

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, OCTOBER 25, 1995

SESSION OF 1995

179TH OF THE GENERAL ASSEMBLY

No. 71

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

REV. KENNETH E. SHAFFER, Chaplain of the House of Representatives, from Seneca, Pennsylvania, offered the following prayer:

Let us pray:

Almighty God, we thank You for the men and women that are willing to accept responsibility and even the frustration sometimes of leadership. We ask that today You would reveal Yourself to each one and lead them in the way of integrity, upright before You and before the people with values.

We would pray today that You would grant wisdom in any decisions that are to be made. May they seek You for this wisdom. Help each member to realize that faithfulness far exceeds going alone in success. May they be faithful.

Strengthen them, dear Lord, that they may live in such a way with integrity and they would live before You and before the people, that they would put to silence and prove wrong the cynical critics that stand on the sidelines many times.

I pray today, dear Father, that You would just grant Your strength and Your grace, in the name of the living Lord that we serve. 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 Tuesday, October 24, 1995, will be postponed until printed. The Chair hears no objection.

JOURNAL APPROVED

The SPEAKER. The Journal for Tuesday, March 21, 1995, in regular session, is approved. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Barley, for the purpose of taking leaves of absence.

The gentleman, Mr. Barley, indicates there is no request for leaves of absence.

The Chair recognizes the gentleman, Mr. Coy, for the purpose of taking Democratic leaves of absence.

Mr. COY. Thank you, Mr. Speaker.

At least for now, the gentleman from Greene County, Mr. DeWEESE, for today; the gentleman from Westmoreland, Mr. MIHALICH, for today; and the gentleman from Butler, Mr. TRAVAGLIO, for today.

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of the Speaker and the Lancaster County delegation, Mrs. Nancy Shaffer, wife of our guest Chaplain, Pastor Kenneth Shaffer. Mrs. Shaffer is here to the left of the Speaker. Would Mrs. Shaffer please rise. Please stand up, Mrs. Shaffer.

We have other guests that I would like at this time to introduce to the House. First, as a guest of Representative Teresa Brown, Ms. Vicki VanMeter, here today as a guest page. She is on the floor of the House. Vicki, would you please stand up so we can recognize you. Vicki VanMeter; here she is.

A group touring from the Valley Forge Towers in King of Prussia, constituents of Representative Colleen Sheehan, are in the balcony, I understand doing a tour of the State Capitol. Welcome to Harrisburg. Would these guests please wave their hands to be recognized; a group of about 30 people.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT-199

Adolph	Evans	Lucyk	Sather
Allen	Fairchild	Lynch	Saylor
Argall	Fajt	Maitland	Schroder
Armstrong	Fargo	Major	Schuler
Baker	Farmer	Manderino	Scrimenti
Bard	Feese	Markosek	Semmel

Barley	Fichter	Marsico	Serafini
Battisto	Fleagle	Masland	Shaner
Bebko-Jones	Flick	Mayermik	Sheehan
Belardi	Gamble	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Birmelin	Geist	McGill	Snyder, D. W.
Bishop	George	Melio	Staback
Blaum	Gigliotti	Merry	Stairs
Boscola	Gladeck	Michlovic	Steelman
Boyes	Godshall	Micozzie	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	Trello
Clark	Horsely	Pettit	Trich
Clymer	Hutchinson	Phillips	True
Cohen, L. I.	Itkin	Piccola	Tulli
Cohen, M.	Jadlowiec	Pistella	Vance
Colafella	James	Pitts	Van Horne
Colaizzo	Jarolin	Platts	Veon
Conti	Josephs	Preston	Vitali
Cornell	Kaiser	Ramos	Walko
Corpora	Keller	Raymond	Washington
Corrigan	Kenney	Readshaw	Waugh
Cowell	King	Reber	Williams
Coy	Kirkland	Reinard	Wogan
Curry	Krebs	Rieger	Wozniak
Daley	Kukovich	Roberts	Wright, D. R.
DeLuca	LaGrotta	Robinson	Wright, M. N.
Dempsey	Laughlin	Roebuck	Yewcic
Dent	Lawless	Rohrer	Youngblood
Dermody	Lederer	Rooney	Zimmerman
DiGirolamo	Leh	Rublely	Zug
Donatucci	Lescovitz	Rudy	
Druce	Levdansky	Sainato	Ryan,
Durham	Lloyd	Santoni	Speaker
Egolf			

ADDITIONS-0

NOT VOTING-0

EXCUSED-3

DeWeese	Mihalich	Travaglio
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LEAVES ADDED-2

Kukovich	LaGrotta
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BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 166, PN 140 By Rep. CLYMER

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey to Robert Boguski and Rita Boguski certain land situate in the Township of Canaan, Wayne County.

STATE GOVERNMENT.

HB 1865, PN 2287 By Rep. CLYMER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for absentee voting.

STATE GOVERNMENT.

SB 998, PN 1531 (Amended) By Rep. CLYMER

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, further providing for members of the Pennsylvania Historical and Museum Commission.

STATE GOVERNMENT.

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:

SB 858, PN 1135

An Act providing for adoption of capital projects to be financed from current revenues of the Keystone Recreation, Park and Conservation Fund.

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group of constituents, located at the moment in the balcony, from the 54th Legislative District in Allegheny and Westmoreland Counties, here today as the guests of Representative Van Horne. Would this group kindly acknowledge their presence by waving.

Also in the gallery, a group from the California Area Historical Society - Gerald Cowen, Patricia Cowen, Evelyn Ailes, Nancy Conaway, Edgar Harris, George Harris, Helen Rapp, and Donna Smith - here today as guests of Representative Peter Daley. Would that group kindly let us know where they are. There we go.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman from Westmoreland County, Mr. Kukovich. For what purpose does the gentleman seek recognition?

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

The SPEAKER. The gentleman is in order.

Mr. KUKOVICH. During the debate on HR 156, I was not recorded as voting on the Evans amendment. I would like to be recorded in the affirmative.

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

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1711, PN 2494**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, requiring the Pennsylvania Game Commission to implement at least two junior hunter projects to increase and sustain interest in hunting.

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

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

The question is, shall the bill pass finally?

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

YEAS—196

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	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	Trello
Clark	Hess	Pettit	Trich
Clymer	Horsey	Phillips	True
Cohen, L. I.	Hutchinson	Piccola	Tulli
Cohen, M.	Itkin	Pitts	Vance
Colafiglia	Jadlowiec	Platts	Van Horne
Colaizzo	James	Preston	Veon
Conti	Josephs	Ramos	Vitali
Cornell	Kaiser	Raymond	Washington
Corpora	Keller	Readshaw	Waugh
Corrigan	Kenney	Reber	Williams
Cowell	King	Reinard	Wogan
Coy	Kirkland	Rieger	Wozniak
Curry	Krebs	Roberts	Wright, D. R.
Daley	Kukovich	Robinson	Wright, M. N.
DeLuca	LaGrotta	Roebuck	Yewcic
Dempsey	Laughlin	Rohrer	Youngblood
Dent	Lawless	Rooney	Zimmerman
Dermody	Ledcrer	Rubley	Zug

DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker
Durham	Lloyd		

NAYS—0

NOT VOTING—3

Jarolin	Pistella	Walko
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EXCUSED—3

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

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

The House proceeded to third consideration of **HB 2009, PN 2490**, entitled:

An Act authorizing medical examiners in cities of the first class to arrange for the embalming of bodies; and providing good faith immunity for persons acting under such authorization.

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

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

The question is, shall the bill pass finally?

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

YEAS—196

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

Carone	Hennessey	Perzel	Taylor, E. Z.
Cawley	Herman	Pesci	Taylor, J.
Chadwick	Hershey	Petrarca	Thomas
Civera	Hess	Petrone	Tigue
Clark	Horsely	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	Washington
Corrigan	Kenney	Readshaw	Waugh
Cowell	King	Reber	Wogan
Coy	Kirkland	Reinard	Wozniak
Curry	Krebs	Rieger	Wright, D. R.
Daley	Kukovich	Roberts	Wright, M. N.
DeLuca	LaGrotta	Robinson	Yewcic
Dempsey	Laughlin	Roebuck	Youngblood
Dent	Lawless	Rohrer	Zimmerman
Dermody	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham	Lloyd		

NAYS-0

NOT VOTING-3

Fajt Walko Williams

EXCUSED-3

DeWeese Mihalich Travaglio

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

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as guests of the Bucks County delegation, a group of life underwriters, including Patrick Kenney, the brother of Representative George Kenney. Would this group of constituents and of life underwriters kindly rise. They are here to the left of the Speaker.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 828, PN 968**, entitled:

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, requiring notices to policyholders concerning the servicing of policies.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the gentleman, Mr. Micozzie. Did you seek recognition?

The gentleman, Mr. Chadwick, seeks recognition.

Mr. CHADWICK. Yes, Mr. Speaker.

The SPEAKER. The gentleman will yield.

There is entirely too much activity on the floor.

The gentleman, Mr. Chadwick, is recognized.

Mr. CHADWICK. Thank you, Mr. Speaker.

Mr. Speaker, I have had a parade of people in my office this morning to discuss this bill with me - some in favor, some opposed. I expect many of you have had the same experience. I have to confess that after all those meetings, I am more confused than I was beforehand.

I really do not feel comfortable—

The SPEAKER. The gentleman will yield.

Conferences on the floor, please cease. Sergeant at Arms, keep the area behind the rail clear.

Mr. Chadwick.

Mr. CHADWICK. Thank you, Mr. Speaker.

This is an important issue. It is so important that I do not want to make this vote until I understand the issue more clearly. I am told by some that there are issues involved in this that were not considered in the committee. I am even told by some of the supporters that they do not feel that they had an opportunity to get their message out clearly.

I think we ought to set this bill aside for a couple of weeks so that we all have an opportunity to learn better what is involved. So I would like to move, Mr. Speaker, that we recommit this bill to the Committee on Insurance.

The SPEAKER. This is a debatable motion.

The question before the House is the motion of the gentleman, Mr. Chadwick, who moves that HB 828, together with any pending amendments, which would be Dr. King's amendment at the moment, be recommitted to the Committee on Insurance. Is that correct?

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

The SPEAKER. On that question now, the gentleman, Mr. Micozzie, seeks recognition.

Mr. MICOZZIE. Thank you, Mr. Speaker.

I support the motion to recommit the amendment and HB 828 to the Insurance Committee.

Mr. Speaker, you have heard all the emotional reasons why "any willing provider" legislation should be enacted. The members that have served in the General Assembly for any length of time know that issues that are enacted into law purely from emotions usually end up being not only bad law but bad public policy. This is a very complex issue, and I caution the members on rushing to judgment purely from an emotional position.

I would venture to say that most of the members of the House of Representatives did not know what the term "any willing provider" meant until yesterday's floor debate. I wonder if the members understand the procedures HMO organizations (health maintenance organizations) follow.

Could I have some quiet ?

The SPEAKER. Conferences on the side aisles, please break up. Conferences in the well of the House by the majority leader's rostrum, please break up.

The gentleman may proceed.

Mr. MICOZZIE. Thank you, Mr. Speaker.

I wonder if the members understand the procedures that HMO organizations follow in selecting providers, whether it be in urban, suburban, or rural areas. I wonder if the members know or even understand the financial impact or the negative impact it will have on providing health services, that it will have on their boroughs, their townships, their counties, and yes, State government. And most important, what impact will it have on keeping businesses in your respective areas competitive and *continue to employ your constituents*?

There are approximately 30 persons who testified in front of the committee. For every one pro "any willing provider" testimony that Dr. King may offer, there were at least two anti "willing provider" people who testified.

The SPEAKER. The gentleman will yield.

The question before the House is the motion of the gentleman, Mr. Chadwick, to recommit. We are not going to debate Dr. King's amendment now; we are going to debate the recommitment motion. I am not going to let you debate the merits, and I am not going to let Dr. King debate the merits, with all due respect.

Mr. MICOZZIE. All right. I would love to continue, but HB 630 which we had in front of the committee and had four meetings in Altoona and Mercer County and Harrisburg and Williamsport is not the same as the amendment which the good doctor has proposed.

There are very important changes that are going to have a real negative effect even more on the bill. So I support Representative Chadwick's motion to recommit.

The SPEAKER. The gentleman, Dr. King, desires recognition on—

Mr. KING. I yield.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Snyder.

Mr. SNYDER. Mr. Speaker, would a motion to— First, a parliamentary inquiry.

The SPEAKER. The gentleman is recognized.

Mr. SNYDER. Would a motion to put the bill on the postponed table calendar take precedence over a motion to recommit?

The SPEAKER. The motion to postpone does take precedence over a motion to recommit.

MOTION TO PLACE BILL ON THIRD CONSIDERATION POSTPONED CALENDAR

Mr. SNYDER. Mr. Speaker, I would like to make the motion to place HB 828 on the postponed table calendar.

The SPEAKER. Mr. Snyder, you cannot do that now. You interrupted debate on a motion to ask a point of parliamentary inquiry. You were not recognized for any purpose other than a parliamentary inquiry.

Mr. SNYDER. I am sorry. I thought Mr. King had yielded, and I thought you had recognized me for the yield.

The SPEAKER. Yes, and when I recognized you, you asked for a point of parliamentary inquiry, which I answered. But for the purpose of making a motion—

Mr. SNYDER. All right. I will wait.

The SPEAKER. Your wait probably is going to be after the vote on recommitment, I suspect. No; hold up on that one.

The Chair is in error. The Chair is in error.

Mr. Snyder, you cannot interrupt another member to make a motion, but at such time as you are recognized in order, you may then make your motion. So at that—

Mr. SNYDER. I apologize. I thought I had been recognized, and then I raised the parliamentary inquiry when I had been recognized. I had not called for the parliamentary inquiry before I was recognized.

The SPEAKER. Is the gentleman telling me that — and we have no distinct recollection of this — is the gentleman telling me that Dr. King did yield to you, or did you interrupt the debate in order to ask a point of parliamentary inquiry? I just do not know the answer to that.

Mr. SNYDER. I heard you specifically— You said "Mr. King," he went like this, and then you said you recognize Mr. Snyder, and that is when I started talking, when you said you recognize Mr. Snyder, because I did not stand up and say anything about a parliamentary inquiry until after you recognized me. So I will wait my turn.

The SPEAKER. The motion is in order.

The motion before the House is the motion to postpone.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the gentleman, Mr. Snyder, is recognized on his motion to postpone.

This is based on the representation that the gentleman, Mr. Snyder, was recognized in order. I frankly have no distinct recollection of this.

MOTION WITHDRAWN

The SPEAKER. The gentleman, Mr. Snyder, is recognized on his motion to postpone.

Mr. SNYDER. Mr. Speaker, after consulting with the maker of the amendment, he asked me to withdraw this motion, and I will withdraw it and then ask to speak on the motion to recommit.

I am sorry for the miscommunication but just was not aware that the motion to recommit was going to come up, and as you know, what happens on the floor, you sometimes act and then react.

The SPEAKER. I understand, probably better than most.

On the question recurring,

Will the House agree to the motion?

The SPEAKER. The gentleman, Dr. King.

Mr. KING. I am sorry. I did not hear—

The SPEAKER. The question before the House is a recommitment motion by the gentleman, Mr. Chadwick. That is it; that is what is before us—

Mr. KING. That is correct.

The SPEAKER. —and you are recognized on that point.

Mr. KING. Thank you, Mr. Speaker.

First of all, let me welcome to the House today our viewers on the Pennsylvania Cable Network, and hopefully they will see today an effort that out there in rural Pennsylvania, we have an issue ahead of us that will be addressing their health-care concerns.

We all know what this is about — a recommittal to a committee which has held this bill since February; which we have had four hearings on, in which those who testified were invited by the committee, as they should be. But when you say that we have 2-to-1 anti-willing on that, who invited them, who brought them there, and who presented their testimony? We have it all; it is all written down.

In March of 1995 I invited the chamber to sit with me on this issue and talk about it. They sent a letter back to me confirming that they would sit with me, but here is what they said: "The primary purpose of this meeting will be to afford you and the other key sponsors of HB 630 an opportunity to present your viewpoints on this important issue. The businesses that we select will be representative of our overall membership and have instructed us to oppose your bill on behalf of the business community." That was less than 1 month after I introduced this bill.

They have been firm in that conviction of opposition to this bill from the very beginning. It has been represented throughout the course of our debate.

The SPEAKER. The gentleman will yield.

Mr. KING. Thank you.

The SPEAKER. Dr. King, the question is one of recommittal—

Mr. KING. Thank you.

The SPEAKER. —not one of pro or con the bill or pro or con the amendment.

Mr. KING. I understand. Thank you, Mr. Speaker.

We ask you today to vote down the recommittal of this bill. If this bill is recommitted to the Insurance Committee, you will firmly say to your constituents that you do not have a voice in this. This bill will die, and with it will go the hopes of your rural constituents in the issue of health care and preserving what we already have.

I ask you, please, for a "no" vote on this motion to recommit.

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

Mr. SNYDER. Thank you, Mr. Speaker.

I stand to also join Representative King in opposing the motion to recommit.

Over the last several years we have had much attention focused on the health-care issues, and as we know, the environment for providing health care has changed dramatically over the last several years. While people waited to see what happened in Washington, there was an evolution happening also in Pennsylvania.

I think we need an opportunity as a legislature to raise some very important issues that particularly impact on people in our rural areas. Many of us who represent suburban or urban areas still have choice in health care, but those who live in the more sparsely populated areas, the areas that for years this legislature has tried to commit for physicians, do not have that same problem.

As Mr. King has noted, the Insurance Committee has had an opportunity to review this legislation; they have had several hearings. Recommittal at this point is really just putting the bill away for not another day but for perhaps a long time, and I think it is time that we debate the issue and do not try to delay it.

I ask for opposition to the motion to recommit.

The SPEAKER. The gentleman from Beaver, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the motion to recommit this piece of legislation.

I am concerned today about consumers having their choices of physicians limited for the sake of reducing health-care costs. At the same time, today I am concerned of what this amendment will mean for our retired people who may be presently paying a smaller amount for a prescription drug because of a managed-care company's contract with a particular pharmacy.

I am concerned how this amendment will affect the health-care costs of our retired people and our small business people who already struggle to provide health-care insurance for their employees. These folks have seen reduced health-care costs in the last year because of HMO agreements.

Mr. Speaker, in this particular amendment that we are to vote on, there are two of my bills which I am the prime sponsor of which we have never even discussed in committee.

Mr. Speaker, this is a very, very significant bill. It has tremendous economic ramifications, not only to the health-care industry but to our consumers, to our small businesses, to our large businesses, and if we do not vote to recommit, I think we are voting on a piece of legislation that we do not know enough about today, and for those reasons I ask for a recommittal of this bill to the Insurance Committee. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Olasz.

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

I hope this House chamber gives its undivided attention to what I have to say.

There are those of us that have been here long enough to know what recommittal means. You may as well go select the six pallbearers, because you are going to bury this bill if it gets recommitted. That is the idea. Go get the pallbearers, go get the undertaker to lay this bill to rest.

Do you know who wants to take this bill to the undertaker? Take a look back there by that Post Office; those are the people that want it recommitted. Who represents the little guy? Every one of you in that seat today represents the little guy, 60,000 for each one of you in your district. Do you know how concerned they are about your health, as a previous speaker said? Do you know what they told this man? Go get castrated, because it is cheaper to get you castrated than to pay for the medicine to cure your ailment. Is that what you want?

Do you know what they told women that need cancer cures for mastectomies? "How old are you?" Is that concern? Go get the undertaker.

I have inches of documentation to support what will go on. There is a surgeon, there is a young lady, 36 years of age who has a spinal tumor—

The SPEAKER. Will the gentleman yield.

We are not debating any bill. We are not debating any amendment. We are debating only a motion to recommit, and you know better. Think about it.

Mr. OLASZ. Well, I have given a lot of thought to this, Mr. Speaker, and if we reach the point which I hope we will reach, you will hear a lot from me to think about.

But I have heard previous comments about why this bill should be recommitted to be studied. Mr. Speaker, this thing is ready for the bar examination. It has been studied for years. It has been

debated on this floor. Once again, we all know what the game is that is being played here. They do not want this bill out. Somehow this thing slipped through the cracks, and where we are today is because someone never expected the overwhelming support for it.

I say, let the arguments go on, let the evidence be presented, but you remember when you go back to that senior citizen and tell them that you voted to bury this bill, because why? They are too old to receive cost containment, so to speak. The gatekeeper—

The SPEAKER. Mr. Olasz.

Mr. OLASZ. All right, Mr. Speaker.

All I am asking you is, give this serious consideration. Do not select the pallbearers. Let it be argued here on the floor, and vote against recommitment. Thank you very much.

The SPEAKER. The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise, too, to oppose the motion to recommit this bill. The motion to recommit this bill is, as was previously stated, the death knell of the people of Pennsylvania being able to choose which physician they are going to go to, which hospital they are going to go to, and the insurance industry wins again.

I urge the members, as they did yesterday in standing tall on the issue of constitutionality — another means by which to kill this bill — to stand tall again today, to support Representative King in his efforts to bring this issue out into the open, to have a vote for all of the people of Pennsylvania, so that “any willing provider” legislation can be in place for all of our constituents.

This is a defining vote. This is one of those days, one of those big days, when an important issue and an important vote comes before you, and I cannot overstate or understate how important this vote is.

I urge all the members to oppose recommitment, to pass this amendment, to vote to suspend the rules later on and to pass the Olasz amendment, so that “any willing provider” legislation can be provided to all of our residents. Let us take up the issue and vote “no” on recommitment. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Montgomery, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

I think the Insurance Committee has a right and an obligation to look at what this bill is going to cost not only the families of Pennsylvania but the businesses of Pennsylvania.

We received this morning a memo, an urgent memo, that indicated that this amendment could cost families, the little guy in Pennsylvania, \$408 to \$1,284 a year because of what it was doing to managed care in Pennsylvania and the cost—

The SPEAKER. Will the gentleman yield.

The question before the House is a question of recommitment.

Mr. GODSHALL. And not the reasons for recommitment?

The SPEAKER. No, not in specifics. I do not believe it is. I do not think at this point when you are debating recommitment you can debate the specifics of the reason. I think you can debate generalities that more has to be known, the committee has more work, or on the other side of the issue, the committee does not have to do more work, it can be done on the floor, but when you get into specifics and specific urgings, one way or the other, I think that is improper debate.

Mr. GODSHALL. Thank you, Mr. Speaker.

In trying to be nonspecific, the cost of what this bill is going to do to families and businesses in Pennsylvania could be catastrophic. We have health-care costs declining and for the first time going down below, in some cases, where they were in

1980 to 1985 for various companies. We are providing health care at an affordable cost. We must look at what this bill is going to cost before we vote on it, and I urge its recommitment back to the Insurance Committee. Thank you.

The SPEAKER. The gentleman from Huntingdon, Mr. Sather. Mr. SATHER. Thank you, Mr. Speaker.

I will be very brief.

I stand to also object and ask you not to recommit this bill. Let us vote it up or down on its merits, and hopefully, hopefully, then we will bring all parties who have concerns about it to the table, which we, thus far, have been unable to do. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Corpora.

Mr. CORPORA. Thank you, Mr. Speaker.

Point of parliamentary inquiry.

The SPEAKER. Will the gentleman please state it.

Mr. CORPORA. Mr. Speaker, when we left the chamber yesterday, I believe we were in the process of obtaining a fiscal note, and I was wondering — I think my question has been answered — if a fiscal note has been circulated.

The SPEAKER. It has.

Mr. CORPORA. Thank you.

The SPEAKER. On the question, the Speaker has no further requests.

Dr. King, do you wish recognition for the second time? The gentleman is recognized.

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

I would like to say again to all of you out there that this is a weighty moment. I cannot say it any better than what it has already been said here. I ask you to please rise to the occasion on this; do what is right on this matter.

For those of us who live in the rural areas, I checked today for all of us Representatives; 99 percent of us have the ability now to choose our doctors. I checked with the Bipartisan Management Committee today. All of us, all of us in this chamber who will be voting on this, except one or two, have chosen to go with doctors where they can freely choose, go out and ask any specialist, take their family to a multitude of doctors, and that is what we have bought for us here. We are asking you kindly to support that initiative so that we can have that for our rural families and those people that we represent.

We ask you to stand tall, as it was said before. The true measure of a man is the height of his ideals, the breadth of his sympathy, and the depth of his conviction. Vote it as you will. Thank you.

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

The following roll call was recorded:

YEAS—107

Adolph	Druce	Levdansky	Scrimenti
Argall	Durham	Marsico	Serafini
Armstrong	Evans	Mayernik	Smith, S. H.
Barley	Fajt	McGeehan	Stairs
Battisto	Fichter	Melio	Stetler
Bebko-Jones	Gannon	Micozzie	Strittmatter

Bishop	Geist	Nailor	Sturla
Boscola	Gigliotti	Nickol	Tangretti
Boyes	Gladeck	O'Brien	Taylor, J.
Brown	Godshall	Oliver	Thomas
Browne	Gruppo	Perzel	Tigue
Butkovitz	Hasay	Piccola	Tulli
Buxton	Hennessey	Pistella	Vance
Cappabianca	Herman	Pitts	Van Horne
Carn	Hershey	Platts	Veon
Chadwick	Horsey	Ramos	Washington
Civera	James	Raymond	Waugh
Cohen, L. I.	Josephs	Readshaw	Williams
Colafrella	Kaiser	Reber	Wogan
Conti	Keller	Reinard	Wozniak
Cornell	Kenney	Roebuck	Wright, D. R.
Corpora	Kirkland	Rooney	Youngblood
Corrigan	Krebs	Rublely	Zimmerman
Coy	LaGrotta	Sainato	Zug
Dent	Lederer	Saylor	
Dermody	Leh	Schroder	Ryan,
DiGirolamo	Lescovitz	Schuler	Speaker
Donatucci			

NAYS-90

Allen	Farmer	Lynch	Rudy
Baker	Feese	Maitland	Santoni
Bard	Fleagle	Major	Sather
Belardi	Flick	Manderino	Semmel
Belfanti	Gamble	Markosek	Shaner
Birmelin	George	Masland	Sheehan
Blaum	Gordner	McCall	Smith, B.
Bunt	Gruitza	McGill	Snyder, D. W.
Caltagirone	Habay	Merry	Staback
Carone	Haluska	Michlovic	Steelman
Cawley	Hanna	Miller	Steil
Clark	Harhart	Mundy	Stern
Clymer	Hess	Nyce	Stish
Cohen, M.	Hutchinson	Olasz	Surra
Colaizzo	Itkin	Pesci	Taylor, E. Z.
Cowell	Jadlowiec	Petrarca	Trello
Curry	Jarolin	Petrone	Trich
Daley	King	Pettit	True
DeLuca	Kukovich	Phillips	Vitali
Dempsey	Laughlin	Roberts	Walko
Egolf	Lawless	Robinson	Wright, M. N.
Fairchild	Lloyd	Rohrer	Yewcic
Fargo	Lucyk		

NOT VOTING-2

Preston	Rieger
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EXCUSED-3

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

The House proceeded to third consideration of **HB 233, PN 215**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for the date of the annual audit and report to be submitted by the Game Commission and the Legislative Budget and Finance Committee.

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

Mr. **GODSHALL** offered the following amendment No. **A5095**:

Amend Sec. 1 (Sec. 522), page 1, line 14, by striking out "February 28" and inserting

March 31

Amend Sec. 2, page 2, line 5, by striking out "July 1, 1995" and inserting

in 60 days

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

The **SPEAKER**. Prior to recognizing the gentleman, Mr. Godshall, so there is no misunderstanding, the motion that recommitted the bill with amendments is just recommitting Dr. King's amendment, that being the only one that was before the House. There were other amendments that were drafted that could have been and maybe would have been considered. So those of you who had amendments to HB 828 - and I know there were several; Trello, for instance, and Olasz both had amendments that I am aware of - should make them available to the Insurance Committee. They do not automatically go to the Insurance Committee simply because of the recommittal with amendments. Only Dr. King's goes back with it.

The Chair recognizes the gentleman, Mr. Godshall, on HB 233, his amendment.

Mr. **GODSHALL**. Thank you, Mr. Speaker.

Amendment No. A5095 is basically a technical amendment, which is agreed to by, I believe, all parties. It changes a date that a meeting can be called for by the chairman of the Game and Fish Committee pertaining to the audit done by the Legislative Budget and Finance Committee, and I ask for a favorable vote.

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

The following roll call was recorded:

YEAS-197

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

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

NAYS-0

NOT VOTING-2

Rieger Sturla

EXCUSED-3

DeWeese Mihalich Travaglio

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?

The SPEAKER. It is my understanding you have withdrawn your second amendment, or you are going to offer it?

Mr. GODSHALL. Mr. Speaker, I am going to withdraw the second amendment, but I know one of the caucuses did caucus on it, and I would like to give the reasons why, very briefly.

The SPEAKER. The gentleman is recognized.

Mr. GODSHALL. Thank you, Mr. Speaker.

I am withdrawing amendment No. 5502, which called for the Game Commission to operate under the same constitutional restraints and provided the same constitutional protections granted to your constituents from search and seizure as they would have with the State Police and/or your local police departments. In other words, what this amendment would have done would have said that the Game Commission must operate with the same restraints from search and seizure as any other law enforcement agency.

I have met with the Game Commission on this issue. I have a further meeting coming, and at this time I am going to withdraw that amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Bill as amended was agreed to.

The SPEAKER. 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-198

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

NAYS-0

NOT VOTING—1

Veon

EXCUSED—3

DeWeese

Mihalich

Travaglio

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

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

* * *

The House proceeded to third consideration of **SB 879, PN 1511**, entitled:

An Act amending Title 37 (Historical and Museums) of the Pennsylvania Consolidated Statutes, providing for archaeological field investigations; and further providing for cooperation by public officials with the Pennsylvania Historical and Museum Commission.

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

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

The question is, shall the bill pass finally?

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

(Members proceeded to vote.)

VOTE STRICKEN

Ms. MUNDY. Mr. Speaker?

The SPEAKER. The clerk will strike the board.

The lady, Ms. Mundy, is recognized, for what purpose?

Ms. MUNDY. Mr. Speaker, I had filed an amendment.

The SPEAKER. Will the lady yield.

The Chair apologizes to the lady. The lady is absolutely correct.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair reverses its decision that this bill has been agreed to on third consideration and instructs the clerk to read the amendment offered by the lady, Ms. Mundy, being amendment A5355.

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

Ms. MUNDY offered the following amendment No. **A5355**:

Amend Title, page 1, line 3, by striking out "AND"

Amend Title, page 1, line 5, by removing the period after "Commission" and inserting
; and making an appropriation

Amend Bill, page 9, by inserting between lines 8 and 9

Section 3. The sum of \$250,000, or as much thereof as may be necessary, is hereby appropriated to the Pennsylvania Historical and Museum Commission for the fiscal year July 1, 1995, to June 30, 1996, to carry out the provisions of this act.

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

4

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

The SPEAKER. The lady is recognized in connection with her amendment.

Ms. MUNDY. Thank you, Mr. Speaker.

Mr. Speaker, the House Economic Development Committee and the State Government Committee held a joint hearing on SB 879, which, as I am sure the members know, has to do with the Pennsylvania Historical and Museum Commission taking over archaeological surveys. When I asked the director of the Pennsylvania Historical and Museum Commission for an estimate of how much he would need in order to carry out the functions ascribed to the Pennsylvania Historical and Museum Commission under SB 879, he indicated that the cost would be between \$600,000 and \$1 million a year, and that is how I arrived at the amount of the appropriation that is listed in my amendment of \$250,000.

I support SB 879. I support the notion of having the Pennsylvania Historical and Museum Commission do the surveys. I support the notion that if historic preservation, if archaeological preservation is in the public interest, then perhaps the public should help to pay for it. But, Mr. Speaker, there is no appropriation in this bill whatsoever for the Historical Commission to carry out its function.

Now, in the meantime, after I filed my amendment, I came across a copy of the letter to Mr. Pitts, the Republican Appropriations chairman, whereby the commission indicates that it can carry out the functions listed for it in SB 879 with its current fiscal-year appropriation. I find that very difficult to believe, but I am in a position where I certainly do not want to force the Historical Commission to take an appropriation that it does not need, but I want the people of Pennsylvania and I want the members of this House to know that without an appropriation, historic and archaeological sites in the spring, between the months of February and June, will be lost because there is no money to do the surveys.

Now, I am going to vote for this bill only because the commission says that it has the money that is necessary to carry out these surveys and to do the work to preserve the past for future generations, but I hold the Historical Commission responsible for that task, and I want you to know that I will be watching to make sure that the Historical Commission performs this function.

AMENDMENT WITHDRAWN

Ms. MUNDY. Mr. Speaker, because of the fact that the Historical Commission has said that it does not need an additional appropriation, I withdraw my amendment.

The SPEAKER. Ms. Mundy, does that mean I did not need to apologize?

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

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

The gentleman, Mr. Lloyd, you have withdrawn your amendment. Thank you.

Now, I have the gentlemen, Mr. Birmelin and Mr. Clymer, and Ms. Sheehan listed for debate. Was that in connection with the Mundy amendment, or is this on final passage?

Dr. Sheehan, you are recognized on final passage.

Ms. SHEEHAN. Thank you, Mr. Speaker.

I rise to support SB 879 and to thank my colleague, Representative Mundy, for withdrawing her amendment.

I think that it is of crucial importance that we are spending taxpayers' money in the absolutely most responsible manner possible, and this question that arose in the joint committee hearings of the lack of requests for taxpayers' money and, nonetheless, some Representatives still wanting to spend money that was neither needed nor requested is something that I think we need to pay more attention to over here in Harrisburg. There are a number of people in the Capitol today, taxpayers, who are very, very upset about some of the actions of this body. Now, they may not understand well some aspects of certain legislation that has been before us, but they do understand, I am convinced, that there are places on various pieces of legislation where we can as a body, on both sides of the aisle, act much more responsibly in terms of how taxpayers' moneys are spent.

So once again I want to thank my colleague, Representative Mundy, and I urge everyone's support of this legislation. Thank you.

The SPEAKER. The gentleman from Wayne, Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

Just briefly, I would also ask for a "yes" vote on this bill.

The members who were here last session may recall that we passed a bill similar to this. This bill is actually a better version of it because of the funding mechanism as opposed to what we were doing last time around.

This is very much needed in the rural areas especially of Pennsylvania. It has been a stumbling block to some of the development and some of the things that we would like to do, and I think it is very important that we vote this bill out today as is and would encourage a "yes" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. CLYMER. Thank you, Mr. Speaker.

On final passage, just to let the members know that there have been a number of workshops to deal with this particular piece of legislation. I want to thank all the participants: the Builders Association; the coal companies; the Nursery Association; Brent Glass, who is with the Pennsylvania Historical and Museum Commission. I want to thank the input from the Governor's Office, from Chairman Wozniak and his staff — truly a fine, bipartisan effort — and, Mr. Speaker, in particular, I want to thank Representative George Hasay. It was his bill that we amended into SB 879. Much of the thought and planning that he had put into this legislation over the years is part of this measure, and he has

graciously been very supportive of our efforts to put together this kind of package.

So, Mr. Speaker, enough has been said, and I urge the members to support this legislation. Thank you.

The SPEAKER. The gentleman from Cambria, Mr. Wozniak.
Mr. WOZNIAK. Thank you, Mr. Speaker.

I think this is going to be a very simple vote for all of us. I think a lot of concern was out there. Every district almost has probably been affected by the Historical and Museum Commission. I think late-20th-century American citizens are very interested in the historical past. By that same token, we realize we have to do that with a balanced effort. I think what we came up with is something that, unlike the Senate, the language that was placed into it was a consensus felt, and we have a good piece of legislation here, and in the future, if there is necessary funding to come through with that, we will be able to deal with that with an appropriation, a supplemental, or the next fiscal year.

I would appreciate if everybody here would give an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Delaware, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the chairman of the Commerce and Economic Development Committee stand for interrogation?

The SPEAKER. Will the gentleman, Mr. Hasay, stand for interrogation?

Mr. HASAY. I shall.

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, this bill gives the Pennsylvania Historical and Museum Commission additional duties to conduct archaeological surveys and does not give additional funding for them to perform those surveys, thus putting potential archaeological finds at risk.

What commitments, if any, are there from the administration with regard to future funding of archaeological surveys?

Mr. HASAY. Mr. Speaker, this bill was 3 years of work. It was amended in the State Government Committee. Much of my bill was amended into this Senate bill. Much of the language was written by the Historical Commission executive director, Brent Glass. Brent Glass was in my office this morning. We discussed it. He had indicated to me that what sites they have scheduled for this spring, because they do not do sites in the wintertime when the ground is frozen, they have enough money in the commission to do the sites. He had indicated that to me this morning.

Mr. VITALI. Mr. Speaker, if I may direct your attention not to fiscal year 1995-96 but to fiscal year 1996-97 and the continuing funding of archaeological finds. I have had discussions, quite frankly, with the Historical and Museum Commission, and they have made allusions to supporting this bill in exchange for funding commitments, but I am interested in putting on the record what commitments there are to this sort of funding. Are you aware of the administration's commitment to funding archaeological surveys?

Mr. HASAY. Mr. Glass said to me this morning, and I shall work with him, with the administration in the new budget that will be coming up next year, and what his needs will be and what the amount will be will be determined by Mr. Glass and this legislature and the administration. The Governor's Office did give us a commitment to fund those sites.

Mr. VITALI. I am sorry. Just to be clear, Mr. Speaker, the Governor's Office has given you a commitment to fund the sites for fiscal year 1996-97?

Mr. HASAY. Absolutely, Mr. Speaker.

Mr. VITALI. Can you, Mr. Speaker, develop the nature of that commitment? Any dollar figures?

Mr. HASAY. Would the gentleman repeat the question.

Mr. VITALI. Could you elaborate on the nature of the commitment from the Governor's Office? I am just doing this, if I could develop the record a bit.

Mr. HASAY. Well, first of all, the Historical Commission has to find out how many scheduled sites they have and then go from there to get an actual figure on how much it will be, but the administration has guaranteed me that they will fund those figures.

Mr. VITALI. Thank you, Mr. Speaker.

That concludes my questioning. If I may speak briefly on the bill.

The SPEAKER. The gentleman is in order.

Mr. VITALI. Thank you, Mr. Speaker.

I think we have to view archaeological sites and their value in terms of economic development. One looks at the archaeological finds at, for example, Valley Forge and the enormous economic development and economic benefit we get in the tourism industry from that. Many of you have sites in your own district that bring in much in tourism dollars because of archaeological finds. So this is much more than just an academic issue, much more than just an issue that will benefit future generations to try to understand about the nature of our society. This is a meat-and-potato economic issue.

My concern with SB 879— And I commend the chairman for his work on the issue, because the initial bill totally denuded the Historical and Museum Commission from their ability to protect the archaeological finds, and the fine work of the chairman has given back a measure of protection, and I think he is to be commended for that. I will be voting for this amendment. I simply wanted to state for the record the importance of this sort of funding and to perhaps recall, or when we vote on next year's budget, that we keep this issue and its importance in mind. Thank you, Mr. Speaker.

The SPEAKER. The lady from Indiana, Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

I do not think there is anyone in the hall of the House today who would deny that the issue of the timeliness of archaeological surveys and the cost that must be borne in some cases by the owners of the property on which the surveys are conducted has been a vexed issue in Pennsylvania for a long time. The current situation definitely was broken. Unfortunately, we reacted as we often do by going from one end to the other of the spectrum and saying that because regulations are onerous in some cases, we will abolish all of the regulations and make no further attempt to protect our historical and archaeological resources, and that would have been a terrible mistake.

What we have before us today is indeed a compromise position, and I honor and respect the work that Representative Hasay and other members of the House have done in trying to create this kind of middle ground with which we can be in agreement. But I have to say that there are still two things that worry me about this bill, and one of them has been mentioned by other Representatives, and that is the fact that although we are imposing increased responsibilities on the Historical and Museum Commission, we are vague, at best, about providing them with the resources that they may need in order to carry out this new responsibility.

And the second is that in trying to develop time lines, in trying to develop a classification system for archaeological sites and for the level of surveys or field explorations that are required, we

appear, judging from the testimony of previous Representatives, to have taken advice from builders, to have taken advice from coal operators, to have taken advice from the chairman of the Historical and Museum Commission, but one group that does not seem to have had the opportunity to provide any advice about the feasibility of these guidelines are the professional archaeologists who are actually out in the field doing the surveys.

Although I very much hope that the structure that we have set up is going to solve the problem, I must admit I would be happier if, in this situation, there had been more input on how this work should be done by the people who have the most experience in doing this work. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

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

Mr. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask the gentleman, Representative Hasay, if he would stand for a period of interrogation?

Mr. HASAY. I shall, Mr. Speaker.

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

Mr. WILLIAMS. Thank you, Mr. Speaker.

As one who is interested in this area but I was not necessarily a participant in the lengthy process, there is just a question I would like to know, and that relates to site determination with regard to the archaeological field investigations. How is that procedure handled and how will it be handled?

Mr. HASAY. Brent Glass, the executive director of the Historical Commission, wrote that language for determining site development and site location and site evidence.

Mr. WILLIAMS. So in terms of the site development and site location and the like, how does it relate to Philadelphia County and the expanses that we have within that county?

Mr. HASAY. It rates the same throughout the Commonwealth of Pennsylvania.

Mr. WILLIAMS. And the procedure and the process— I am aware that there is language, but I am assuming within that language there is criteria. I am not familiar with it. So how will the process work within my county with regard to those of us who would be interested in these kinds of investigations? How would we go about that process?

Mr. HASAY. Mr. Speaker, it would be the same throughout Philadelphia and the rest of the Commonwealth.

Mr. WILLIAMS. Okay. I heard it is the same. I do not know what that means. I am trying to find out how that process works. If somebody comes in my office and says, you know, I have a possible site I would like to investigate, I do not know the slightest bit of how to—

Mr. HASAY. I am sorry, Mr. Speaker.

There is a phase one, a phase two, and a phase three. A phase one, first of all, has to determine whether or not it is actually a site to begin a phase two. A phase two then, Mr. Speaker, is a dig where if they find evidence that determines that it is a significant site, then, Mr. Speaker, they would go into a phase three, and that would be through Philadelphia or Shickshinny or Scranton or Greensburg or Pittsburgh.

Mr. WILLIAMS. Now, in order to, I guess, cause phase one to go into action, what is required of those persons calling attention to that site? I mean, is it enough for a citizen of Pennsylvania to

suggest that something should be investigated and thereby an investigator actually goes out, or is there something else?

Mr. HASAY. The archaeologist does the phase one, and then the archaeologist reports the information to the Historical Commission, and then the Historical Commission and the executive director determine whether or not it should go to a phase two.

Mr. WILLIAMS. Now, there is some limited understanding I have with regard to archaeologists making some predetermination *without looking at the site*. In other words, they look at some historical data for possibilities and make some considerations possibly from a distance. So I am trying to find out specifically if that is going to be the pattern or, you know, archaeologists are in fact going to be required to do anything other than necessarily, frankly, *sitting in an office and saying there is really no reason*, because we have never found anything in that area before, there is no reason for us to go out and look.

Mr. HASAY. That is correct. If there is nothing found in the phase one, there will not be a phase two.

Mr. WILLIAMS. No, no, I am saying in phase one an archaeologist has the options, in the past, to do it by a few different methods. One, they can actually, you know, sit wherever they are and say, well, in that region of Pennsylvania or that region of land, there is no reason to think that there should be something there because historically there has never been any reason for there to be anything there. In other words, there is no noted presence of Native Americans, there are no noted settlements of Pilgrims through history in that area, so what somebody is asking us to go find there probably will not be, so we will not go out. That has been in the past. I am asking, in the future is there any reason to think that that will not be the case?

Mr. HASAY. Mr. Speaker, the Historical Commission will be doing it the same way. They have written their language to determine the site development to make sure that before they go do a dig, that there is significant evidence of a site, Mr. Speaker.

Mr. WILLIAMS. But what I am suggesting is, in order to secure that, that there should be a requirement that an archaeologist actually goes to the site. I am not talking about a dig, but a preliminary review of the actual physical location. What I am saying is, that has not been a requirement in the past. What has been required in the past of an archaeologist is that he has some knowledge through history and through physical evidence to say there is a reason to go to that site. What I am saying to you is, either intentionally or unintentionally, that through the pattern of archaeological studies, there has always been a bias towards what history has recorded as a significant area that is populated by that X society or culture that they want to investigate.

What I am trying to find out is, in that phase one, precisely what requirements we are going to place upon that person to say you may have that perception through your recorded history, but our history suggests something different, so we want you to physically come out and guarantee that you are going to look at the site and then make a determination, and I guess that is borne out by the previous questions that there are limited resources by which to do that.

So in fact, I mean, most logically, if I am an archaeologist, I am going to suggest to you that, first, I am going to make, you know, an evaluation of whether it is worth my time to possibly drive, you know, to the distant county and actually look at the site to see if we should go to phase two based upon history and based upon my limited knowledge of that culture, et cetera. So I am trying to find

out what is sort of, like, guaranteed that there is going to be a more aggressive method put in place, if anything at all.

Mr. HASAY. First of all, Mr. Speaker, the Historical Commission has maps, has possible sites, in every part of the Commonwealth of Pennsylvania. They determine, first of all, whether or not a phase one is required on that property. Then the archaeologist is required to go in; he goes in and does a phase one study, goes back to the Historical Commission, tells of his findings, and then the Historical Commission decides whether or not the archaeologist should go back in to do a phase two.

Mr. WILLIAMS. So you are saying that— Okay. Maybe you answered my question then. You are saying that, based upon the maps and an actual physical study of the location, that they will make the determination for a phase two kind of process.

Mr. HASAY. Exactly, Mr. Speaker. I have been to the museum; I have been in the museum. I have seen the maps. I have done some work on local history in Luzerne County myself—

Mr. WILLIAMS. Okay.

Mr. HASAY. —for my own purposes, and they have shelves and shelves of maps with possible sites.

Mr. WILLIAMS. Right. That is my point. I recognize that they have— I am a little bit familiar with the process myself. I am familiar that they have the maps and I am familiar that those maps come from, you know, a historical perspective, which is fine, but I am saying that sometimes our historical perspective is not all-inclusive and, therefore, some information may be excluded. But if you are saying, you know, they use the maps as a reference point, which is fine, but also we use the actual physical visitation by the archaeologist as an additional confirmation, then I feel comfortable with that.

Mr. HASAY. Plus, Mr. Speaker, they use information from historic societies throughout the Commonwealth.

Mr. WILLIAMS. Yes; I know that. And that is— I am being quite frank with you. I am not all that compelled just by the historical perspective. What I am compelled by is an expert in archaeology going to a location and actually looking at the land and saying, you know, based upon, certainly based upon historical information, but in addition to that, based upon my visit to that location, then I am able to determine whether we should have a dig or not. I just wanted to confirm that they are actually going to physically go to that location.

The SPEAKER. Has the gentleman concluded his interrogation?

Mr. WILLIAMS. I have not gotten my answer, so I am waiting.

Mr. HASAY. Will the gentleman repeat the question?

Mr. WILLIAMS. The question is— The observation was that there are maps and there is historical information by which an archaeologist decides, traditionally, whether they go out and look at all. What I am saying is, I am pleased that we have maps and historians involved in the process. I am pleased that we have a repository of information, but I am not thoroughly convinced that that repository of information covers the entire cultural perspective of Pennsylvania. History is an ongoing and written subject and study; thereby there may be finds of cultures and societies that are yet to be mapped and charted. The only thing that could guarantee that is if an archaeologist goes and physically looks at that location and begins to investigate that process.

What I am saying is, is there anything to guarantee that the archaeologist, in addition to looking at the maps and looking at the information, will be required to go to that location, or are they going to be able to sit back in their office and say, based upon my

maps and based upon my historical information, that, you know, there is not going to really be anything there, so I am not going to have to go?

Mr. HASAY. We are not changing the current process, Mr. Speaker.

Mr. WILLIAMS. Okay. So that means they are not going to be required to go?

Mr. HASAY. No, Mr. Speaker.

Mr. WILLIAMS. Okay. All right.

That does conclude my brief period of interrogation, Mr. Speaker. I would like to make some closing comments.

The SPEAKER. The gentleman is in order for remarks on final passage.

Mr. WILLIAMS. Thank you.

Mr. Speaker, while I recognize that this is a very important piece of legislation and represents, quite frankly, a step forward with regard to how we proceed in Pennsylvania in terms of how we look at our past, it is not inclusive. And for those of us who recognize of all ethnic groups — and I do not mean just African-Americans; I do not mean just Native Americans; I mean Irish, Italian, Polish, everybody who has shared in the rich culture of this country — there are layers that we have not scratched yet, and we need to be honest about that.

And within the confines of the repository of historical maps or those books which are written or whatever an archaeologist traditionally goes to, that is not complete. Thereby, if I am hearing today correctly, there are going to be less resources possibly while there are greater demands upon the investigatory process, and that sort of suggests to me that there is going to be an archaeologist someplace making a very difficult determination, and that means I do not have the time to go to a remote part of Fairmount Park in Philadelphia County that I might suggest has some information or in some far-off remote part of Pennsylvania, and the bottom line is, I do not think we are well served by that kind of incomplete conclusion. I think that there should be a guarantee, there should be some requirements within the legislation that suggest an archaeologist in that phase one process does not have to do a dig, but he or she has to go to that location for a complete archaeological investigation to be thorough.

And with regard to that, Mr. Speaker, I am not confident at this point in time I can offer my support for this legislation. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady from Philadelphia County, Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, I have some questions on the amendment that was inserted in committee and would ask if the chairman would stand for interrogation, please.

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

Ms. MANDERINO. I apologize, Mr. Speaker. Perhaps it was Mr. Hasay who is more familiar, and if that is who I should be interrogating, please make that change.

The SPEAKER. Both Mr. Hasay and Mr. Clymer are standing side by side, so I think the answer of one will be the answer of both.

Ms. MANDERINO. Thank you, Mr. Speaker.

With regard to section 506(C), Survey of Archaeological Resources, can I understand from the past answers to various

inquiries that this is kind of the phase one that we have been talking about? Is that a correct conclusion?

Mr. CLYMER. Yes; that is current law.

Ms. MANDERINO. Okay. Thank you.

Then let me call your attention to my concern with regard to the language in that section that is on page 4, beginning at line 6 through line 14. The essence of that language says that this phase one determination of archaeological sites gives the commission, "THE COMMISSION SHALL MAKE AVAILABLE IN WRITING, WITHIN 30 DAYS OF A REQUEST, SITE LOCATION INFORMATION...," et cetera, et cetera, and "...FAILURE OF THE COMMISSION TO PROVIDE THIS WRITTEN RESPONSE SHALL RELEASE THE REQUESTOR FROM ANY FURTHER DUTIES UNDER THIS ACT."

From that language, am I correct in concluding that if that phase one, the commission does not respond to a request within 30 days, that there is no more obligation on behalf of the requestor and that we do not move on to any phase two or phase three?

Mr. CLYMER. That is correct.

Ms. MANDERINO. Okay.

Mr. CLYMER. You have analyzed that correctly.

Ms. MANDERINO. Thank you, Mr. Speaker.

Let me also call your attention to section 507, and this, I believe, if I am now understanding how it works, this is what we have classified as phase two; meaning, upon determination of the commission that there may be a project that would adversely affect an archaeological site, then here this outlines phase two. Is that correct?

Mr. CLYMER. That is correct.

Ms. MANDERINO. Thank you, Mr. Speaker.

Let me call your attention under that section, on page 6, to subsection (4), lines 17 through 24, where it says, "FAILURE OF THE COMMISSION TO RENDER A DETERMINATION WITHIN THE PERIOD ALLOWED..." under this section "...SHALL BE DEEMED TO BE A DETERMINATION THAT A SURVEY OR INVESTIGATION IS NOT NECESSARY." And further, "...FAILURE OF THE COMMISSION TO COMPLETE AN ARCHAEOLOGICAL SURVEY...WITHIN THE TIME LIMITS..." provided by this section "...SHALL RELEASE THE PROJECT APPLICANT FROM ANY FURTHER DUTIES UNDER THIS TITLE..."

Based on that language, am I correct in assuming that under phase two, should someone get to phase two, if the department does not reach the time requirements, some of which are 30, some of which are 60, and some of which are 90, based in that section, if they do not meet those time limits, then again, failure to do that means no more investigation and no more further obligation. Am I correct in my reading of that section?

Mr. CLYMER. That is correct except for one comment. On line 24 on page 6, "...UNLESS THE APPLICANT AGREES IN WRITING TO A SPECIFIC TIME EXTENSION."

Ms. MANDERINO. Okay. So if the applicant agrees to a specific time extension, then it could proceed, but there is no obligation that the applicant must agree to an extension. Is that correct?

Mr. CLYMER. That is correct.

Ms. MANDERINO. Thank you, Mr. Speaker.

My last question on interrogation, and I do not see it in this bill, but I am asking it because perhaps it operates in current law and I am not aware of it. Is there a requirement by the Historical and Museum Commission to report to the legislature or keep a record

of all of the applications that have been made and what the determination of those applications are, and will we be able from those records to determine how many applications, if any, were either deemed approved or no action was taken on because of failure to meet the time guidelines of this law?

Mr. CLYMER. Yes. Mr. Speaker, that is not required by law, but by regulation they keep those records and those records are available, and I would think that as they negotiate their budget each year, that is part of the reason they would have those records available, that and for other reasons.

Ms. MANDERINO. Thank you, Mr. Speaker, very much for those remarks, and I would like to speak on final passage.

The SPEAKER. The lady is in order and may begin.

Ms. MANDERINO. Thank you, Mr. Speaker.

I went over those particular amendments to this bill because I really do think that when we are talking about responsible action, responsible action means responsible on all levels, not just responsible on a fiscal level in terms of we are not going to spend any more money. So many times in this session alone we have passed legislation—

The SPEAKER. Will the lady yield, please.

Members will please take their seats. Conferences on the floor, please break up. The lady, Ms. Manderino, deserves the opportunity to be heard. Conferences, please break up.

The lady may begin.

Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, I think that we have what I consider to be a bad habit sometimes of passing legislation where we have in essence kidded ourselves and kidded the public about what we are going to be able to accomplish by a piece of legislation because we have not dealt honestly with the fiscal impact of that bill. I am afraid that this is one of those instances.

I support the notion if we think that preserving our archaeological history is for the public good, that then the cost of that should be shared or borne by the public, and that is part of what we are trying to do with this bill, to shift a burden that to the most part we have left on the private sector; somebody who wants to develop a particular site has had to bear most of those costs. And what we are saying by this bill is, gee, if we think it is good and in the public interest, you should not have to necessarily bear the cost of that bill, and I am not necessarily disagreeing with that policy. But what I am disagreeing with is the fact that we put in a response and fail to properly address the issue of how government is going to pick up the task that we are relieving the private sector from doing, and particularly because we have put those clauses in there that I referred to, which are very strict 15- and 30-day time limits and in some instances a little bit longer, but what we have said is, if the commission fails to act within these very specific deadlines, the issue is lost to the Commonwealth to be able to address this issue. We have done that in light of not appropriating resources to do it.

Now, others have argued that the commission feels that there are resources there to do that, and so I think it makes sense in this next 90 days, until the next budget resources, is to take their word for it and monitor that very closely. But I have to tell you that I think that the reaction or at least the reality is going to be that we are going to have a lot of applications that are going to be deemed approved by an inability of the department to respond in the time measures that we have put in the bill, and we have not provided any safeguard to preserve our history. I think we are kidding ourselves. I think that legislative responsibility means more than

just ignoring fiscal impacts; it means acknowledging fiscal impacts where it exists, and if we are not willing to acknowledge and own up to the fiscal impacts, I am not sure we should be passing the bill in the form that it exists.

So I hope that the commission, even though it is not listed in this bill, will provide us with a report before the next fiscal year of exactly how many applications came through phase one and phase two under this bill if it is passed and how many of those applications were responded to and what the result was and if any of them were deemed approved by a failure to meet a time deadline. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes, for the second time, the gentleman, Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Speaker.

I just want for the record to acknowledge the fact that the previous question, which I was dissatisfied with regard to the answer, someone was kind enough to make sure that I understood that current law requires that if you accidentally stumble upon an archaeological find, that by law you are required to acknowledge that find and report it, and sort of common sense suggests that if you are required to report it, then someone is going to be required to come out and look at it. So I feel a lot more comfortable with that situation. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LETTER SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

For the record I would like to submit the letter to Appropriations Chairman Pitts from Brent Glass acknowledging the fiscal impact on the amendments to SB 879 and that the commission can manage this program with existing resources for the remainder of the fiscal year, and thereby, I submit this letter for the record.

And by the way, 3 years in the making of this language for this bill. I would like to thank Chairman Clymer, Chairman Wozniak, Chairman Lescovitz, and the staff on both sides of the aisle for all the work that has been done on this bill, and I would appreciate a "yes" vote. Thank you, Mr. Speaker.

Mr. HASAY submitted a letter for the Legislative Journal.

(For letter, see Appendix.)

On the question recurring,
Shall the bill pass finally?

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

YEAS—194

Adolph	Egolf	Lloyd	Santoni
Allen	Evans	Lucyk	Sather
Argall	Fairchild	Lynch	Saylor
Armstrong	Fajt	Maitland	Schroder
Baker	Fargo	Major	Schuler
Bard	Farmer	Markosek	Scrimenti
Barley	Fecse	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	Steil
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	Trello
Clark	Hess	Pettit	Trich
Clymer	Horsey	Phillips	True
Cohen, L. I.	Hutchinson	Piccola	Tulli
Colaella	Itkin	Pistella	Vance
Colaizzo	Jadlowiec	Pitts	Van Horne
Conti	James	Platts	Veon
Cornell	Jarolin	Preston	Walko
Corpora	Josephs	Ramos	Washington
Corrigan	Kaiser	Raymond	Waugh
Cowell	Keller	Readshaw	Williams
Coy	Kenney	Reber	Wogan
Curry	King	Reinard	Wozniak
Daley	Kirkland	Rieger	Wright, D. R.
DeLuca	Krebs	Roberts	Wright, M. N.
Dempsey	Kukovich	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DiGirolamo	Lederer	Rooney	Zug
Donatucci	Leh	Rubley	
Druce	Lescovitz	Rudy	Ryan,
Durham	Levdansky	Sainato	Speaker

NAYS-4

Cohen, M.	Manderino	Steelman	Vitali
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NOT VOTING-1

LaGrotta

EXCUSED-3

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

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

RESOLUTION PURSUANT TO RULE 35

Mrs. TAYLOR called up **HR 236, PN 2682**, entitled:

A Resolution designating November 1995 as "Diabetes Awareness Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-1

Staback

EXCUSED-3

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

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER. The Chair returns to page 1 of today's calendar. All of the bills on page 1 of today's calendar are over. Page 2 of today's calendar. HB 2010 is over.

The House proceeded to third consideration of **HB 1355, PN 1571**, entitled:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for an exemption from filing a personal income tax return.

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 1355 be recommitted to the Committee on Appropriations.

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

BILLS PASSED OVER

The SPEAKER. HB 1973 is over. Page 3 of today's calendar. HB 294 is over. SB 666 is over. Page 4. SB 578 is over. Page 5 of today's calendar. SB 652, HB 774, and HB 1582 are over.

RESOLUTIONS

RESOLUTIONS PASSED OVER

The SPEAKER. Page 6 of today's calendar. All of the resolutions on page 6 are over.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 702, PN 2681**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1666, PN 1987 By Rep. WOGAN

An Act amending the act of November 10, 1965 (P.L.835, No.351), entitled "An act providing pensions for surviving spouses of police officers in cities of the second class A under certain terms and conditions, and providing for contributions by members of the police pension or retirement fund and appropriations by the city for that purpose," further providing for pension payments to spouses.

URBAN AFFAIRS.

HB 1668, PN 1989 By Rep. WOGAN

An Act amending the act of May 22, 1935 (P.L.233, No.99), referred to as the Second Class City Policemen Relief Law, further providing for pension payments to spouses.

URBAN AFFAIRS.

HB 1945, PN 2401 By Rep. DURHAM

An Act providing for the provision of water, sewer and gas service to residents of first class cities in the most efficient manner and at the lowest possible cost; establishing an authority for that purpose; providing for its powers and duties; requiring the preparation of a financial and management audit; requiring the preparation of a five-year financial plan to be updated annually; transferring all assets of the Philadelphia Gas Commission and City Water Bureau to the newly created authority; empowering the authority to incur indebtedness and receive revenues; making provisions with respect to short-term and long-term borrowing; requiring all matters involving the authority to be under the jurisdiction of the Pennsylvania Public Utility Commission and providing jurisdiction for challenges to this act; and making repeals.

CONSUMER AFFAIRS.

HB 2104, PN 2639 By Rep. DURHAM

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for adjustments of rates.

CONSUMER AFFAIRS.

EDUCATION COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Stairs, who calls a meeting of the Education Committee at the luncheon recess.

Would the gentleman, Mr. Stairs, advise the House of the location? Room 40. The Education meeting will take place in room 40.

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman, Mr. Pettit of Allegheny County.

Mr. PETTIT. Thank you, Mr. Speaker. Is this an appropriate time to correct the record?
The SPEAKER. It is.

Mr. PETTIT. Thank you.

On the motion to recommit HB 828, my switch worked fine but my finger malfunctioned. I intended to be an affirmative vote.

The SPEAKER. Ye shall know the truth and the truth shall make you free, and the words of the gentleman will be spread upon the record.

INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING

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

Mr. FLICK. Thank you, Mr. Speaker.

I would like to call a meeting of the Intergovernmental Affairs Committee, room 22, Capitol Annex, to consider HB 281 with amendments. The meeting will take place at 1 o'clock.

VOTE CORRECTIONS

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

Mr. RAMOS. Thank you, Mr. Speaker.

I would like to correct the record.

The SPEAKER. The gentleman is in order.

Mr. RAMOS. On amendment 5428 to HR 156, I was recorded as not voting. I would like to be recorded in the affirmative.

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

The gentleman, Mr. Fajt, from Allegheny County.

Mr. FAJT. Thank you, Mr. Speaker.

Mr. Speaker, I also would like to correct the record and would like to be recorded as voting "yes" on HB 1711 and HB 2009. Thank you.

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

The gentleman, Mr. Jarolin, Luzerne County.

Mr. JAROLIN. Thank you, Mr. Speaker.

To correct the record.

On HB 1711, final passage, I was not in my seat, and I would like to be recorded in the positive.

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

The gentleman, Mr. Walko. Does the gentleman from Allegheny, Mr. Walko, seek recognition?

Mr. WALKO. Mr. Speaker, I would like to correct the record.

I would like to be recorded as voting in the affirmative for HB 1711 and HB 2009.

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

Ms. Youngblood, Philadelphia County.

Ms. YOUNGBLOOD. Mr. Speaker, on yesterday's calendar, SB 665, on final passage I was reported as not voting. I would like to be reported in the affirmative.

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

Ms. YOUNGBLOOD. Thank you.

The SPEAKER. The gentleman, Mr. Roebuck, Philadelphia County.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I would like to correct the record.

On Wednesday, October 18, I was not recorded as voting on HR 232. I wish to be recorded in the affirmative.

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

HOUSE SCHEDULE

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, for the information of the members, when we come back from lunch, we will be voting HB 702 on concurrence in Senate amendments, and there are five special session bills that we are going to do.

Monday will be probably the last day for the special session, Mr. Speaker, so it is necessary for us to finish these five so that Monday is our last day.

The SPEAKER. Will the gentleman, Mr. Perzel, advise us as to any recess or luncheon break we are about to take.

Mr. PERZEL. We will break now, Mr. Speaker, until 2:15.

The SPEAKER. And is it necessary for any caucus? It is my understanding there will be no Republican caucus at least, and when we break, we will recess until 2:15.

I note a signal from the Democratic leadership indicating there will be no need for a Democratic caucus.

ANNOUNCEMENT BY MR. STRITTMATTER

The SPEAKER. The gentleman, Mr. Strittmatter, Lancaster County.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

I would like to remind all the members that the important meeting sponsored by the University of Pittsburgh and LORL (Legislative Office for Research Liaison) looking at global economics and how Pennsylvania can be a better exporter and improve our business climate will be starting immediately in room 60E. Thank you.

The SPEAKER. The LORL meeting is in 60E starting at 1 o'clock. You have 1 minute.

RECESS

The SPEAKER. We will come back into session at 2:15 unless sooner recalled by the Speaker.

This House stands in recess.

AFTER RECESS

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

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 100 By Representatives RAYMOND, TULLI, PERZEL and BARLEY

An Act providing for a Pennsylvania Business Resource Center within the Department of Commerce; and creating the Pennsylvania Business Resource Center Advisory Board.

Referred to Committee on APPROPRIATIONS, October 25, 1995.

No. 2154 By Representatives HANNA, MASLAND, BATTISTO, VAN HORNE, CARONE, COLAIZZO, MERRY, YOUNGBLOOD, STEELMAN, RAYMOND, PLATTS, TULLI, STEIL and BOSCOLA

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for nonpartisan school board elections.

Referred to Committee on STATE GOVERNMENT, October 25, 1995.

No. 2155 By Representatives PETRARCA, MARKOSEK, OLASZ, SHANER, COLAIZZO, WALKO, COY, SAINATO, READSHAW, VAN HORNE, MICOZZIE, THOMAS, ITKIN, DALEY, ROONEY, MIHALICH, PESCI, HALUSKA, McCALL, LEDERER, CORRIGAN, TANGRETTI, TRELLO, BOSCOLA, CURRY, STISH, LAUGHLIN, KUKOVICH, M. COHEN and YOUNGBLOOD

An Act providing for a limited exclusion from property taxes for all homesteads and for an additional exclusion for homesteads of certain senior citizens.

Referred to Committee on FINANCE, October 25, 1995.

No. 2156 By Representatives GAMBLE, STABACK, READSHAW, LAUGHLIN, SCHULER, KAISER, CALTAGIRONE, GANNON, LEDERER, ITKIN, FAJT, OLASZ, RUBLEY, VAN HORNE, PETRONE, GEIST, ROONEY, COWELL, DERMODY, BELARDI, BOSCOLA, MILLER, TANGRETTI, DEMPSEY, CURRY, RUDY, ADOLPH, BROWNE and MERRY

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for purchase price of an item when a discount or coupon is applied to the purchase.

Referred to Committee on FINANCE, October 25, 1995.

No. 2157 By Representatives ROBINSON, JAMES and BOSCOLA

An Act establishing the Charter Schools Commission and providing for its powers and duties; and making an appropriation.

Referred to Committee on EDUCATION, October 25, 1995.

No. 2158 By Representatives D. R. WRIGHT, GEORGE, LEDERER, SATHER, LEVDANSKY, SHANER, McGEEHAN, TRAVAGLIO, MERRY, STABACK, GODSHALL, TRELLO, CORRIGAN and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for trespass by motor vehicle.

Referred to Committee on TRANSPORTATION, October 25, 1995.

No. 2159 By Representatives D. R. WRIGHT, ITKIN, M. COHEN, LEDERER, WALKO, OLASZ, McGEEHAN, TRAVAGLIO, BELFANTI, LAUGHLIN, READSHAW, SCRIMENTI, WOGAN, SATHER, SHANER, MERRY, TRELLO, CORRIGAN, McCALL, MICOZZIE and YOUNGBLOOD

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, providing for the regulation of home warranty companies.

Referred to Committee on PROFESSIONAL LICENSURE, October 25, 1995.

No. 2160 By Representatives MARKOSEK, WALKO, JAROLIN, LAUGHLIN, JOSEPHS, GEIST, ROHRER, BOSCOLA, STEELMAN, STERN, RUBLEY, YOUNGBLOOD, BELFANTI and M. COHEN

An Act selecting, designating and adopting the bobcat as the official State cat of Pennsylvania.

Referred to Committee on STATE GOVERNMENT, October 25, 1995.

SENATE BILL FOR CONCURRENCE

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

SB 975, PN 1207

Referred to Committee on EDUCATION, October 25, 1995.

COMMUNICATION FROM GOVERNOR

APPROVAL OF HOUSE BILL

The Speaker laid before the House a communication in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bill had been approved and signed by the Governor:

HB 292.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that the following bills be removed from the table:

HB 1865;
SB 998;
HB 1666; and
HB 1668.

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

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

HB 1865;
HB 1666;
HB 1668; and
SB 998.

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

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

HB 1172, PN 1316 By Rep. STAIRS

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 suspension and expulsion of pupils.

EDUCATION.

RECESS

The SPEAKER. Do the Republican or Democrat floor leaders have any further business at this time in regular session?

Are there any corrections of the record in regular session? Any announcements in regular session?

Hearing none, the Chair declares the regular session in recess at this time to the call of the Chair.

AFTER RECESS

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

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

HB 281, PN 2677 (Amended) By Rep. FLICK

An Act providing for the protection of public participation in environmental matters, for a motion to strike and for certain damages.

INTERGOVERNMENTAL AFFAIRS.

BILL REREPORTED FROM COMMITTEE

HB 881, PN 976 By Rep. PERZEL

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

RULES.

**BILL ON CONCURRENCE REPORTED
FROM RULES COMMITTEE**

HB 702, PN 2681 By Rep. PERZEL

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

RULES.

SENATE MESSAGE**HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 282, PN 1496**, and has appointed Senators HECKLER, FISHER and FUMO a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON AMENDMENTS

Mr. PERZEL moved that the House insist upon its amendments nonconcurred in by the Senate to **SB 282, PN 1496**, and that a committee of conference on the part of the House be appointed.

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

CONFERENCE COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on **SB 282, PN 1496**:
Messrs. GODSHALL, PHILLIPS and LLOYD.
Ordered, That the clerk inform the Senate accordingly.

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.)

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

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 946, PN 1500**.

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:

SB 665, PN 1224

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), entitled "The First Class Township Code," providing for compensation of township commissioner.

SB 667, PN 701

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), entitled "The Borough Code," providing for compensation of council and the mayor.

SB 946, PN 1500

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for the appointment of a chief administrative law judge and for certificate and medallion required.

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

RECESS

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

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.

SUPPLEMENTAL CALENDAR A**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 702, PN 2681**, entitled:

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

On the question,

Will the House concur in Senate amendments?

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

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, HB 702 is the rewrite of the Second Class Township Code, a bill that is the result of several years of work by the Local Government Commission and the House Local Government Committee.

The Senate approved two different amendments. One amendment was approved by the Senate Local Government Committee through the committee review, and the other amendment was approved on the Senate floor yesterday prior to passing unanimously in the Senate.

Mr. Speaker, I have specific information on each of the amendments in case any of the members have any questions concerning it. What I would like to do is very quickly just mention the topics of the amendments that have been inserted into 702 by the Senate.

First of all, there are two elements that were included in SB 666, which was on the House floor yesterday and was passed over pending the insertion of those provisions into HB 702, which the Senate did. Those provisions included increasing the maximum compensation of township supervisors by 25 percent and inserting an amendment that was proposed by Representative Steil concerning a provision to provide for eminent domain of property that reverts back to the Revolutionary War period in order to provide maintenance of historic buildings, and that provision was limited to townships and second-class-A counties.

Another important effect was the change of the time in which the bill becomes effective. HB 702 would have become effective immediately. It was changed to 180 days to allow time for indexing of the bill and printing. The only two exceptions were the provisions that were put in that were related to SB 666. That was the compensation and the eminent-domain provision.

There was a provision put in that would have reinstated a requirement dealing with forest-related activities that would have required the township originally to require a referendum before they timber property. That referendum was taken out, but a sale of property would still be required by referendum.

HB 719, which was sponsored by Representative Miller, would have provided for vacancies at the municipal level to be filled at the next general election rather than the next municipal election. Those provisions were taken out by the Senate. So if there is a vacancy at the municipal level, it would be filled at the next municipal election, which is the current law.

The bill would also now provide that the township supervisors set the bond for the township treasurers, and also provides for the

averaging of appraisals if more than one appraisal is used for the purchasing of real estate.

And finally, Mr. Speaker, there is a clarification of the ability of township supervisors to hold other jobs within the municipality and allowing township supervisors to require contractors to correct certain road defects within 48 hours.

I would be happy to respond to any questions about the specifics of the amendments inserted by the Senate, and we ask for concurrence on those amendments.

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

Mr. MERRY. Mr. Speaker, I would like to congratulate Representative Snyder and the members of the Local Government Committee — both Republicans and Democrats — on their ability to formulate such a recodification of the Second Class Township Code.

As you know, recodes are very difficult to do, and yet we have just done it apparently. This bill passed the House some time ago almost unanimously, and the small amendments that the Senate has made have just been, well, it just required a reprint is all. But I suggest that as soon as this bill is available in bulk form, for all the members to pick up a copy and circulate it to your local townships. It is going to be up to 6 months before this can be done by the Local Government Commission.

But this is a bill that you can be proud of, one that you can hang your hat on as something that we have accomplished this year. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Pistella.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, I also would like to echo the sentiment expressed by my counterpart, the majority chairman of the Local Government Committee, Mr. Merry. I think it would be appropriate, though, if we just take a moment to recognize the effort that was put forth by the Local Government Commission under the able directorship of Executive Director Virgil Puskarich and his very capable staff for a very fine job. In addition, I think it would be appropriate to recognize Mr. Don Grell and Rick Russell from the Republican Caucus for their work and Nancy Neal and Larry Clark from my office.

I want to echo Representative Merry's comment that it is appropriate, Mr. Speaker, at the first opportunity to get or secure copies of this Second Class Township Code. Please distribute it to your constituency so that they can follow along with the new changes in the law. Thank you.

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-197

Adolph	Egolf	Lynch	Saylor
Allen	Evans	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	Fajt	Manderino	Scrimenti
Baker	Fargo	Markosek	Semmel
Bard	Farmer	Marsico	Serafini
Barley	Feese	Masland	Shaner
Battisto	Fichter	Mayernik	Sheehan
Bebko-Jones	Fleagle	McCall	Smith, B.
Belardi	Flick	McGechan	Smith, S. H.
Belfanti	Gamble	McGill	Snyder, D. W.

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

NAYS-0

NOT VOTING-0

EXCUSED-5

DeWeese	LaGrotta	Mihalich	Travaglio
Kukovich			

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 SPEAKER. Does the majority leader have any further business? Does the Democratic floor leader have any further business?

Are there any further announcements? Reports of committees? Corrections of the record?

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 702, PN 2681

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

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

ADJOURNMENT

The SPEAKER. Any further business ?

Hearing none, the Chair recognizes the gentleman from Allegheny County, Mr. Readshaw.

Mr. READSHAW. Mr. Speaker, I move that this House do now adjourn until Monday, October 30, 1995, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion ?

Motion was agreed to, and at 4:35 p.m., e.d.t., the House adjourned.