutes. Thank you.

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

The following roll call was recorded:

YEAS-203

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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-203

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

BILLS PASSED OVER TEMPORARILY

The SPEAKER. HB's 1301 and 1325 are over temporarily on page 3.

The House proceeded to third consideration of **SB 800, PN 1282**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for annual hauling permits, for prohibiting use of hearing impairment devices, for fines for reckless driving and for permit for movement during course of manufacture.

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

Mr. LLOYD offered the following amendment No. **A4132**:

Amend Title, page 1, line 2, by inserting after "Statutes," providing for delay of suspension, revocation or disqualification; and

Amend Bill, page 2, by inserting between lines 3 and 4

Section 1. Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 1555. Delay of suspension, revocation or disqualification.

(a) General rule.—Upon receiving certification that a person has filed a timely appeal from a criminal conviction that has caused the department to issue a notice of suspension, revocation or disqualification, the department may delay commencement of the suspension, revocation or disqualification for a period of up to six months. It shall be the responsibility of the person to obtain from the court in which the appeal was filed a statement which certifies that the person filed a timely appeal from the conviction, and to forward the certification to the department, accompanied by a request for the six-month delay from the department.

(b) Additional delay.—A person may obtain an additional six-month delay if the person obtains and forwards to the department an additional certification from the court that the appeal is still pending before the court.

(c) Period of delay.—An initial or additional six-month period of delay shall be measured from the date on which the court certifies that the appeal is pending before it.

Amend Sec. 1, page 2, line 4, by striking out "1" and inserting
2

Amend Sec. 1, page 2, line 5, by striking out "OF THE PENNSYLVANIA CONSOLIDATED STATUTES"

Amend Sec. 2, page 6, line 29, by striking out "2" and inserting
3

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

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would give the Department of Transportation the authority to postpone a license suspension for a period of up to 6 months and then to extend that for an additional 6 months upon receipt of evidence that the underlying conviction was on appeal to a court of record.

Mr. Speaker, I was involved with this issue initially because of a situation in my district in which a person was convicted by a magistrate for underage drinking, successfully appealed the criminal conviction, but had to spend several hundred dollars in legal fees in order to have a supersedeas issue to hold the license suspension in abeyance pending the resolution of the criminal case.

Mr. Speaker, this amendment was drafted by the Department of Transportation and has the department's support because it solves not only the problem I had but also grants to the department authority which it needs to deal with other situations in which it is not cost effective for either side to go through a license suspension while a criminal case is on appeal.

Mr. Speaker, I urge adoption of the amendment.

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

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

This is an agreed-to amendment, and I would urge its adoption.

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

The following roll call was recorded:

YEAS-203

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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. LLOYD offered the following amendment No. A4133:

Amend Title, page 1, line 2, by inserting after "Statutes," providing for terminal rental adjustment clauses; and
Amend Bill, page 2, lines 4 through 6, by striking out all of said lines and inserting

Section 1. Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 1139. Terminal rental adjustment clauses.

Notwithstanding any other provision of law, a lease agreement which pertains to the commercial use of a motor vehicle or trailer and which includes a terminal rental adjustment clause does not create a sale or security interest merely because the terminal rental adjustment clause provides that the rental price is permitted or required to be adjusted under the agreement either upward or downward by reference to the actual value of the motor vehicle or trailer upon lease termination or sale or other disposition of the motor vehicle or trailer. Actual value shall be determined as agreed upon by the parties. This section is not applicable to a consumer lease agreement pertaining to a motor vehicle or trailer leased or used primarily for personal, family or household purposes.

Section 2. Sections 1943(c), 3314, 3326(c), 4962(f) and 4968 of Title 75 are amended to read:

Amend Sec. 2, page 6, line 29, by striking out "2" and inserting

3

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

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

Mr. LLOYD. Mr. Speaker, this is an amendment which we passed last year in the House but there was not time for the Senate to take it up prior to adjournment. It once again was negotiated and written by the Department of Transportation.

It involves terminal rental adjustment clauses. Those, essentially, are agreements in commercial vehicle leases which indicate that the amount of the lease price will be adjusted at the end of the lease. What that does is that puts the risk of maintenance of the vehicle and change in the value of the vehicle on the consumer.

Those are leases which currently exist, and the purpose of the amendment is to make clear that despite the fact that the price can be adjusted, this is in fact a lease for purposes of commercial law and especially for purposes of bankruptcy law and is not a sale.

Mr. Speaker, this has been adopted in 20-some States. It has the support of the Department of Transportation. We passed it overwhelmingly in the last session. I ask for a "yes" vote.

The SPEAKER. The gentleman, Mr. Nyce.

Mr. NYCE. Thank you, Mr. Speaker.

Would the maker of the amendment stand for a brief interrogation?

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

Mr. NYCE. Mr. Speaker, I just want to make sure I understand the application of this amendment.

Did I hear you say this is only commercial vehicles?

Mr. LLOYD. That is correct.

If you look at the language in the last sentence, it says, "This section is—" Excuse me; that is the one that says it is not applicable to certain things. Commercial use; if you look up in the second line, "...a lease agreement which pertains to the commercial use of a motor vehicle or trailer..." That was an amendment

requested by the Department of Transportation in order to restrict the applicability of this to only commercial vehicles, vehicles that are not your family car.

This amendment does not authorize these transactions. These transactions exist today. This amendment has to do with whether those transactions are to be characterized as leases or sales for the purpose of security agreements or liens or bankruptcy.

Mr. NYCE. Mr. Speaker, thank you for that response.

Can you tell me how the department determines the definition of a commercial vehicle? Is it a commercial tag? Is it based on having a commercial license plate?

Mr. LLOYD. I could not hear the question.

Mr. NYCE. Is the determination by the department as to whether or not it is a commercial transaction based on the registration of the vehicle?

Mr. LLOYD. I think it would be based on the fact that this is a lease agreement and it would be based on the identity of the parties.

Mr. NYCE. All right.

For example, I have a leased vehicle that I rent for personal use; however, my insurance carrier denotes that as business use. Can you explain that? And that is the reason I got up.

Mr. LLOYD. If it is a business use, then my best guess would be that the department would consider that to be for commercial purposes if that is the way it is treated.

Understand, this does not change at all what you pay for the lease. This simply changes whether, if creditors go after that vehicle, that vehicle is considered to belong to you or it is considered to belong to the leasing company.

I think most of us would assume that this vehicle belongs to the leasing company. There have been some rulings in some States which have raised the question as to whether or not this transaction is actually a sale rather than a lease.

Mr. NYCE. All right.

I thank the gentleman for his response. I do not have any further comment.

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

The following roll call was recorded:

YEAS-203

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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

Mr. VAN HORNE offered the following amendment No. A4218:

Amend Title, page 1, line 5, by removing the period after "manufacture" and inserting
; and requiring the Pennsylvania Turnpike Commission to issue an annual report and to appear before certain committees of the General Assembly.

Amend Bill, page 6, by inserting between lines 28 and 29
Section 2. Section 9502 of Title 75 is amended by adding a subsection to read:
§ 9502. Imposition of tax.

(l) Accountability.—
(1) The Pennsylvania Turnpike Commission shall annually transmit to the Governor and the General Assembly, and make available to the public, a report on certain matters pertaining to the Pennsylvania Turnpike Commission. The report shall include, but not be limited to, a summary of significant issues which the Pennsylvania Turnpike Commission resolved during the reporting period, a summary of significant decisions of the

Pennsylvania Turnpike Commission and the courts of this Commonwealth during the reporting period relating to the Pennsylvania Turnpike, a summary of significant anticipated issues and a status report of any Pennsylvania Turnpike Commission action regarding these issues. In the annual report and at such other times as the Pennsylvania Turnpike Commission determines, the Pennsylvania Turnpike Commission shall make recommendations to the Governor and the General Assembly which the Pennsylvania Turnpike Commission believes to be necessary or desirable to protect the public interest.

(2) The Pennsylvania Turnpike Commission shall annually appear before the Appropriations Committee of the Senate and the Appropriations Committee of the House of Representatives.

Amend Sec. 2, page 6, line 29, by striking out "2" and inserting
3

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

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Van Horne.

Mr. VAN HORNE. Thank you, Mr. Speaker.

Amendment 4218 is an amendment that would require some accountability from the Pennsylvania Turnpike Commission.

Just this year in the budget there was over \$41 million of our tax dollars in the General Fund budget, and this provides for a report from the Turnpike Commission as well as a requirement that the members of the commission appear before both the House Appropriations Committee and the Senate Appropriations Committee during the appropriate budget hearing process.

I would encourage an affirmative vote on this amendment. Thank you.

The SPEAKER. The gentleman, Mr. Geist.

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

I rise to oppose this amendment.

If the Transportation Committee in the House of Representatives is going to look into this, it should be in depth, and an amendment like this is not the way to do it. It is not the place and it is not the time to do it.

I would ask all members to vote against it. Thank you.

The SPEAKER. The Chair recognizes the lady from Butler, Ms. Carone.

Ms. CARONE. Thank you, Mr. Speaker.

I would like to speak on the amendment and encourage a "yes" vote on the amendment.

Several weeks ago we passed this amendment to another bill to try to get some accountability from the Turnpike Commission. Presently there are several court cases dealing with patronage issues and the rights for people for job promotions. There are money issues in tax dollars for the Turnpike Commission rather than just tolls, and there is consideration on dealing with tolling Interstate 80 and consideration of allowing the Turnpike Commission to do the tolling, and I would argue that this is a very small, modest request, asking them to do a report on what they are doing during the year, and secondly, to come before the Appropriations Committees.

I would encourage a "yes" vote. Thank you.

The SPEAKER. The Chair thanks the lady.

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

The following roll call was recorded:

YEAS-131

Bard	Druce	McGill	Sheehan
Battisto	Evans	Melio	Smith, S. H.
Bebko-Jones	Fajt	Michlovic	Snyder, D. W.
Belardi	Farmer	Mihalich	Staback
Belfanti	Fleagle	Miller	Stairs
Bishop	Gannon	Mundy	Steelman
Blaum	George	Nickol	Steil
Boscola	Gigliotti	Nyce	Stetler
Browne	Gordner	O'Brien	Stish
Bunt	Gruitza	Oliver	Sturla
Butkovitz	Gruppo	Pesci	Surra
Buxton	Habay	Petrarca	Tangretti
Caltagirone	Haluska	Petrone	Taylor, E. Z.
Cappabianca	Hanna	Pistella	Taylor, J.
Carn	Itkin	Platts	Thomas
Carone	James	Preston	Tigue
Cawley	Josephs	Ramos	Travaglio
Civera	Kaiser	Readshaw	Trich
Clymer	Keller	Richardson	Vance
Cohen, L. I.	Kenney	Rieger	Van Horne
Cohen, M.	Kirkland	Roberts	Veon
Colaizzo	Krebs	Robinson	Vitali
Cornell	Kukovich	Roebuck	Walko
Corpora	Lederer	Rooney	Washington
Corrigan	Levdansky	Rublely	Waugh
Cowell	Lloyd	Rudy	Williams
Coy	Lucyk	Sainato	Wogan
Curry	Maitland	Santoni	Wozniak
Daley	Manderino	Saylor	Wright, D. R.
DeLuca	Markosek	Schroder	Wright, M. N.
Dent	Mayernik	Scrimenti	Yewcic
Dermody	McCall	Semmel	Youngblood
Donatucci	McGeehan	Shaner	

NAYS-71

Adolph	Fargo	King	Pitts
Allen	Feese	LaGrotta	Raymond
Argall	Fichter	Laughlin	Reber
Armstrong	Flick	Lawless	Reinard
Baker	Gamble	Leh	Rohrer
Barley	Geist	Lescovitz	Sather
Birmelin	Gladeck	Lynch	Schuler
Boyes	Godshall	Major	Smith, B.
Brown	Harhart	Marsico	Stern
Chadwick	Hasay	Masland	Strittmatter
Clark	Hennessey	Mery	Trello
Colafella	Herman	Micozzie	True
Conti	Hershey	Nailor	Tulli
Dempsey	Hess	Olasz	Zimmerman
DeWeese	Horsey	Perzel	Zug
DiGirolamo	Hutchinson	Pettit	
Durham	Jadlowiec	Phillips	Ryan,
Egolf	Jarolin	Piccola	Speaker
Fairchild			

NOT VOTING-1

Serafini

EXCUSED-0

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

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

Mr. PETRARCA offered the following amendment No. A4296:

Amend Title, page 1, line 2, by striking out all of said line and inserting

Statutes, providing for funds; further providing for the powers and duties of the State Treasurer, for annual hauling permits, for

Amend Bill, page 2, lines 4 through 6, by striking out all of said lines and inserting

Section 1. Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a section to read:

§ 1905. Payments to special funds.

(a) Power and duty of State Treasurer.—In accordance with the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, the State Treasurer shall administer the designated funds of the department. Two of such funds are as follows:

(1) Organ Donation Awareness Trust Fund.

(2) Zoological Enhancement Fund.

(b) Organ Donation Awareness Trust Fund.—Moneys received by the department in accordance with the provisions of 20 Pa.C.S. § 8621 (relating to Organ Donation Awareness Trust Fund contributions) shall be credited to the Organ Donation Awareness Trust Fund.

(c) Zoological Enhancement Fund.—Fifteen dollars of each fee received under section 1355 (relating to zoological plates) shall be credited to the Zoological Enhancement Fund, created as follows:

(1) There is hereby established a special account in the Treasury Department which shall be known as the Zoological Enhancement Fund. The purpose of the Zoological Enhancement Fund is to assist Commonwealth nonprofit zoological institutions accredited by the American Zoo and Aquarium Association and licensed by the United States Department of Agriculture to fulfill their conservation, education and recreation missions to the citizens of this Commonwealth.

(2) All moneys in the Zoological Enhancement Fund are hereby annually appropriated to the Department of Commerce and may be expended for the purposes authorized under this subsection.

(3) Estimates of amounts to be expended under this subsection shall be submitted to the Governor by the Department of Commerce for his approval.

(4) The State Treasurer shall not honor any requisition for expenditures by the Department of Commerce in excess of estimates approved by the Governor or in excess of the amount available for the purposes for which the requisition was made, whichever is the lesser amount.

Section 2. Sections 1943(c), 3314, 3326(c), 4962(f) and 4968 of Title 75 are amended to read:

Amend Bill, page 6, by inserting between lines 28 and 29

Section 3. The sum of \$300,000, or as much thereof as may be necessary, is hereby appropriated to the Organ Donation Awareness Trust Fund for the fiscal year July 1, 1995, to June 30, 1996, to administer the organ donor card program established under 20 Pa.C.S. § 8621.

Amend Sec. 2, page 6, line 29, by striking out "2" and inserting

4

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. PETRARCA. Thank you, Mr. Speaker.

This amendment is very similar to the amendment last week dealing with the Organ Donor Trust Fund. This is another vehicle to get money appropriated for the trust fund into the Department of Transportation so they can go ahead with the program.

What this amendment does is it puts money, it appropriates money into the— We are going through the Vehicle Code, unlike last week when we went through the Fiscal Code.

The Senate bill that we amended last week, in a vote of 203 to 0, was SB 1098 that has run into difficulty in the Senate. This is another attempt, another vehicle, to get the Organ Donor Trust Fund money appropriated and to get the bill passed.

SB 1098 last week was the zoological license plate trust fund bill. I have also included that language in my amendment today, so it is the language from the original SB 1098 last week along with the Organ Donor Trust Fund language.

I would appreciate another affirmative vote today as last week, because, as you know, time is of the essence for these people on organ donor transplant lists. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

I was distracted last week when we had the debate on this issue, and I failed to stand and just acknowledge my support for the amendment and for, you know, whatever we can do to enhance the organ transplant and the organ donor initiative here in this State.

I guess I share this feeling from a personal experience of less than a year ago when I had a future son-in-law who died as a result of an accident, and there are six individuals today enjoying good health because his organs were donated and were able to be successfully transplanted. So, you know, in the midst of tragedy, many times there are good things that can happen.

I would just again encourage support for this legislation, and if for no other reason, I guess it is personal, maybe just in a bit of memory to who was to be my future son-in-law, Tim Wertz. Thank you very much, Mr. Speaker.

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

The following roll call was recorded:

YEAS-203

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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-203

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

BILL SIGNED BY SPEAKER

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

HB 20, PN 2278

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 investment of school district funds, and for the compensation of the special board of control and for tuition grants for certain children with exceptionalities; prohibiting the possession of weapons; further providing for children with exceptionalities; providing for safe schools and for agricultural education programs; imposing duties on the Department of Education; further providing for community college reimbursement and for small district

assistance; providing for basic education funding and for aid to districts suffering revenue loss due to reduction in assessed valuation of taxable property; further providing for payments to intermediate units, for payment for nonpublic school transportation, for special education payments to school districts and extraordinary special education program expenses; and providing for distance learning grants.

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

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 578, PN 2044**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for involuntary manslaughter and for endangering the welfare of children.

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

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

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

Mr. Speaker, I think that since HB 578 that has come over from the Senate on concurrence, you should allow us at least the opportunity of knowing what the amendments were.

The SPEAKER. Does the gentleman, Mr. Egolf, have a summary of the Senate amendments?

The gentleman, Mr. Richardson, is correct.

The Chair recognizes the gentleman, Mr. Egolf.

Mr. EGOLF. The change in the Senate essentially was in form, but also probably the major change in there was that it changed involuntary manslaughter, made it from a felony of the first degree have been a penalty of up to a maximum of 20 years. With a second-degree felony, it makes a maximum penalty of 10 years, and this was changed at the urging and help of the Pennsylvania District Attorneys Association.

Mr. RICHARDSON. Mr. Speaker, I am sorry; I did not hear all of the explanation. He was explaining, and I tried to put the earphones on.

The SPEAKER. Will the gentleman, Mr. Egolf, repeat his explanation.

Mr. EGOLF. Yes.

When it went to the Senate, the crime that would be committed was a crime of involuntary manslaughter, and it changed the penalty to a felony of the first degree as it went out of the House here, and in the Senate they changed that to a felony of the second degree. What that did was change the maximum sentencing from 20 years, which would have been a felony of the first degree, it now made it to a maximum of 10 years, and again, this was done at the request and urging of the Pennsylvania District Attorneys Association. They felt it was much better with this change. It would be better to get more convictions, in their opinion, and, well, that was essentially it.

Mr. RICHARDSON. Thank you very much.

Are there any other amendments that are placed in this bill as it came back from the Senate, Mr. Speaker?

Mr. EGOLF. No. No. That is it.

Mr. RICHARDSON. That is the only one.
Thank you very much, Mr. Speaker. I thank you for the explanation.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
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--202

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

Richardson

NAYS--1

NOT VOTING--0

EXCUSED-0

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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1639, PN 2120**, 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 concur in Senate amendments?

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

YEAS-203

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

DiGirolamo	Lescovitz	Rublely	Zug
Donatucci	Levdansky	Rudy	
Druce	Lloyd	Sainato	Ryan,
Durham	Lucyk	Santoni	Speaker
Egolf			

NAYS-0

NOT VOTING-0

EXCUSED-0

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.

RESOLUTIONS PURSUANT TO RULE 35

Mr. MAYERNIK called up **HR 182, PN 2245**, entitled:

A Resolution honoring the Superior Court on its 100th Anniversary.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS-203

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

Mr. COY called up **HR 186, PN 2277**, entitled:

A Resolution designating the week of July 1 through 7, 1995, as "Polio Awareness Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-203

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

SUPPLEMENTAL CALENDAR C

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 653, PN 1296**, entitled:

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

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

POINT OF ORDER

Mr. LLOYD. Point of order.
The SPEAKER. For what purpose does the gentleman, Mr. Lloyd, rise?

Mr. LLOYD. Mr. Speaker, I may be incorrect, but I thought that when I looked at the computer list for voting, that this bill and the next bill were listed for tomorrow. Am I in error? If I am not, then I think—

The SPEAKER. The gentleman will yield for a moment.
According to our printout, it is on today's voting schedule — on the computer printout. *If you would like to see it, come forward.*

The gentleman, Mr. Blaum, had two amendments which he has withdrawn.

Mr. LLOYD. Mr. Speaker, I do not recall having caucused these bills. Could we at least have an explanation from someone what these bills do?

The SPEAKER. The gentleman, Mr. Fajt—

Mr. LLOYD. I guess I stand corrected. Some people say we did not caucus on it, others say we did. You know, I will just vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

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

The question is, shall the bill pass finally?

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

YEAS-202

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

NAYS-1

McGeehan

NOT VOTING-0

EXCUSED-0

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members and staff, dinner has been ordered. It is promised at 7 o'clock. It will be served in both the majority and minority caucus rooms.

At such time as it has arrived, we will advise everyone. We will take a break for an hour to eat, and then we will come back and have some more fun.

CALENDAR CONTINUED

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to HB 511, PN 2219, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for vehicles exempt from registration, for multipurpose dealer registration plates, for regulating handicapped plate and placard, for surrender of license and for availability, scope and amount of insurance coverage; and further providing for farm vehicles, for periodic inspection of vehicles and for operation of vehicles without inspection certificates.

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

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

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, earlier in the day HB 511 was marked over, but all the problems have been worked out with all the different sides on this piece of legislation, and everybody is in agreement, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
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

Adolph	Egolf	Lucyk	Saylor
Allen	Evans	Lynch	Schroder
Argall	Fairchild	Maitland	Schuler
Armstrong	Fajt	Major	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	Mihalich	Stern
Brown	Godshall	Miller	Stetler
Browne	Gordner	Mundy	Stish
Bunt	Gruitza	Nailor	Strittmatter
Butkovitz	Gruppo	Nickol	Surla
Buxton	Habay	Nyce	Surra
Caltagirone	Haluska	O'Brien	Tangretti
Cappabianca	Hanna	Olasz	Taylor, E. Z.
Carr	Harhart	Oliver	Taylor, J.
Carone	Hasay	Perzel	Thomas
Cawley	Hennessey	Pesci	Tigue
Chadwick	Herman	Petrarca	Travaglio
Civera	Hershey	Petrone	Trello
Clark	Hess	Pettit	Trich
Clymer	Horsey	Phillips	True
Cohen, L. I.	Hutchinson	Piccola	Tulli
Cohen, M.	Itkin	Pistella	Vance
Colafella	Jadlowiec	Pitts	Van Home
Colaizzo	James	Platts	Veon
Conti	Jarolin	Preston	Vitali
Cornell	Josephs	Ramos	Walko
Corpora	Kaiser	Raymond	Washington
Corrigan	Keller	Readshaw	Waugh
Cowell	Kenney	Reber	Williams
Coy	King	Reinard	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—1

Manderino

NOT VOTING—1

Richardson

EXCUSED—0

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.

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON CONCURRENCE
IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 215, PN 2301**, as further amended by the House Rules Committee:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for medical history information and for involuntary termination of parental rights.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. The gentleman, Mr. Sather.

Mr. SATHER. Thank you, Mr. Speaker.

HB 215 will amend the Adoption Act to require that medical information be provided about the natural parents whether or not this information is in existence or discoverable at the time of adoption regarding potential medical, hereditary, or congenital problems of birth parents.

This bill would require the Department of Public Welfare, upon request, to make available to courts, adoption agencies, and individuals forms that enable birth parents whose rights have been terminated to register and update—

The SPEAKER. The gentleman will yield.

This is an important piece of legislation. The gentleman should have your attention.

The gentleman may proceed.

Mr. SATHER. Thank you, Mr. Speaker.

—and more importantly, update medical history information with the department and with the court which entered the decree of the termination.

The decision to provide updated medical information is a voluntary decision of the birth parents. I would like to reemphasize that: The decision to provide updated medical information is a voluntary decision of the birth parents. The Department of Health will develop the content of the medical history information forms in consultation with the Department of Public Welfare.

The medical history information will be edited before release by the Department of Public Welfare to the adopted person. This editing will remove any information which would identify the adoptee's natural family. This bill is not intended to impose on any adoption agency, private or public, any more of a duty than currently exists under the current law.

We have the ability to enact legislation which would immediately make a difference in people's lives. There are many children and many adults in Pennsylvania whose lives may be saved or changed for the better if they were to receive relevant health information. This information is needed today, not next year or next session.

We have all had the experience at the doctor's office, often we are asked, "Does your family have a history of cancer?" or "Are you allergic to penicillin or is anyone in your family allergic?" Imagine how it would feel if you were in that position.

Many public organizations support this legislation, such as the Catholic Conference, the Pennsylvania Adoption Coalition, and the Pennsylvania Council of Children's Services.

Whom can we help with this information? This information is exceedingly important when it comes to the diseases of children with heart defects, epilepsy, and juvenile diabetes to name a few. These diseases are hereditary in nature and can be diagnosed and treated with the relevant medical information.

Sometimes the answers to these questions change the way we live our lives, and sometimes it changes the way we are given treatment by a medical professional. An adopted child has the same right to know as anyone else.

Science and medicine are growing in leaps and bounds, and our citizens who are adopted should be able to benefit by these changes. Knowing their birth family's relevant medical information could help. This bill would help save the lives of many children and adults across this Commonwealth.

I need your vote, but more especially the children need your vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask for concurrence in HB 215 and to thank the gentleman, Mr. Sather, for his cooperation in allowing an amendment offered by Representative Krebs and myself dealing with children who are just stuck in foster care year after year after year after year.

The language worked out by Representative Krebs over a number of years is an important addition to this bill, and I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady from Luzerne, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I believe that adoptees should have access to their medical histories, and I support the provisions in the bill that have to do with termination of parental rights. But, Mr. Speaker, I want to share some concerns I have about the confidentiality of these adoption records.

When this bill left the House, the Department of Health was to be the agency responsible for these records. As it comes back to us from the Senate, it is the Department of Public Welfare that will have responsibility for these confidential records. Let me share an incident that occurred in northeastern Pennsylvania that makes me wonder about the ability of the Welfare Department to safeguard the confidentiality of these records.

In January of this year, a family in my area was contacted by the birth mother of their 6-year-old adopted daughter and asked if she could visit her daughter. The family was appalled that the mother had discovered their identity and asked the mother, a resident of Philadelphia, how she found them. They were told that her caseworker at the county assistance office in Philadelphia found that her computer contained information on her daughter and advised her to copy down everything on her computer screen if she ever wanted to see her child. Since the adopted child was receiving medical assistance through a special-needs adoption, the child's adopted name and family's address appeared on the screen.

When the Department of Public Welfare was advised by the attorney for the family that the caseworker had committed a crime — this was not simply a violation of department policy; this caseworker committed a crime — the department's response was that, and I quote from the letter written to the attorney, "...appropriate action" was "taken in coordination with our labor relations section." Thus, even though the law clearly prescribes a

penalty for unauthorized disclosure, the department chose to ignore the fact that this was a crime subject to criminal prosecution.

When I learned about the case, I wrote to the district attorney of Philadelphia, Lynn Abraham, to request that she commence an investigation of the caseworker's possible commission of a crime, and that investigation is under way. But, Mr. Speaker, I am concerned about this incident for two reasons: number one, that confidential information appears to be so readily available and so easily divulged; and two, the apparent lack of concern on the part of the department about this incident.

Mr. Speaker, we are talking about the confidential records of thousands of adoptees in this State. With passage of this bill, we are talking about private and public welfare adoptions. I am concerned that if we do not do everything possible to secure the confidentiality of this information, we jeopardize and discourage adoptions in this State. We jeopardize the security of adoptive families.

Mr. Speaker, I am very disturbed that this bill is going to run before we have had the opportunity to address these issues of confidentiality, but because I have been assured by the majority leader and by the chairman of the Health and Human Services Committee, Mr. Cornell, that these issues of confidentiality will be addressed through a public hearing possibly this summer and through possible legislation, I will withdraw my objections to the bill at this time. Thank you.

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, this is a very serious issue—

The SPEAKER. Is the gentleman's mike working?

Mr. THOMAS. Thank you.

Mr. Speaker, this is a very extremely serious issue, one that runs directly to whether or not we have put in place a system or are in the process of putting in place a system that in many instances will result in government going further beyond where it needs to go when it comes to the best interests of children, and on the other hand, there is a real question as to whether or not this is designed to remedy some growing public problem.

And given the seriousness of this issue, I think the record needs to reflect that I, along with a number of other colleagues, just received HB 215. It was just passed out. So at least for myself, I have not had a chance to look at this bill and the subsequent amendments in the context of current law, because I think that this issue has to be examined within the context of current law. I think the whole issue of confidentiality is a real one, and so, Mr. Speaker, I guess the best way to answer some of the questions that I have is I would like to ask whether I can interrogate the prime sponsor.

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

Mr. THOMAS. Thank you.

My first question runs to this whole issue of confidentiality, and I guess what my concern is, a previous speaker indicated that there was an in-house agreement that confidentiality protections would be provided at some point, and since we are dealing with this issue, this bill on concurrence, my question is, how do you foresee providing these confidentiality protections after this bill has been concurred and basically signed into law?

Mr. SATHER. Mr. Speaker, the Health and Human Services Committee has agreed to hold hearings this summer when much of

this very issue of confidentiality and other concerns can be expressed.

I want to express to you, Mr. Speaker, that I can assure you I have the same concerns that have been mentioned here on the floor about confidentiality. I do not want to deter from the process of adoptions occurring, and I have it on good understanding that that process will be undertaken.

Mr. THOMAS. Mr. Speaker, if we concur on this bill tonight and it is subsequently signed by the Governor, would not a public hearing on the question of confidentiality as it relates to the context of this bill be moot?

Mr. SATHER. No, Mr. Speaker. We have assurances from the department that they will work with the Governor and with all of us in that regard, and this legislation will not go directly to the Governor for his signature, because there was a change in the legislation.

Mr. THOMAS. So the bill has to go back to the Senate?

Mr. SATHER. That is correct.

Mr. THOMAS. Well, then, Mr. Speaker, would you have a problem with— But I guess before I ask this question let me ask, do you have any knowledge, present knowledge, or information regarding the Senate's rationale for its amendments to this bill?

Mr. SATHER. It was at the request of the Ridge administration to have this bill to Welfare and to those various issues.

Mr. THOMAS. So you do not have any present knowledge other than that the Governor wanted it?

Mr. SATHER. That is correct.

Mr. THOMAS. Okay. Well, then, Mr. Speaker, my question is, would you have a big problem with us tabling this bill until there are public hearings and have input from those public hearings to go into shaping a bill on concurrence?

Mr. SATHER. Yes, I would, Mr. Speaker. I would not want to table this legislation, and let me express some of why I express that.

Why we are using the Welfare Department, courts deal directly with the Department of Public Welfare at the present time, and the Department of Public Welfare — the Office of Children, Youth and Families — the Department of Public Welfare has made mistakes, admittedly, and we acknowledge that.

The problem was, there was a link in this instance — and one instance is too many — in that child's Social Security number appearing on the medical assistance card, and there is an effort now — In fact, it is more than an effort. The Department of Public Welfare has a bulletin that is going out to the various departments, the various agencies, of a change in that so that that, if you will, the key to all of that knowledge, the Social Security number, will be changed.

Mr. THOMAS. But, Mr. Speaker, I am still lost, and I am also concerned about —

Mr. SATHER. I am sorry, Mr. Speaker. Could you repeat?

Mr. THOMAS. I am looking for clarification, because I did not understand what you just said.

And, Mr. Speaker, I beg the indulgence of this House. I do not know whether my colleagues look at this issue as seriously as I do, but I think that any time you set up an arrangement that allows for a child or another direct or indirect party to terminate a parent's rights, any time you allow for the moving of very private and personal information to people who have no real limitations, then I think that we need to devote as much time as possible to making sure that we are moving in the right direction.

So I beg the indulgence of my colleagues from both sides of the aisle, and I am really kind of upset that — Well, go ahead, Mr. Speaker. You were going to provide clarification.

Mr. SATHER. Well, Mr. Speaker, I think it is important that if you want to ask for clarity as to that part of the bill, that it would be more appropriate that you address that to Representative Krebs, that amendment that was added to the bill.

I think that the department and all who are involved would be willing to take into consideration, and they have already expressed it to us that they will look at those concerns.

Mr. THOMAS. Well, Mr. Speaker, is Representative Krebs prepared to stand for interrogation?

The SPEAKER. The gentleman, Mr. Krebs, consents to interrogation.

Mr. THOMAS. Thank you.

Mr. Speaker, do you have a problem with tabling this until such time that there are hearings on the whole question of termination of parental rights and on the whole question of confidentiality?

Mr. KREBS. In terms of —

The SPEAKER. The gentleman will yield.

Members will please take their seats. There is entirely too much noise on the floor. Conferences on the side aisles, please break up. Conferences on the side aisles, please break up.

The gentleman may proceed.

Mr. KREBS. Okay. In terms of delaying to hold hearings on parental rights, we have held hearings on this extensively over the last three sessions, and I guess I do not support tabling this bill tonight.

Mr. THOMAS. You have held hearings on the question of confidentiality?

Mr. KREBS. I cannot speak to that because that is not my part of the bill. My part is the termination of parental rights.

Mr. THOMAS. You have held hearings on termination of rights?

Mr. KREBS. That is correct.

Mr. THOMAS. Okay, Mr. Speaker. Then are you saying that there is a consensus out there that the law in Pennsylvania needs to provide some mechanism for termination of parental rights?

Mr. KREBS. We do have a mechanism for terminating parental rights. What this is doing is it is fine-tuning it, trying to help those children that get caught in this situation where they go through the formative years of their lives in a nonstable foster parent environment.

Mr. THOMAS. How many children are we talking about?

Mr. KREBS. I do not have numbers on that.

Mr. THOMAS. Where does this problem exist in the Commonwealth of Pennsylvania?

Mr. KREBS. This problem exists all over the Commonwealth.

Mr. THOMAS. You have data from Philadelphia County?

Mr. KREBS. I do not have specific data here tonight, no.

Mr. THOMAS. Do you have data from any county?

Mr. KREBS. I have looked at data from different counties, and I have talked to the children and youth service people from different counties.

Mr. THOMAS. Did you talk to the children and youth people in Philadelphia County?

Mr. KREBS. No, I have not.

Mr. THOMAS. And the reason I say that is because for the last year or so Philadelphia County has had a children and youth cabinet that is a part of the executive branch of municipal government, which is very much in touch with children and youth

issues as it relates to Philadelphia County, and I know that they could have provided you with some hard information as to whether or not we need to be moving in this direction, but let us take it a little bit further.

One, can you give us some specifics as to why the termination-of-parental-rights provision of existing law needs to be fine-tuned, and can you provide us some specific situations?

Mr. KREBS. I can provide the situation that if you look at who is supposed to start the action on termination of parental rights, it is the agency, the children and youth service, in the various counties, and what this legislation would do is it would provide the child to have legal standing through a lawyer so that if a judge sees that a children and youth agency is not handling the child correctly, a judge could go to a lawyer and say, please look into this situation, and take over where maybe the bureaucrats are not doing it.

Mr. THOMAS. Well, from what I understand from just the quick review I have made of the bill, it appears as though a child is being given legal standing to retain counsel on the question of termination of parental rights. Is that correct?

Mr. KREBS. The child is being given legal standing if they have a lawyer; that is correct. But this is an adjudicated child. This is a child that is already in the foster care system. They have already been taken away from their parents.

Mr. THOMAS. Well, Mr. Speaker, why not look to, and I do not know whether this exists in all 66 counties, but in Philadelphia County there is a child advocate, and that child advocate is someone who is really familiar and sensitive to the circumstances surrounding that child's particular needs, and I guess to that end what I am asking is, why not just give it to the child advocate in counties where child advocates exist rather than create an adversarial relationship between child system/child families, and I think, really, in many cases it can result in creating more problems than in the resolution of problems.

Mr. KREBS. Well, the thing is that the child advocate would not have legal standing. What we are doing is we are giving another avenue for termination of parental rights to be done by somebody besides the children and youth agency.

Mr. THOMAS. Well, if the attorney within the context of this bill is representing a child and really advancing those issues that run to why parental rights need to be terminated, then my question is, why could not a child advocate also advance those issues and be in a better position to articulate those issues, because in most cases child advocates are assigned by the courts? So why would not a child advocate be in a better position?

Mr. KREBS. Because the legislation at this point allows the children and youth agency to do that. The child advocate would have to go to the children and youth agency, and they would have to start the termination procedure.

Mr. THOMAS. Mr. Speaker, from your public hearings, what specific situations were outlined that gave rise to the need to fine-tune termination of parental rights?

Mr. KREBS. At the one hearing I was at, we had three different judges talk to us, and they said there were situations where they had children who the agency, the children and youth service, was not able to get to those children, and they languished in a bad foster care situation rather than being put into a permanent situation.

I think that particular provision, the judges that normally deal with adoption cases were the ones that recommended this provision.

Mr. THOMAS. But, Mr. Speaker, I am just having a problem in understanding what you are saying and why we are at this point. Now, I am just having a problem with that.

If a child is placed into a foster home—

Mr. KREBS. Okay. You know, I will give you a situation of termination. Let us say there is a child that is put into foster care. Under the present situation, at the end of the year they would have to come in to see if they met the requirements, the natural parents, to see if they should get the child back. So the parent comes in before the judge, and they say, judge, I did not quite meet all the conditions; I will try and get my act together, you know, in the next year, so give me another chance. So what happens is that the parent goes home, ignores the child for another year. The child is in foster care. At the end of the year they come in for the next hearing, and they go before the judge again, and they say, judge, I did not quite get it together; give me another year; let me try and get my act together. This goes on, and we can end up, the child is spending its formative years going from one foster parent to another, no feeling of permanence, rejection on the part of their parents. What we are trying to do here is we are trying to end that cycle where this child moves from foster care parent to foster care parent while the natural parents are trying to get their act together. What you end up with is, a lot of times when these children get to be 12, 13 years old, finally the natural parents will say, I guess I will never get my act together, and they allow the child to be adopted by somebody, but at that point this child has not had the foundation of permanence that they need to be a good functioning citizen in society.

Mr. THOMAS. Well, I guess, Mr. Speaker, that is what I am talking about. That is what I am talking about where there seems to be confusion and there seems to be an absence of clarity on where we are going with respect to this particular provision, and here is why.

Number one, you are talking about the custodial parent. Is that correct?

Mr. KREBS. Number one, we are talking about a child that is in the—

Mr. THOMAS. That is in the foster care system—

Mr. KREBS. In the system, right.

Mr. THOMAS. —that is going to move in that system until permanency is established. If the biological or custodial parent is not in a position or is not at a point where he or she is ready to provide day-to-day care for their child, then it just seems to me that they automatically terminate their rights. They do not have any rights that go beyond that of the foster parent, because once the foster care system steps into place, the State has ultimate control. The child is under the care of the State, and the State makes all decisions until such time that that biological parent is ready to step forward. I mean, the child is in the system. I do not know how a parent's unwillingness to satisfy conditions established by the court should result in some great harm to the child unless there is contact between the child and that custodial parent. I mean, I do not see where we are going with this, if that is an example of why this provision exists.

Mr. KREBS. I guess at this point I do not see where you are going, Mr. Speaker. I do not understand your line of questioning at this point.

Mr. THOMAS. Well, my line of questioning is trying to find out whether there is any public policy to why we need to fine-tune the termination-of-parental-rights provision that is currently in the law. I mean, I think that the provision as it currently exists allows

for particular circumstances. The circumstances that you just gave do not seem to fit the bill. I mean, I do not see where the big problem is with respect to a parent who does not satisfy—

The SPEAKER. Will the gentleman yield.

The Chair has been very lenient. I think you will have to agree. The question before the House is one of concurrence in the amendments inserted by the Senate, and that is the scope of the issue, what the Senate did.

Mr. THOMAS. Thank you, Mr. Speaker. Let me conclude.

The SPEAKER. Please. Now, you have been going on for quite a while with Mr. Krebs, and it is interesting, but it really is not on point, to a great extent.

Mr. THOMAS. Thank you, Mr. Speaker. I will conclude.

Mr. Speaker, I have a real problem in being able to vote for or against HB 215, and my problem is for the following three reasons: Number one, I just received HB 215, which includes the amendments provided by the Senate. I have not been able to receive any clarification as to why those amendments were inserted into HB 215. Number two, I have not heard any definitive data or information as to why the current law needs to be fine-tuned. Number three, the sponsor of the bill and the author of the subsequent amendments has failed to provide me or this House with any information as to why this is necessary at this time and why we cannot postpone this temporarily until such time that sufficient public hearings are held on these two questions.

MOTION TO RECOMMIT

Mr. THOMAS. So I guess the best thing for me to do is to move for this to be tabled temporarily until public hearings are held.

The SPEAKER. If I may rephrase the motion, that the bill be postponed as opposed to tabled for the purpose of having public hearings.

The Parliamentarian reminds me that the gentleman probably would be better advised to move that the bill be recommitted to the committee of the gentleman's choice for the purpose of that committee having public hearings. The House itself would not have public hearings, so just postponing it or tabling it for the purpose of public hearings does not make much sense because we do not do that, but sending it to a committee for that purpose would be in order.

Mr. THOMAS. Thank you, Mr. Speaker. Then I would like to amend or change that motion and move that this bill be recommitted to the House Health and Welfare Committee for the purpose of holding public hearings and providing this body with some specific recommendations no later than the fall of this year.

Mr. Speaker, I beg your indulgence. I put a time specific on it because I do not want people to get the impression that I am attempting to stall this or that I am attempting to run interference on it. I think it is a good bill. I just think that time is needed to determine whether or not we are moving in the right direction and we are satisfying some overwhelming public policy.

The SPEAKER. The lady, Ms. Youngblood, are you seeking recognition in connection with this motion that the gentleman is making?

Ms. YOUNGBLOOD. Yes.

The SPEAKER. For what purpose are you rising?

Ms. YOUNGBLOOD. Mr. Speaker, I rise in support of HB 215.

Speaking from personal experience, I have been the foster—

The SPEAKER. I will recognize the lady in a moment. Would the gentleman, Mr. Thomas, come to the desk.

(Conference held at Speaker's podium.)

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

Mr. THOMAS. Thank you, Mr. Speaker.

I apologize for the delay and thank you for your input.

I rise to move to recommit HB 215 to the House Health and Human Services Committee. Given the importance of this issue and given the need to move forward, I encourage the committee to report back to the House, if at all possible, by the fall of this year. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The question before the House is the motion of the gentleman, Mr. Thomas, to recommit the bill to the Committee on Health and Welfare.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question, does the lady, Ms. Washington, still desire recognition?

The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion.

This legislation is not new. It should be noted that it has also passed the House several times over the last couple years and I believe unanimously. What it does is add to a list. There are several reasons for termination. All are "may" provisions. They are guidelines for judges to follow. Representative Krebs and I are just offering yet an additional guideline, another "may" provision for a judge to follow in these kinds of very important cases.

Representative Sather's legislation, also a welcome addition to our law, provides for the medical history so that children who need medical information would not be denied it simply because they went through an adoptive process, where a parent may have had a very terminal, possibly unique disease, and the child would never know it. This information would be available.

These two pieces of legislation are very important to the children of Pennsylvania. There were hearings held in the city of Philadelphia and other places across Pennsylvania in our last session on exactly these topics, so I would ask that we defeat the motion and that we pass the legislation and get it enacted into law before the end of the month. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, not to belabor a point, but this issue has been studied for quite some time. As a matter of fact, over the last three legislative sessions, there have been meetings, there have been discussions. There has been an awful lot of activity on this piece of legislation, Mr. Speaker, so the time to do it is now.

The SPEAKER. The gentleman, Mr. Thomas.

Mr. THOMAS. Mr. Speaker, I concur with both the subcommittee chair on Youth and Aging and also with the majority leader. I do not have a problem with their comments.

I guess what I have a concern with is that this is a very serious issue. Disintegration of the family — parent versus parent, parent versus children, families versus communities — is a real problem in Pennsylvania, and given the fact that whatever we do is going to impact on our future in a very significant kind of way,

I do not think anything is lost by taking a little time to hear what Pennsylvanians have to say about fine-tuning the termination of parental rights, about fine-tuning this whole notion of confidentiality. We have had to do that with other issues, and I think this is one of those issues that we need to just take a few minutes and hear what Pennsylvanians have to say, and that is all that I am asking for.

I support the whole notion of HB 215. I think that we are moving in the right direction. I just think that on these serious issues of confidentiality and the issue of terminating a parent's rights, we need to hear from Pennsylvanians, and let us face it — I do not know of any public hearings that were held in Philadelphia County; I do not know of any that were held in Erie, Pennsylvania; I do not know of any that were held in Northumberland County. People across Pennsylvania need to have some input in this without too long a delay. Thank you.

Ms. WASHINGTON. Point of order, Mr. Speaker.

The SPEAKER. The lady, Ms. Washington. What is the lady's point of order?

Ms. WASHINGTON. Parliamentary inquiry.

The SPEAKER. Will the lady state her point of parliamentary inquiry.

Ms. WASHINGTON. Mr. Speaker, I did not request to speak earlier when you said Representative Washington.

The SPEAKER. I thought you had.

Ms. WASHINGTON. I did not. It was Representative Youngblood.

The SPEAKER. I apologize to the lady.

Ms. Youngblood, do you desire recognition?

The gentleman, Mr. Gruppo.

Mr. GRUPPO. Thank you, Mr. Speaker.

I rise to oppose this motion.

The Aging and Youth Committee, as my colleague, Kevin Blaum, has indicated, has studied this matter thoroughly. We are here tonight to vote on concurrence of Senate amendments to HB 215, and we are ready to go. This is the time to do it. I do not believe we need to delay it any further, and I ask that we defeat this motion and vote on the bill.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—30

Bebko-Jones	James	Mundy	Roebuck
Cappabianca	Jarolin	Oliver	Surra
Carn	Josephs	Pistella	Thomas
Cawley	Kirkland	Preston	Tigue
Daley	Lucyk	Richardson	Washington
Evans	Manderino	Rieger	Williams
Haluska	Meljo	Roberts	Wozniak
Horsey	Mihalich		

NAYS—173

Adolph	Druce	Levdansky	Schroder
Allen	Durham	Lloyd	Schuler
Argall	Egolf	Lynch	Scrimenti
Armstrong	Fairchild	Maitland	Semmel
Baker	Fajt	Major	Serafini
Bard	Fargo	Markosek	Shaner

Barley	Farmer	Marsico	Sheehan
Battisto	Feese	Masland	Smith, B.
Belardi	Fichter	Mayernik	Smith, S. H.
Belfanti	Fleagle	McCall	Snyder, D. W.
Birmelin	Flick	McGeehan	Staback
Bishop	Gamble	McGill	Stairs
Blaum	Gannon	Merry	Stelman
Boscola	Geist	Michlovic	Steil
Boyes	George	Micozzie	Stern
Brown	Gigliotti	Miller	Stetler
Browne	Gladeck	Nailor	Stish
Bunt	Godshall	Nickol	Strimmatter
Butkovitz	Gordner	Nyce	Sturla
Buxton	Gruitza	O'Brien	Tangretti
Caltagirone	Gruppo	Olasz	Taylor, E. Z.
Carone	Habay	Perzel	Taylor, J.
Chadwick	Hanna	Pesci	Travaglio
Civert	Harhart	Petrarca	Trello
Clark	Hasay	Petrone	Trich
Clymer	Hennessey	Pettit	True
Cohen, L. I.	Herman	Phillips	Tulli
Cohen, M.	Hershey	Piccola	Vance
Colafella	Hess	Pitts	Van Horne
Colaizzo	Hutchinson	Platts	Veon
Conti	Itkin	Ramos	Vitali
Cornell	Jadlowiec	Raymond	Walko
Corpora	Kaiser	Readshaw	Waugh
Corrigan	Keller	Reber	Wogan
Cowell	Kenney	Reinard	Wright, D. R.
Coy	King	Robinson	Wright, M. N.
Curry	Krebs	Rohrer	Yewcic
DeLuca	Kukovich	Rooney	Youngblood
Dempsey	LaGrotta	Rublely	Zimmerman
Dent	Laughlin	Rudy	Zug
Dermody	Lawless	Sainato	
DeWeese	Lederer	Santoni	Ryan,
DiGirolamo	Leh	Sather	Speaker
Donatucci	Lescovitz	Saylor	

NOT VOTING—0

EXCUSED—0

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

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

Mr. SATHER. Thank you, Mr. Speaker, and I will be very brief.

What can be lost here today if we take no action to concur in this, we could lose lives, children's lives. I know that there is not one of you here in this Assembly who wants to see that happen. Vote in support of this legislation. Thank you very much.

The SPEAKER. Does the lady, Ms. Youngblood, from Philadelphia desire recognition?

Ms. YOUNGBLOOD. Yes, I do, Mr. Speaker.

I rise in support of HB 215.

I think it is about time that we stabilize the lives of the children in the State of Pennsylvania. I can speak from personal experience as being a foster parent of an Ethiopian refugee. I only saw the Department of Welfare twice, when I received her and when I

applied for her adoption. Upon applying for adoption, after having her for 3 1/2 years, I was told that they had located her father, and she was returned to her father. There were a lot of health problems involved. I was not made aware, when I received her from Ethiopia, of the health problems. They were found out by me by taking her to a pediatrician.

I think that children should not be in a perpetual state of limbo. They should have stability in their lives. Currently I am raising my stepgrandson, and it should not be a situation where a parent knows that every 6 months they can come back and tell the Department of Welfare, I have made the necessary steps to contact and find out how my child is doing. Five or 6 years down the line these children will be removed from homes and placed in a completely different environment, and I think it is unfair.

My sister also currently has an Ethiopian refugee where the father killed the mother when the baby was 8 months old and is currently in prison. This man has served 10 years in jail and will be released in December and be deported from the United States, but because he is the natural father and she is a foster parent — and she has also applied for adoption — she does not have the rights to keep her. This will afford him the opportunity to take this child that does not know this man because he has served 10 years in jail and she has had her since she was 8 months old back to Ethiopia.

I think it is unfair in what we are doing to a lot of the children, not only in Pennsylvania but across the United States, and I advise everyone to support HB 215. Thank you.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

YEAS-203

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

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

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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

The SPEAKER. I have been asked to advise the members that dinner is served. We will return to the floor in three-quarters of an hour, Mr. Perzel?

The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, we would like to make it an hour and 15 minutes so that each side can caucus and have dinner, Mr. Speaker. There are four additional bills that will be on the supplemental calendar.

The SPEAKER. Has the gentleman, Mr. Cohen, been advised of the bills?

**INTERGOVERNMENTAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER. The gentleman, Mr. Flick, calls an immediate meeting of the Intergovernmental Affairs Committee at the rear of the hall of the House.

On the declaration of the recess, the Chair will call the House back to order at 10 minutes of 9.

VOTE CORRECTIONS

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

Mr. SERAFINI. Mr. Speaker, thank you.

I would like to record two votes that were missed. It is HB 20, motion to suspend rules, and SB 800, amendment A4218, the Van Horne amendment. I would like to be recorded in the affirmative on both. Thank you.

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

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen.

Mr. COHEN. Mr. Speaker, the House Democratic caucus will begin approximately at 8:15. I would urge attendance of the members.

The SPEAKER. The Chair thanks the gentleman.

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 247, PN 2045

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of neglect of care-dependent person; further providing for insurance fraud; and further prohibiting prostitution.

HB 511, PN 2219

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for definitions, for vehicles exempt from registration, for multipurpose dealer registration plates, for regulating handicapped plate and placard, for surrender of license and for availability, scope and amount of insurance coverage; and further providing for farm vehicles, for periodic inspection of vehicles and for operation of vehicles without inspection certificates.

HB 578, PN 2044

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for involuntary manslaughter and for endangering the welfare of children.

HB 1480, PN 2239

An Act providing for the capital budget for the fiscal year 1995-1996.

HB 1639, PN 2120

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.

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

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel, who calls an immediate meeting of the Rules Committee at the majority leader's desk.

BILLS ON CONCURRENCE REPORTED FROM RULES COMMITTEE**HB 929, PN 2279**

By Rep. PERZEL

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, further providing for escrow accounts on appeals from certain judgments by lower courts.

RULES.**HB 1154, PN 2296**

By Rep. PERZEL

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, further providing for the definition of "justice of the peace" and for notice to quit; providing for summons and service, for hearing, judgment, writ of possession and payment of rent by tenant and for return of writ.

RULES.**HB 1212, PN 2281**

By Rep. PERZEL

An Act providing for voter registration, for registration commissions, for remedies and for absentee ballots; imposing penalties; making appropriations; and making repeals.

RULES.**SB 729, PN 1297**

By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of possessing instruments of crime, for aggravated assault and for cruelty to animals.

RULES.**RECESS**

The SPEAKER. Does the majority leader have any further business prior to the recess? Does the Democratic floor leader have any further business prior to the recess?

Hearing none, the Chair declares the House in recess until 8:50.

RECESS EXTENDED

The time of recess was extended until 9:15 p.m.

AFTER RECESS

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

SUPPLEMENTAL CALENDAR E

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1212, PN 2281**, entitled:

An Act providing for voter registration, for registration commissions, for remedies and for absentee ballots; imposing penalties; making appropriations; and making repeals.

On the question,

Will the House concur in Senate amendments?

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to take a minute or two to explain the amendments that were inserted by the Senate. There are three major amendments that the Senate inserted.

One amendment would prohibit an individual from registering to vote who had been confined to a—

The SPEAKER. Will the gentleman yield.

The gentleman is attempting to explain the bill you are about to vote on and the amendments that were inserted by the Senate in HB 1212. The question before the House is concurrence on HB 1212.

The gentleman is recognized.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, there are three major amendments that were incorporated in the Senate. The first amendment would add language to prohibit an individual from registering to vote who had been confined to a penal institution for a conviction of a felony within the past 5 years.

The second amendment would essentially remove all references to the central registry throughout the legislation. When the bill left this chamber, it contained language to require the Secretary of State to perform a study on the feasibility of a central registry, and it also contained language that should the Secretary deem a central registry to be efficient and effective, she could have opted into participating in implementing a central registry. The language in the Senate, while preserving the study, precludes the Secretary from ever implementing a central voter registry in the State. Many of us happen to think that is rather important, because if you are really concerned about the issue of voter registration fraud, it is best and most effectively combated by implementation of a central registry.

The third major amendment in the Senate deals with the issue of the purge. That is the issue that has long been a concern of some members of the Senate, and under the language inserted in the Senate, Pennsylvania would only reassert a 2-year purge if the Federal Government were to amend the National Voter Registration Act. But as long as the Federal motor-voter law stays in effect, then the language contained in the bill as it left the House will prevail.

There are any number of other what I would refer to as more minor changes to the legislation. Mr. Speaker, there was also language added to the bill to provide for the lapsing of approximately \$110,000 to be used for the study on the viability of the central registry; any number of also, from my perspective,

weakening amendments to the bill which, while I do not support these amendments, given the lateness of the hour — and I do not mean the lateness of the hour today — but given the fact that Pennsylvania is under a court order to comply with the requirements of the motor-voter law and given the fact that it appears that this is going to be the best that we can get out of the Senate today, I will have to recommend concurrence.

I would also like to point out that at the eleventh hour, it is rather difficult to go back and to undo, from my perspective, the mistakes that have been done by the Senate, because if we do not adopt this legislation, Pennsylvania will be faced with implementing beginning this fall a two-tier voter registration system. Our 67 county election bureaus, if we do not pass this legislation, will have a two-track voter registration system that will cost them in excess of \$11 million to implement, and I, for one, do not want to see that unfunded mandate passed onto the backs of our county election bureaus.

For those reasons, Mr. Speaker, I would ask for a concurrence vote with HB 1212.

The SPEAKER. Does the gentleman, Mr. Clymer, desire recognition? The gentleman is recognized.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I concur with the remarks of my colleague on the other side of the aisle, Representative Levdansky. This is certainly not the kind of— This bill is not the same bill that we had sent to the Senate for their approval, and I share the concern about not having the central registry in this legislation, but perhaps we can revisit that issue sometime later on.

Many of the issues that I was going to speak on that were changed by the Senate, Representative Levdansky has already touched on, so I am not going to be repetitious there except for the one point about the two-tier system. This indeed would create a problem for many of our 67 counties.

There is a pilot program that is going to be undertaken hopefully in conjunction with the various counties in Pennsylvania to try to do a computer system to do the digital signature and try to work out a program even before Secretary Kane comes back with her recommendation. She does have the money to do the study, and we are hoping that study will be done as quickly as possible.

Now, Mr. Speaker, having said that, I want to say that I also urge concurrence of HB 1212.

Mr. Speaker, I do want to applaud my colleague on the other side of the aisle, and I hope I am not premature with these remarks, and that is to say that he has been very persevering. He has worked hard to try to bring this bill that we have here tonight at this hour into law.

I congratulate the staff on both sides of the aisle and the administration for working in a cooperative spirit to try to bring this issue — the motor-voter bill — into conformity with the Federal law. It has not been an easy task and we are to vote in a few minutes, and again, I congratulate my colleague for doing such a good job, for working hard, for persevering on this issue.

I urge concurrence of HB 1212. Thank you, Mr. Speaker.

On the question recurring,

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-198

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

NAYS-4

Egolf	Leh	McGill	Rohrer
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NOT VOTING-1

Adolph

EXCUSED-0

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.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. DRUCE. Mr. Speaker, if there is no objection, as a matter of personal privilege, may I offer some remarks for the record?

The SPEAKER. The gentleman is in order.

Mr. DRUCE. Thank you.

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

Mr. Speaker, it is my privilege today to recognize the Central Bucks West girls soccer team from Doylestown, Bucks County, on the occasion of winning their third consecutive PIAA State championship. This extraordinary group of student athletes visited Harrisburg yesterday where I hosted a luncheon at the Governor's Home and later introduced the team to Governor Ridge in the State Capitol. I thank the Governor for opening the Residence to us. The young ladies, along with some of their family members, then traveled to Hersheypark where they were invited as special guests.

Mr. Speaker, an elite few in PIAA history have ever won three consecutive State championships in any scholastic sport. The record now reflects that the Lady Bucks are the first team in Pennsylvania history to achieve this plateau in girls soccer. The team is led by their coach, Chris Freudig, who has guided them to three league titles in 4 years. The 1993 team, with a record of 23 wins, 0 losses and 1 tie, finished as undefeated league, district, and State champions and were ranked number eight in the country in girls soccer. In 1994 the team repeated as district and State champions, with a record of 23 wins and 2 losses, and were ranked number 11 in the country. This past season the Lady Bucks were even more extraordinary, compiling a record of 25 wins and 0 losses in winning another undefeated league championship, district championship, and a third consecutive State title. The team finished the 1995 season ranked number three in the country in girls soccer.

Mr. Speaker, I have had the privilege to attend the past two championship games, and I can tell the members that both games were some of the most exciting contests in scholastic sports. Their State championship victory last year was achieved in a dramatic double overtime victory against Council Rock High School. This past June 10 the Lady Bucks confronted their arch rival Council Rock for a rematch of the State title. The championship bout again went into overtime where Jaime Podbutzky scored the game-winning goal for Central Bucks West.

Mr. Speaker, I would like to enter into the Commonwealth's Legislative Journal the names of each of these special young ladies who comprise the Central Bucks West team: Co-Captains Maggie Moyer, Michele Loux, Staca Urie, and Michele Ruzicka. Jaclyn Baker, Ellen Flood, Jen Lottman, Joanne McCarthy, Jen Noce, Chris Taulien, Jess Woehr, Aimee Bross, Tara Felton, Jackie McDonough, Jill McNelis, Jaime Podbutzky, Karli Schilling, Blythe Vito, Jesse Baker, Nancy Davis, Laura DiLello, Kim Grisom, Jen Hecker, Shana Hinstead, Maggie Hurley, Mary Alice Lachman, Michele Lemek, Erin Lenox, Kristen Lenox, Michele McCray, Meghan O'Neil, Stephanie Schowalter, Andrea Simon, Sabrina Willard, Lindsay Baker, Christa Barnhart, Gretchen Cassidy, Leanne DelPizzo, Jen Henley, Megan Hoffman, Angie Rudy, Regan Schoeler, Anne Sinnamon, Maria Sherwood, head coach, Chris Freudig; assistant coaches, George Battis and Chris Power; and manager, Greg Haflein.

I want to congratulate this remarkable group on their tremendous success - both on and off the field - over the past three seasons. As I remarked to the girls yesterday at the Governor's Residence, I am enormously proud of this team, not only for what they have accomplished on the soccer field, but the manner in which they have conducted themselves. This team repeatedly won with the elegant class which embodies each and every one of these young ladies. I am deeply honored

to have supported the Central Bucks West girls soccer team, and I thank them for the kindness and friendship they have returned.

Mr. Speaker, I thank the members of the House of Representatives for allowing me and the people of Pennsylvania to offer our warm congratulations to the 1995 and three-time defending PIAA State champions — the Lady Bucks of Central Bucks West High School.

VOTE CORRECTIONS

The SPEAKER. Mr. Lynch.

Mr. LYNCH. To correct the record, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. LYNCH. On the vote we just took on HB 1212, my switch, I tried to hit it and record it in the “no”; it would not do it. I wish to be recorded in the negative on that vote.

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

The gentleman, Mr. Adolph, is recognized.

Mr. ADOLPH. Thank you, Mr. Speaker.

I would like to correct the record.

The SPEAKER. The gentleman is in order.

Mr. ADOLPH. On HB 1212 my switch malfunctioned, and if it was functioning correctly, I would have voted in the affirmative.

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

Mr. ADOLPH. Thank you.

SUPPLEMENTAL CALENDAR D

RESOLUTION PURSUANT TO RULE 35

Mr. GEIST called up **HR 188, PN 2304**, entitled:

A Resolution relating to the development of a national system of heritage tour routes.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—203

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

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

NAYS—0

NOT VOTING—0

EXCUSED—0

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

SUPPLEMENTAL CALENDAR F

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 929, PN 2279**, entitled:

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, further providing for escrow accounts on appeals from certain judgments by lower courts.

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

The SPEAKER. On the question, the gentleman, Mr. Preston.
Mr. PRESTON. Thank you, Mr. Speaker.

Could the gentleman please explain the Senate amendments that are in the bill for concurrence?

The SPEAKER. The Chair recognizes the gentleman, Mr. Dent, for the purpose of explaining what the Senate did to the bill.

Mr. DENT. Thank you, Mr. Speaker.

The changes the Senate made are very simple. Under this amended version, a tenant has 10 days to appeal the judgment of

the lower court for residential leases. There are 30 days to appeal a residential lease involving a victim of domestic violence and 30 days to appeal for nonresidential leases as well.

Another change that was made, that all rent money due during the appeal shall be paid to the prothonotary, not to the landlord.

Those are the primary changes made by the Senate.

On the question recurring,

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-171

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

NAYS-32

Bishop	Hanna	Lucyk	Roebuck
Buxton	Horsey	Manderino	Stetler
Carn	Itkin	Melio	Thomas
Cohen, M.	James	Mihalich	Veon
Corrigan	Josephs	Preston	Washington
Curry	Kirkland	Ramos	Williams
DeWeese	Kukovich	Richardson	Yeweic
Evans	Lloyd	Robinson	Youngblood

NOT VOTING-0

EXCUSED-0

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.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1154, PN 2296**, entitled:

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, further providing for the definition of "justice of the peace" and for notice to quit; providing for summons and service, for hearing, judgment, writ of possession and payment of rent by tenant and for return of writ.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. On that question, does the gentleman, Mr. Blaum, desire recognition?

Mr. BLAUM. Thank you, Mr. Speaker.

Just to ask that the amendments be explained.

The SPEAKER. The gentleman, Mr. Wogan, is recognized for that purpose.

Mr. WOGAN. Thank you, Mr. Speaker.

In a nutshell, what the Senate did was to increase the time available to tenants at various stages of the proceeding. In other words, the tenant would have more time in the beginning of the proceeding of eviction and the tenant would have more time at the end. That is it in a nutshell.

The SPEAKER. Is that satisfactory, Mr. Blaum?

The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Vitali. Mr. VITALI. Will the maker of the bill stand for a brief interrogation?

The SPEAKER. The gentleman, Mr. Wogan, will. You may proceed.

Mr. VITALI. I just want to know if you could delineate a little more what time periods and when.

Mr. WOGAN. HB 1154 when it left the House, for example, would give a tenant 5 days to vacate prior to the action being started. Now in the bill the tenant has 15 days. That was an increase of a period of time the tenant would have to respond.

The summons, in HB 1154 when it left the House, would have to be served within 5 or not more than 8 days, and now the timeframe is between 7 and 10 days.

In other words, as I said in my introductory remarks, the tenant all throughout the proceedings, as a result of the Senate amendments, now has more time to respond to an eviction action than he would have the way HB 1154 was originally drafted.

Mr. VITALI. How do, Mr. Speaker, those time periods compare to existing law?

Mr. WOGAN. Oh. Well, they cut down on existing time periods. For instance, generally a tenant would have 30 days to

vacate at the beginning of an action. As written now with the Senate amendments, there would be 15 days to vacate.

In other words, to editorialize, HB 1154 is a vast improvement over the present system in which landlords do not have the use of their property for many, many months, but the Senate amendments, so to speak, liberalized the timeframes to help out the tenants.

Mr. VITALI. Okay. Thank you, Mr. Speaker.

The SPEAKER. On the question of concurrence, the gentleman, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, when this House originally considered HB 1154, there were a number of questions raised. Those questions have not been resolved in the Senate amendments.

I rise again in opposition to HB 1154, and the record needs to reflect that this is the most regressive piece of legislation—

The SPEAKER. Will the gentleman yield.

The gentleman's opportunity to vote against the legislation has passed. Now the question is, you can concur or nonconcur in the amendments that were inserted by the Senate. That is all that is before you. You do not have an opportunity to vote "no" on the bill.

Mr. THOMAS. I understand that, Mr. Speaker, and I understand that the question before us is concurrence, but I think that it is important for the record to reflect the regression which existed in the beginning has not subsided or has not been changed, and therefore, we should vote "no" on concurrence.

The biggest problem that I think concurrence presents to the people of Pennsylvania is we have a rapidly growing population of elderly people who are living in subsidized and nonsubsidized rental situations, in many cases faced with physical and other disabilities, and I think that this so-called liberalization of the time factor, as articulated through the Senate amendments, provides no relief, provides no assurances that this legislation would not result in putting innocent people out on the street.

And it is for the senior citizens of Pennsylvania and it is for people of Pennsylvania, poor people of Pennsylvania, that I rise in opposition to concurrence.

The SPEAKER. Does the gentleman, Mr. Cohen, seek recognition? The gentleman is recognized.

Mr. COHEN. Mr. Speaker, I agree with Mr. Wogan that the Senate has made changes which improve the bill somewhat.

However, I think the key question was asked by Mr. Vitali as to whether the situation is better now than it was before the bill passed, and I think the answer is no. The Senate, while it has improved this bill, has not improved this bill enough. People are still worse off if the bill passes than if it does not pass.

I would therefore urge a "no" vote on concurrence. Let us send the bill back to a conference committee and work something out that will improve situations for both tenants and landlords alike.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Preston, is recognized.

Mr. PRESTON. Thank you, Mr. Speaker.

I agree with the previous speakers. I do not think that the amendments go far enough. I think it hurts several different forms of people.

First, it does hurt, especially in my legislative district, those senior citizens and those buildings that may be going through gentrification whereas you have different particular landlords who are trying to take advantage of being able to remove someone who is paying one part of the rent, especially once the lease has expired and when he realizes or they realize that they can get a much

higher amount. So I think it hurts the low-income people; I think it hurts the senior citizens.

But also I think it hurts another spectrum of people, and that is in the area of small businesses. An awful lot of small business people are held harmless in a lot of cases that are within complexes owned by realtors who are primarily what I call absentee realtors, who are from other States but own major pieces of property and that want to raise the price of rent per square footage, especially when you have leases that someone signed that might only be a 2-, 3-, 4-, or 5-year lease, that want to take advantage of small business and raise the price so they can get the 5- and 10-year leases.

I really think that this bill does hurt small business with the Senate amendments. I do not think that the Senate amendments go far enough. I think that we could have done a lot better, and I would ask for nonconcurrence. Thank you, Mr. Speaker.

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

Mr. STURLA. Thank you, Mr. Speaker.

Will the gentleman who is the maker of this bill please rise for a brief interrogation?

The SPEAKER. The gentleman indicates he will. You may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, my questions come regarding pages 2 and 3 on the amendments inserted by the Senate, and this regards the notice to quit. Is it my understanding that according to this section now, if I live in an apartment and I have a year's lease and my landlord says to me up to 16 days before my lease expires that he wants to renew my lease and that he thinks I am a good tenant and we have agreed on terms but we do not have anything in writing, that on that 15th day he can turn around and say, well, guess what; I have decided I am not going to rent to you; sorry, you are out the door?

Mr. WOGAN. I am not sure how that fits in with what you are reading on page 2 of the bill, but it sounds like the notice that would be required to be given to a person in that situation would be 15 days since his lease would be for a year or less.

Mr. STURLA. So even though I had a year's lease and it was indicated by the landlord 16 days before my lease expired that I would be able to renew that lease, 1 day later I could be given 2 weeks to get out?

Mr. WOGAN. Well, that is no different from present law, except that you would have the 30 days before; now there would be 15 days.

Mr. STURLA. Well, I think 30 days is a much more desirous amount of time if I am going to have to try and find a new apartment. Fifteen days to— Especially for an elderly person to try and find a new apartment, 30 days is disruptive enough, but 15 days I believe puts an undue burden.

To follow up on that, on page 3 then we say that if you happen to be fortunate enough to live in a mobile home park and your lease is for 1 year or less, you have 3 months' notice that they have to give you, or it is 30 days, and if your lease is for a little longer than that, you have 3 months to notice. Is there any particular reason that you know why someone who is renting a mobile home in a mobile home park needs 30 days whereas somebody renting an apartment only needs 15 days?

Mr. WOGAN. I have no idea why that was inserted in there, but perhaps if I could defer to Representative Nyce, he has some knowledge of the mobile home amendments.

The SPEAKER. The gentleman, Mr. Nyce, has been yielded to. I understand.

Mr. NYCE. Yes, Mr. Speaker.

The SPEAKER. Is that correct? Is that accurate?

Mr. NYCE. That is correct.

Mr. Speaker, the amendment that was put into the bill concerns not people leasing a mobile home in a mobile home park but people renting a space with their own home in a manufactured home park. You cannot move a home as quickly as you could move your personal effects from a rented apartment. So the purpose of the amendment was clearly to allow additional time to find a new location to place that home as opposed to packing your personal belongings and moving to a new apartment.

Mr. STURLA. Mr. Speaker, if I could, I am not that familiar with the Mobile Home Park Rights Act. Perhaps you could point out to me where in that amendment it makes the distinction between renting the land and renting the mobile home itself?

Mr. NYCE. Mr. Speaker, the reference on line 3 of page 3 indicates in the definition, "...AS DEFINED IN THE ACT OF NOVEMBER 24, 1976 (P.L.1176, NO.261),..." and they are the definitions that, you know, pertain in this particular case.

Mr. STURLA. Thank you.

Thank you, Mr. Speaker.

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

I rise to urge also a "no" vote on concurrence. It is true that the Senate amendments slightly liberalize what I consider to be a draconian piece of legislation, but it remains draconian.

I am interested in this respect: Reading today in the Daily News — and I am sure it was all over in every other paper — the story about the little girl's family, the little girl who was injured in the pool accident — cannot see, cannot speak, cannot register any sensations. The heartless people who ran the complex, the apartment complex where her family lived, were trying to evict them even months after this tragedy.

The bill that we are passing today is going to make it easier for landlords to take advantage of people in tragic situations, just like this little girl and her family, only they are not going to make it to the newspaper. They are going to make it to the streets in our cities and our towns and our municipalities where they are going to be living because they do not have adequate remedy as tenants.

I do not want anybody here who votes "yes" to concurring in this bill to come to any agency or come to me or come to anybody else in this Commonwealth and complain about homelessness, because that is what this bill is going to bring us. Thank you, Mr. Speaker.

On the question recurring,

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—162

dolph	Durham	Levdansky	Sainato
Allen	Egolf	Lynch	Santoni
Argall	Fairchild	Maitland	Sather
Armstrong	Fajt	Major	Saylor
Baker	Fargo	Markosek	Schroder
Bard	Farmer	Marsico	Schuler
Barley	Feese	Masland	Scrimenti
Battisto	Fichter	Mayermik	Semmel

Bebko-Jones	Fleagle	McCall	Serafini
Belardi	Flick	McGeehan	Shaner
Belfanti	Gamble	McGill	Sheehan
Birmelin	Gannon	Mery	Smith, B.
Boscola	Geist	Michlovic	Smith, S. H.
Boyes	George	Micozzie	Snyder, D. W.
Brown	Gigliotti	Miller	Staback
Browne	Gladeck	Mundy	Stairs
Bunt	Godshall	Nailor	Steil
Butkovitz	Gordner	Nickol	Stern
Caltagirone	Gruppo	Nyce	Stish
Cappabianca	Habay	O'Brien	Strittmatter
Carone	Haluska	Olasz	Surra
Cawley	Harhart	Perzel	Tangretti
Chadwick	Hasay	Pesci	Taylor, E. Z.
Civera	Hennessey	Petrarca	Taylor, J.
Clark	Herman	Petrone	Tigue
Clymer	Hershey	Pettit	Trello
Cohen, L. I.	Hess	Phillips	True
Colafella	Hutchinson	Piccola	Tulli
Conti	Jadlowiec	Picella	Vance
Cornell	Jarolin	Pitts	Van Home
Corpora	Kaiser	Platts	Walko
Cowell	Keller	Raymond	Waugh
Coy	Kenney	Readshaw	Wogan
Daley	King	Reber	Wozniak
DeLuca	Krebs	Reinard	Wright, D. R.
Dempsey	LaGrotta	Rieger	Wright, M. N.
Dent	Laughlin	Roberts	Zimmerman
Dermody	Lawless	Rohrer	Zug
DiGirolamo	Lederer	Rooney	
Donatucci	Leh	Rubleby	Ryan,
Druce	Lescovitz	Rudy	Speaker

NAYS—40

Bishop	Gruitza	Manderino	Stetler
Blaum	Hanna	Melio	Sturla
Buxton	Horsey	Mihalich	Thomas
Carn	Itkin	Olivier	Travaglio
Cohen, M.	James	Preston	Veon
Colaizzo	Josephs	Ramos	Vitali
Corrigan	Kirkland	Richardson	Washington
Curry	Kukovich	Robinson	Williams
DeWeese	Lloyd	Roebuck	Yewcic
Evans	Lucyk	Stelman	Youngblood

NOT VOTING—1

Trich

EXCUSED—0

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.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of the gentleman, Mr. Sturla, John Emrick, the treasurer of the city of Lancaster.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 729, PN 1297**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the offense of possessing instruments of crime, for aggravated assault and for cruelty to animals.

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

The **SPEAKER**. On that question, the Chair recognizes the gentleman from Bucks County, Mr. Druce.

Mr. **DRUCE**. Thank you, Mr. Speaker.

For the benefit of the members, I would like to just clarify an amendment that came over from the Senate to Senator Greenleaf's bill.

In the House we adopted an amendment offered by Mr. Mayernik, which expanded the offense defined of a person guilty of an aggravated assault. The amendment passed here including judges, district justices, sheriffs, deputy sheriffs, constables. The Senate simply added deputy constables, and that was the only change made in the bill. It appears in two points in the legislation. Otherwise, the bill is the same as it left the House before. Thank you, Mr. Speaker.

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

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

YEAS-200

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

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

NAYS-3

Carn	Richardson	Washington
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NOT VOTING-0

EXCUSED-0

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR D CONTINUED

RESOLUTION PURSUANT TO RULE 35

Mr. **COY** called up **HR 187, PN 2303**, entitled:

A Resolution urging the Governor and his Administration to utilize all economic redevelopment programs currently available to mitigate the employment devastation wreaked by BRACC base closure decisions relating to this Commonwealth.

On the question,
Will the House adopt the resolution?

Mr. **ZUG** offered the following amendment No. **A4448**:

Amend Resolution, page 1, by inserting between lines 7 and 8
WHEREAS, On Friday, June 23, 1995, the BRACC voted 7-1 to cut over 250 jobs from Fort Indiantown Gap; and
Amend Second Whereas Clause, page 1, line 8, by striking out "This decision" and inserting
These decisions
Amend Second Whereas Clause, page 1, line 10, by striking out "area" and inserting
and Lebanon Valley areas

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

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

Mr. ZUG. I would just like to thank Representative Coy for allowing me to put this in.

This amendment includes Fort Indiantown Gap in Representative Coy's resolution, which asks the Governor to look at the base closings in Pennsylvania, and I would like to thank the gentleman, Mr. Coy.

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

The following roll call was recorded:

YEAS-203

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

Druce
Durham
Egolf

Lloyd
Lucyk

Sainato
Santoni

Ryan,
Speaker

NAYS-0

NOT VOTING-0

EXCUSED-0

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

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

The following roll call was recorded:

YEAS-203

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

Druce
Durham
Egolf

Lloyd
Lucyk

Sainato
Santoni

Ryan,
Speaker

NAYS-0

NOT VOTING-0

EXCUSED-0

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

INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING

The SPEAKER. There will be an immediate meeting of the Intergovernmental Affairs Committee in the back of the chamber.

BILL SIGNED BY SPEAKER

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

HB 1212, PN 2281

An Act providing for voter registration, for registration commissions, for remedies and for absentee ballots; imposing penalties; making appropriations; and making repeals.

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

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 703, PN 775; HB 1297, PN 1979; and HB 1616, PN 1917**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 272, PN 2302; and HB 575, PN 2297**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 190 By Representatives STURLA, LLOYD, VEON, STETLER, DeWEESE and EVANS

A Resolution requesting the Legislative Budget and Finance Committee to conduct a comprehensive study and investigation evaluating the practices of the Foundation for New Era Philanthropy and whether the need exists for new laws or administrative procedures regarding charitable organizations and to submit a report to the House of Representatives.

Referred to Committee on RULES, June 27, 1995.

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 703, PN 775

An Act providing for the adoption of capital projects to be financed from current revenues of the Game Fund.

HB 929, PN 2279

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, further providing for escrow accounts on appeals from certain judgments by lower courts.

HB 1154, PN 2296

An Act amending the act of April 6, 1951 (P.L.69, No.20), known as The Landlord and Tenant Act of 1951, further providing for the definition of "justice of the peace" and for notice to quit; providing for summons and service, for hearing, judgment, writ of possession and payment of rent by tenant and for return of writ.

HB 1297, PN 1979

An Act authorizing a video programming municipal tax.

HB 1616, PN 1917

An Act authorizing the Department of Military Affairs and the Department of General Services, with the approval of the Governor, to sell and convey to the Philadelphia Authority for Industrial Development certain land situate in the City of Philadelphia, Pennsylvania.

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

RESOLUTION REPORTED FROM COMMITTEE

SR 26, PN 1236

By Rep. FLICK

A Concurrent Resolution directing the Joint State Government Commission to create a bipartisan task force to study any necessary and appropriate changes to the laws of this Commonwealth in response to the adoption and implementation of NAFTA and GATT.

INTERGOVERNMENTAL AFFAIRS.

The SPEAKER. Does the majority leader or Democratic floor leader have any further business in regular session at this time?

COMMITTEE MEETING POSTPONED

The SPEAKER. The Chair recognizes the lady, Mrs. Durham. Mrs. DURHAM. Thank you, Mr. Speaker.

Mr. Speaker, the Consumer Affairs Committee meeting that was scheduled for today has been postponed until tomorrow at 10:45 in the rear of the House. Thank you.

The SPEAKER. The Chair thanks the lady.

Are there any announcements or corrections of the record in the regular session? The Chair intends to recess the regular session and then move into the special session.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, on HB 1212 the switch was locked in the affirmative, and on that bill – it was the motor-voter bill – it had a provision in it that I found out later on was negative, and I would like to be recorded in the negative on HB 1212.

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

The gentleman, Mr. McGeehan.

Mr. MCGEEHAN. Thank you, Mr. Speaker.

On the vote on SB 653, I was recorded in the negative. I would like my vote to be recorded in the positive.

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

The gentleman, Mr. Zimmerman.

Mr. ZIMMERMAN. Mr. Speaker, I would like to correct the record.

The record indicates that I am not voting on suspension of the rules on HB 20. I would like the record to show a vote in the negative.

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

The gentleman, Mr. Kaiser.

Mr. KAISER. Mr. Speaker, on HB 20, the motion to suspend the rules on amendment A4383, I was shown as not voting, and I would like my vote to be recorded as a "yes" vote. Thank you.

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

Are there any other announcements with respect to committee meetings? Reports of committees?

RULES SUSPENDED

The SPEAKER. Without objection, the suspension of rule 15 adopted in special session will also be in effect for the regular session.

RECESS

The SPEAKER. Does the majority or minority leader have any further business?

Hearing none, the regular session will stand in recess to the call of the Chair.

AFTER RECESS

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

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who advises that there will be a meeting of the Rules Committee at 10 a.m. on Wednesday morning, June 28, in the majority caucus room.

RECESS

The SPEAKER. Does the majority leader or Democratic floor leader have any further business in regular session?

Any reports of committee? Any announcements? Any corrections of the record?

Hearing none, 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

SUPPLEMENTAL CALENDAR B CONTINUED

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 2, PN 2244**, entitled:

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), known as the Public Welfare Code, providing for Federal funds for legal services; further providing for administration of assistance, for the workfare program, for a program for identification of assistance recipients and for eligibility for assistance; prohibiting duplicate payments and providing for expedited authorization; further providing for medical need determinations and for relatives' responsibility for medical assistance; providing for penalties for failure to appear at criminal proceedings; and further providing for employment incentive payments and for repayment from probate estates.

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

BILL RECOMMITTED

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

Mr. PERZEL. Madam Speaker, I move that HB 2 be recommitted to the Committee on Rules.

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

RECESS

The SPEAKER pro tempore. This House stands in recess to the call of the Chair.

AFTER RECESS

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

SENATE BILL FOR CONCURRENCE

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

SB 946, PN 1021

Referred to Committee on CONSUMER AFFAIRS, June 27, 1995.

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that HB 10 and HB 838 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. Madam Speaker, I move that HB 10 and HB 838 be recommitted to the Committee on Appropriations.

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 946, PN 1021

By Rep. DURHAM

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for certificate and medallion required.

CONSUMER AFFAIRS.

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that SB 946 be removed from the table.

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

RESOLUTIONS PASSED OVER

The SPEAKER pro tempore. Without objection, all remaining 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. Zimmerman, from Lancaster County.

Mr. ZIMMERMAN. Madam Speaker, I move that this House do now adjourn until Wednesday, June 28, 1995, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 10:59 a.m., e.d.t., June 28, 1995, the House adjourned.