

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JANUARY 30, 1996

SESSION OF 1996

180TH OF THE GENERAL ASSEMBLY

No. 4

HOUSE OF REPRESENTATIVES

The House convened at 10:45 a.m., e.s.t.

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

PRAYER

REV. STANLEY E. COVER, Chaplain of the House of Representatives and interim pastor of First Baptist Church, Wellsboro, Pennsylvania, offered the following prayer:

O God, may this moment that is spent each day to begin this session never be just a ho-hum gesture of custom and tradition. May it be a genuine experience with You, seeking Your guidance and blessing for the difficult task before them, remembering that it is not only to their constituency back home that they must give an account but that You are the ultimate judge of all we do.

We know Your desire, Lord, to bless all those who call upon You. We pray Your blessings upon the Governor, those he has chosen to help and advise him, the Lieutenant Governor, Senators, and all the women and men in this Assembly. You have signally blessed them by giving them the privilege of serving You as they serve the citizens of Pennsylvania. With every privilege comes responsibility. Enable them to have Your mind in them as they faithfully fulfill the task and responsibilities in their deliberations and voting this day.

Dear Lord, give them grace to think truly what is best for others and not just what is politically best for them. May there be a new spirit of understanding, a new vision and purpose in this place that You will delight to bless.

We ask these things in Your name and for Your sake. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, January 29, 1996, will be postponed until printed. The Chair hears no objection.

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.)

DELEGATION FROM THE STATE OF HIDALGO, MEXICO, PRESENTED

The SPEAKER. We are honored this morning to have some distinguished international visitors with us here in this chamber. Twelve elected deputies, our peers from the State of Hidalgo, have traveled to Harrisburg and Pennsylvania from our southern neighboring country, Mexico, to talk about trade, human rights, culture, and politics. They have come to our State at the invitation of five members of the General Assembly who conducted the first ever trade mission undertaken by this General Assembly.

Five months ago House members Art Hershey and Paul Semmel were joined by Senators Madigan, Musto, and Stapleton on a visit to Hidalgo. Invited by the Governor of that State, our delegation was overwhelmed by the generosity and warmth of the reception they received.

We have the privilege today to return that courtesy and to return that kindness. Please join me now in extending to them a warm welcome.

Today history is made in this chamber. Today, January 30, 1996, marks the first time a leader of the State of Hidalgo, my peer in his State's government, will address an elected State legislature, not just in Pennsylvania but in the United States. We are proud to have this distinction and to lead the way to better understanding, better communication, and better relations between our States and our countries.

For the future of Pennsylvania and North America, we want to be even more than good neighbors. We want to be full economic partners. We want to share the richness of our cultures, and we want to enlighten and elevate our societies through knowledge and understanding.

The Chair would like to introduce the following guests from Hidalgo:

Deputies from Hidalgo:

Lic. Esteban Angeles Ceron;
Lic. Alfredo Tovar;
Lic. Daniel Ludlow;
Lic. Jaime Costeira;
Lic. Alejandro Hernandez;

Lic. Rosalino Ceron;
 Lic. Roberto Meza;
 Lic. Mario Vera;
 Lic. Alfredo Olvera;
 Lic. Fernando Moctezuma Pereda;
 Lic. Federico Hernandez Barros; and
 Lic. Salvador Neri Sosa.

Dir. General, Corporacion Hidalguense de Desarrollo:

Lic. Jordi Castells.

Staff:

Lic. Pablo Uribe;
 Lic. Santiago Morales; and
 Lic. Victor Espinoza Aquino.

Please join me in welcoming to the podium for his remarks, our southern neighbor and friend, Deputy, who we would call Speaker, Esteban Angeles Ceron, leader of the Chamber of Deputies of the State of Hidalgo, whose remarks will be translated by Julie Coryn at the conclusion of his presentation.

Mr. Speaker, if I may.

DEPUTY ESTEBAN ANGELES CERON. (Remarks in Spanish).

The SPEAKER. Now, I am not sure if the Deputy has the same need to have a weapon to control his chamber, the same need that I have, but in the event he does, I am going to send this down to Mexico with him. I am presenting this, and it says that it is presented to the Deputy as the leader of the Chamber of Deputies of the State of Hidalgo, Mexico, by Matthew J. Ryan, Speaker of the Pennsylvania House of Representatives, January 30, 1996.

(A gavel was presented to Deputy Esteban Angeles Ceron by the Speaker.)

DEPUTY ESTEBAN ANGELES CERON. (Remarks in Spanish).

(A gift was presented to the Speaker by Deputy Esteban Angeles Ceron.)

TRANSLATOR. He brings a present that is made by the artisans of Hidalgo, and it is the seal of the House of Representatives of the State of Pennsylvania.

The SPEAKER. Thank you.

We would ask now for a translation.

Ms. CORYN. Honorable House of Representatives of the State of Pennsylvania:

On the 25th of September 1995, the Honorable Congress of the State of Hidalgo was honored with the presence of some of you. On that occasion Senator Roger Madigan said that his mission was of great importance because it marked the opening of a path towards a strong relationship between our States – a relationship which would help us to better understand our cultures and be able to determine our opportunities for commerce and investment.

Just 4 months later, we are happy to meet once again in the House of Representatives of the State of Pennsylvania, where we

have been given such a generous reception and where your demonstrations of affection have distinguished us.

With this visit we are adopting Senator Madigan's idea of continuing along this path to a friendly and strong relationship that in turn translates into a system of interchange that benefits our respective States.

Our presence in Pennsylvania signals a search for opportunities to interact through the scope of our potential and our common interests.

In a dynamic world such as we live in, there comes a commitment to broaden relationships, not only for the exchange of parliamentary experiences but to understand what we have been capable of building as a legislative branch.

Our role as representatives of the people obliges us to seek new paths; to propose viable projects; to define with precision programs to bring our governments together, that make our States stronger, firmer.

We are convinced that the relationship that has been born between our States and its governments will bear fruit, taking advantage of all our available resources and potential.

You have a truly privileged State because of its agriculture, its industry, its commerce, its cattle industry. You have in Philadelphia the fifth largest city of the Union, and in Pittsburgh, a modern and prosperous city.

You are possessed of a great historic past which gave birth to a great nation, and now your educational and cultural development puts you in a position of excellence.

Your rivers, your lakes, your forests, your natural parks not only represent an abundant beauty but also attract tourism and create wealth.

We are happy to be on this earth, because we have fed our spirit of faith and because we have seen how the hand of man must transform his surroundings to satisfy his needs.

The political will, mutual understanding, and friendship that we have initiated are values which will allow us to achieve worthy objectives. Our Governor, Lic. Jesus Murillo Karam, is interested in fostering exchanges with you. The excellent relationship which, over the past years, has united us as countries will permit us to continue to maintain the bridge that guarantees our objectives for the future.

Hidalgo is 3 hours from the port of Tuxpan on the Gulf of Mexico. It is the logical point of export for various States of our Republic.

Tuxpan's proximity to Mexico City, the largest city in the world and the most important commercial center of Latin America, gives it a great commercial advantage, with a potential market of more than 25 million inhabitants.

Tula, Huapacalco, and other archaeological sites of no less importance give testimony to our historic past. Beautiful colonial monuments testify to part of our culture, and our haciendas are lovely places to visit.

The climate of Hidalgo is like a very long spring in which one may enjoy picturesque and charming towns and exquisite cuisine.

Ours is a tradition of the "charro" – the Mexican cowboy – and the secular/religious holidays are popular spectacles.

Our hotel infrastructure guarantees comfort to the tourist.

Pachuca, the capital of our State, is a beautiful city characterized by tranquility.

This and other attributes, too numerous to mention, make up Hidalgo and its people.

Honorable Representatives:

We are returning to Hidalgo proud of the work we have accomplished, of the experiences we have shared, and of the ties that unite us. We leave satisfied at having fulfilled a historic responsibility and having achieved worthy objectives.

We extend our hand in friendship. Hidalgo knows how to be a good host whenever you decide to visit us. Our affection will be the best welcome that we will offer.

We believe that we have strengthened the bridge of communication that unites us and that should reinforce our historic, cultural, and commercial ties.

Thank you very much.

The SPEAKER. The House will be at ease at this time to allow our guests an opportunity to leave the chamber, and anybody who wants to come up and meet the guests, of course, at this time, that would be in order.

**THE SPEAKER PRO TEMPORE
(J. SCOT CHADWICK) PRESIDING**

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Barley, who requests leave for today for the gentleman from Philadelphia, Mr. PERZEL. Without objection, the leave will be granted.

The Chair recognizes the gentleman, Mr. Coy, who requests leave for today's session for the gentleman from Westmoreland County, Mr. MIHALICH. Without objection, the leave will be granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—200

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Mihalich Perzel

CALENDAR

BILL ON SECOND CONSIDERATION

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

HB 2271, PN 2983.

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER pro tempore. HB 1601, PN 2898, will be over for today's session.

On page 2 of today's calendar, SB 654, HB 1036, and HB 2065 will be over for the day.

**BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED**

HB 1391, PN 2984 (Amended) By Rep. GLADECK

An Act authorizing the attachment of wages; and making a repeal.

LABOR RELATIONS.

HB 2305, PN 2985 (Amended)

By Rep. O'BRIEN

An Act amending the act of December 15, 1982 (P.L.1266, No.287), entitled "An act conferring limited residency status on military personnel and their dependents assigned to an active duty station in Pennsylvania," providing for the status of certain personnel.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

BILL REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority whip.

Mr. BARLEY. Mr. Speaker, I move that HB 2305 be removed from the tabled calendar.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority whip.

Mr. BARLEY. Mr. Speaker, I move that HB 2305 be recommitted to the Appropriations Committee.

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The House will come to order.

We have some additional special guests with us today. Seated to the left of the Speaker are Bupi Chisamba, Deputy Clerk of Committee in the Committee Department in Zambia, and Nelson Masawi from Zimbabwe, Librarian to the Parliament. They are seated to the left of the Speaker. Welcome to the hall of the House. The Chair would like to add that they are here as part of an NCSL (National Conference of State Legislatures) staff training program internship in the United States.

The Chair would also like to welcome Evelyn Graves Christian Academy of Philadelphia. They are here as the guests of Representative James Roebuck, and they are seated to the right of the Speaker on the House floor. Welcome to the hall of the House.

Representative Ron Marsico also has a guest today in the House gallery. Her name is Allison Simpson, and she is from Grantville. She is currently a junior at Lower Dauphin High School. Welcome to the hall of the House.

Representative Chick Tulli has a guest seated to the left of the Speaker. He is Derry Township supervisor Paul Clark. Welcome to the hall of the House.

VOTE CORRECTION

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

Mr. BELFANTI. Mr. Speaker, when it is the appropriate time to correct the record, I would like to make a correction from yesterday.

The SPEAKER pro tempore. Now would be a very good time. The gentleman is in order and may proceed.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, yesterday while the vote was cast on HB 908, I was in the middle of a flood-related conversation and inadvertently voted in the negative. I would like the record to reflect I intended to vote in the affirmative on HB 908. Thank you.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 552, PN 2846**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, reducing the amount of gross sales of food for Sunday sales permit.

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

Mr. CLYMER offered the following amendment No. **A6360**:

Amend Sec. 1 (Sec. 406), page 2, lines 9 and 10, by inserting a bracket before "eleven" in line 9 and after "two" in line 10 and inserting immediately thereafter

two o'clock postmeridian and twelve

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, my amendment would change the current law regarding the hours under which licensees may now operate on Sunday. The current law is from 11 a.m. to 2 a.m. on Monday. A number of years ago, the law read that liquor licensees who possess a Sunday sales permit may operate from Sunday at 2 p.m. to 12 midnight, and that is the substance of my amendment, to place the hours whereby a liquor licensee with a Sunday sales permit may operate.

So, Mr. Speaker, I feel that families should be together more. We have heard a lot about that in the media and from national political figures about keeping the families together, and therefore my amendment.

I would ask the House to support my amendment to HB 552. Thank you.

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

Mr. CORRIGAN. Thank you, Mr. Speaker.

Mr. Speaker, I have to oppose the gentleman, Mr. Clymer's amendment.

The intent of the bill is to aid small business people across the Commonwealth of Pennsylvania, those small business men and women who have Sunday sales permits and who make part of their living on Sunday selling food and spirits. If you were to eliminate the lunch trade from those small business agendas on Sunday, you would take a large part of their business from them. This bill is intended to enhance the sale of food and beverage in those businesses. An awful lot of men and women are struggling throughout the Commonwealth to maintain 40 percent food in their business.

Mr. Speaker, the bill is intended to enhance the business climate in Pennsylvania. To eliminate the lunch trade from 1 day a week from the businesses in our communities would certainly be detrimental. As you will hear later on when we discuss the bill, we are interested in going from 40 percent food to 30 percent.

This amendment would be detrimental to the bill, and I would ask for a "no" vote. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER pro tempore. Before the Chair recognizes the gentleman from Luzerne County, Mr. Jarolin, the Chair would like to welcome two guests from Luzerne County.

We have Chris Davies, who is serving as a guest page, and his father, David Davies, who are here from Kingston, and they are the guests of Representative Phyllis Mundy. Welcome to the hall of the House.

CONSIDERATION OF HB 552 CONTINUED

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

Mr. JAROLIN. Thank you, Mr. Speaker.

Mr. Speaker, this is a bad amendment. What is going to be happening here is there are too many people going to be losing an awful lot of money during that period of time that is going to be eliminated. A lot of the businesses want that lunch hour.

So, you know, I am going to ask the House of Representatives to vote this amendment down. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Trello.

Mr. TRELLO. Mr. Speaker, I rise to oppose the amendment also.

In 1991 and 1992, 1,611 liquor license establishments in this State went out of business. The tavern industry is an industry like any other industry, like IBM or Westinghouse or any industry. The drunk driving law has created an atmosphere where a number of these small businessmen are struggling. They provide an awful lot of jobs, pay an awful lot of taxes, and provide an awful lot of services to us for parties, for Christmas luncheons, for Secretaries Day, and other areas.

I think this amendment would put a strain, an additional strain that is already on our small business people. Remember, they are an industry like any other industry, and I think it is our duty in this chamber to help that industry itself like any other industry, and I ask for a negative vote on the amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

I also rise against the Clymer amendment.

While it is true that back in the eighties it used to be 2 o'clock, I think that we need to look at why we implemented this in the first place. Yes, part of it was for the small business, but the main industry that we wanted to help was the industry as far as tourism is concerned — those convention centers, the hotels, sometimes the champagne brunches, a lot of people who come into our State for different conventions and other different forms of activities, for vacations and the like of that. I thought it was very important at that time that we do that. I think that we should be able to continue to maintain that.

And again, it was not just for the "mom and pops." It was for the convention centers; it was for the hotels; it was for the tourists in some of the spots, and that is when we started promoting tourism within the State, and that was one of the things that the tourism industry said that they needed. This was a wise move, I think, that we made at that particular time.

I understand the gentleman's personal feelings about certain forms of libations as far as alcoholic beverages, but at the particular time it is still needed today, that we need to be able to look at the economy, what was asked for, which will be done. Everybody still has their choice as far as what they can do, what they can consume, or what they do not want to be able to consume, and I think that is being the option. We should not be a State that continues to put unfunded mandates, and it is basically an unfunded mandate with other States because of the insurance that they must continue to be able to do; they still have to be able to have the employees. But again, I thought that we were doing this at the time to be able to help the tourist industry. The numbers have proved to be valid. I would hope that we could continue to be able to do the business for the tourist industry.

Vote "no" on the Clymer amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lackawanna County, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, I am sorry, but I must oppose this amendment.

This amendment would put Pennsylvania back in the Middle Ages in competition with surrounding States. We have many industries — resort industries and tourism industries — that are basing their livelihood around weekend trade. If we are to do this, it is going to be a hardship that many of these industries cannot endure, and it would put a lot of people immediately out of business.

I believe that this is an amendment that we should all oppose. Thank you very much.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—22

Armstrong	Fargo	Pitts	Stern
Baker	Geist	Rohrer	Strittmatter
Barley	Hershey	Sather	True
Birmelin	Hess	Saylor	Zimmerman
Clymer	Hutchinson	Schuler	Zug
Egolf	Krebs		

NAYS-177

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

NOT VOTING-1

Carn

EXCUSED-2

Mihalich Perzel

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

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

Mr. MAYERNIK offered the following amendment No. A6562:

Amend Title, page 1, line 18, by removing the period after "permit" and inserting

; and further providing for sales by licensees.

Amend Sec. 1, page 1, line 24, by inserting after "amended"

and the subsection is amended by adding a paragraph

Amend Sec. 1 (Sec. 406), page 2, by inserting between lines 14 and 15

(7) Notwithstanding any provision of this act, on the Sunday on which the sporting event commonly referred to as the National Football League "Super Bowl" is conducted, licensees who do not possess the special annual permit provided for in paragraph (3), their servants, agents or employes may sell liquor and malt or brewed beverages on such Sunday after one o'clock postmeridian and until two o'clock antemeridian of the following day.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Allegheny County, Mr. Mayernik. Mr. MAYERNIK. Thank you, Mr. Speaker.

This is a commonsense amendment and very timely fashioned after we just went through the Super Bowl.

This would permit bar owners and licensees to stay open on Super Bowl Sunday when they do not possess a Sunday liquor license. This would not be the first exception to the rule. We have changed the law before regarding the issue of individuals that do not hold the proper Sunday liquor license to be open on Sundays, and I would cite some of them as, I remember former Senator Scanlon passed legislation, and this body voted on it, that would permit the bars and taverns to be open on Sundays whenever St. Patrick's Day had fallen on a Sunday. Also, this body in 1987, Act 14 of 1987, permitted the bars and taverns and licensees that do not hold the Sunday liquor license to be open on Sundays whenever New Year's Eve fell on a Sunday.

I am requesting an affirmative vote on this amendment because it is a commonsense piece of legislation and an amendment that is necessary so that people can enjoy Super Bowl Sunday, and it is not the first time as an exception to the rule but a precedent has already been set. Thank you, Mr. Speaker.

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

Mr. CORRIGAN. Thank you, Mr. Speaker.

I recommend a "yes" vote on the Mayernik amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-135

Adolph	Donatucci	Lloyd	Sainato
Allen	Druce	Lucyk	Santoni
Argall	Durham	Major	Scrimenti
Bard	Farmer	Markosek	Semmel
Battisto	Feese	Marsico	Serafini

Bebko-Jones	Fichter	Mayernik	Shaner
Belardi	Flick	McCall	Sheehan
Belfanti	Gamble	McGeehan	Snyder, D. W.
Bishop	Gannon	McGill	Staback
Boscola	Gigliotti	Melio	Stairs
Browne	Gladeck	Merry	Steelman
Bunt	Godshall	Michlovic	Steil
Butkovitz	Gordner	Micozzie	Stetler
Buxton	Gruitz	Nailor	Stish
Caltagirone	Gruppo	Nyce	Sturla
Cappabianca	Habay	O'Brien	Surra
Cawley	Haluska	Olasz	Tangretti
Chadwick	Hanna	Oliver	Taylor, E. Z.
Civera	Harhart	Pesci	Taylor, J.
Cohen, L. I.	Hasay	Petrarca	Tigue
Cohen, M.	Herman	Petrone	Trello
Colafigliola	Horsey	Pistella	Trich
Colaizzo	Itkin	Preston	Van Horne
Conti	Jarolin	Ramos	Veon
Cornell	Kaiser	Raymond	Vitali
Corpora	Keller	Readshaw	Walko
Corrigan	Kenney	Reber	Wogan
Cowell	Kukovich	Reinard	Wozniak
Curry	LaGrotta	Rieger	Wright, D. R.
Daley	Laughlin	Roberts	Wright, M. N.
DeLuca	Lawless	Robinson	Youngblood
Dent	Lederer	Roebuck	
Dermody	Lescovitz	Rooney	Ryan,
DeWeese	Levdanskyy	Rubley	Speaker
DiGirolamo			

NAYS-63

Armstrong	Fargo	Maitland	Schuler
Baker	Fleagle	Manderino	Smith, B.
Barley	Geist	Masland	Smith, S. H.
Birmelin	George	Miller	Stern
Blaum	Hennessey	Mundy	Strittmatter
Boyes	Hershey	Myers	Travaglio
Brown	Hess	Nickol	True
Carone	Hutchinson	Pettit	Tulli
Clark	Jadlowiec	Phillips	Vance
Clymer	James	Pitts	Washington
Coy	Josephs	Platts	Waugh
Dempsey	King	Rohrer	Williams
Egolf	Kirkland	Rudy	Yewcic
Evans	Krebs	Sather	Zimmerman
Fairchild	Leh	Saylor	Zug
Fajt	Lynch	Schroder	

NOT VOTING 2

Carn	Thomas
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EXCUSED-2

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

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

Mr. WILLIAMS offered the following amendment No. A0131:

Amend Title, page 1, line 18, by removing the period after "permit" and inserting

in certain municipalities.

Amend Sec. 1 (Sec. 406), page 2, line 6, by striking out the brackets before and after "forty per centum" and inserting immediately thereafter or more in cities of the first class and in all other municipalities

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Speaker.

While I recognize that there are legitimate arguments to the point that this is an industry and that there are a lot of people across the Commonwealth that depend upon this industry for their livelihoods and certainly it is an important part of our economy, the fact is that in my particular county, we do have a problem, and it is a problem which we could not turn our heads to any longer. The fact is that there are a number of taverns which are no longer taverns; that means, places that people go to on an evening with their families and that they can go into legitimately with their families and feel comfortable in that environment. They can have a beer or a drink, sit down and enjoy some discussions. The fact is, in Philadelphia County, not by opinion but by fact, as reported incidents numerous times by the State Police where they have undercover operations dealing with drugs, with underage drinking, with a variety of problems which I certainly would not want to have in anybody else's county, that we have more than enough of these problems to manage at this particular time.

I recognize that the current sponsor of this particular legislation wants to make the business much more legitimate, and to that end, I would like to be supportive, but the only way I can be supportive is if they recognize that in my county we have a problem. Until we can straighten out this problem, I do not think that the answer is to reduce the amount of food that is sold. I think the fact is that we should increase the amount of food which is sold and that we should work in that direction.

The bottom line is I am trying to compromise. I want to recognize that while other people want to do things in their particular area, I would hope that they would recognize in Philadelphia County we have a particular problem, a particular interest that I would like to share, and that is, hold to the standard which has been established, recognize that we have this problem, and then work with us that we could, you know, at some point in the future come into conformity with the surrounding areas. But until we deal with the issues of underage drinking, violence within numerous of these taverns, as documented in the Inquirer and documented by State troopers' reports, that we would leave it and leave Philadelphia as an exception to this rule. Thank you, Mr. Speaker.

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

Mr. CORRIGAN. Thank you, Mr. Speaker.

Mr. Speaker, I must oppose the Williams amendment.

The situation in Philadelphia is different than it is in any other place in Pennsylvania. Since introducing this legislation four

sessions ago, I have dealt with the problem in Philadelphia firsthand and I am very much aware of that problem. Originally, I took the counties of the first and second class out of this bill, but I have since been convinced by the legitimate restaurant owners and tavern owners and liquor licensees in Philadelphia that the people causing the problems in Philadelphia are a few. I want to say that since I introduced this legislation, the Liquor Control Board and the legislature have enacted regulation and law that deals directly with nuisance bars. The nuisance bar problem should not interfere with the gentleman who has an old inn in Philadelphia who serves dinners on Sunday to people after services. Those people who are causing these problems can be dealt with and dealt with severely.

I want to tell you about a licensee or a gentleman who came from Philadelphia and who bought a license in Bristol Borough, my hometown. This gentleman brought with him the same kinds of problems that they have in Philadelphia. The people in the neighborhood could not sleep from Friday night until Sunday night or Monday morning. That gentleman was warned; he was cited; he ended up before the court of common pleas in Doylestown, and he no longer has a liquor license. He is no longer a problem for anybody in Bucks County.

The problems that they have in Philadelphia need to be dealt with in this manner. The judges throughout this Commonwealth are aware and are sensitive to the problems of nuisance bars. You, as a legislator, can file a complaint, and the weight of a legislator's complaint is taken very, very seriously. So if you have a nuisance bar in your neighborhood or in your district, you can put that person out of business, and that is how to deal with that problem.

The fact that we are considering reducing the amount of food that a tavern owner or a restaurant must sell has to do with the increases in price in liquor as related to food. The people who are running legitimate restaurants in this Commonwealth are selling food at the same price they were selling it at many years ago, whereas they are selling the liquor at a much higher price, which is what caused the introduction of this bill. In order to treat everyone fairly— And I am sure that there are many, many people in Representative Williams' district who are very much in favor of this bill; there are some people who may not be in favor of it, but they are interested in dealing with the problem through the wrong channel.

This bill is a positive bill. It affects every community except the dry ones, of course, in Pennsylvania, and it affects every businessperson that has a liquor license and a Sunday sales permit and it affects them in a positive manner. To penalize the legitimate businesses in Philadelphia would be wrong through this bill.

For that reason, Mr. Speaker, I oppose this amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lackawanna County, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, I appreciate Mr. Williams' attempt with this legislation, and the Liquor Committee in the House of Representatives understands the problem which Philadelphia is incurring. Their problem is essentially a problem of enforcement, and it is understood that the enforcement must be improved in Philadelphia to stop some of the nuisance bar problems. Many of the problems he discussed, however, would not be corrected with this legislation.

Essentially, what would probably happen is the same thing that happened when Philadelphia imposed a 10-percent tax on drinks. Many people go across the borders to Delaware and New Jersey.

I personally believe that Mr. Williams, working with our committee, will find it more beneficial with a different form of legislation to solve his problem than with this attempt.

I believe that essentially this guts the bill. We need this legislation to keep our industries alive in Pennsylvania and the tourism and the catering businesses and some of our restaurants. It is essential that we have this legislation, and I would be willing, as chairman of the Liquor Committee, to work with Mr. Williams and the Philadelphia delegation to draft legislation that would more essentially be directed toward his problem than trying to gut a piece of legislation that is specifically aimed at promoting tourism and the restaurant industry in the State of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Other than Mr. Williams, are there any other members seeking recognition? The Chair would like to give Mr. Williams the opportunity to speak last on his amendment.

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

Mr. WILLIAMS. Thank you, Mr. Speaker, and I will try to be brief.

While I recognize the chairman of the Liquor Control Committee has done and worked very assiduously on this issue and I appreciate the extension of his committee to work with me to remediate the problems in Philadelphia County, which we will certainly follow up on, I do differ greatly with the fact that it is not my intention to gut the bill. My perception is that I do come from Philadelphia County the last time I checked, and while Mr. Corrigan spoke quite eloquently about the 58,000 people I represent, I daresay that most of the people who live on 60th Street and have five bars within a two-block radius, five of which are designated nuisance bars, do not feel that their problem has been served through the nuisance bar legislation.

While I represent the 191st Legislative District, I do not think it is an isolated island of problems within Philadelphia County. I did not hear from the mayor of Philadelphia that this bill would particularly help or hurt tourism in Philadelphia County. So the people that Mr. Corrigan spoke to I believe are probably the same people that I want to remove from my district on a frequent enough basis to say to me that this amendment is something that should happen. The fact is, unfortunately, most of the tavern owners who work in my district do not live in Philadelphia County. So they do not, frankly, give a hoot and a ho-nanny about the people who live in Philadelphia. That is the problem, and it has been a problem for a long time.

So I certainly resent anybody speaking about the 58,000 people I represent wanting this particular bill. They do not want this bill, and I guarantee you that I know a little bit more about them than you do. That is the problem and has been a problem for a long time. I would dare not say I know a hoot and a ho-nanny about what goes on in Bucks County. I do not care to know what goes on out there, and I certainly would not want to legislate anything that goes on in your area. I am telling you it is a problem in Philadelphia County. Certainly it goes to the issue of enforcement. Certainly there have been closings. I have participated in that process. I know about the nuisance bar task force because I helped to create it. I helped to write the laws that we currently use to remove some of these bar owners from Philadelphia County, so I believe in that.

But the fact is that reducing the amount of food to be sold only suggests one thing: there is going to be more liquor sold. That is

sort of common sense. I do not want more liquor sold. I want more food sold. No matter whether it is a nuisance bar or a good bar owner, the fact is, I do not want to encourage drinking of minors in Philadelphia County. I do not want that to be the example that they see on Sunday through Monday. I want them to see that a hardworking person who lives in that district can walk that two-block radius and see that they are truly taverns, and I would suggest that most of West Philadelphia, most of North Philadelphia, most of South Philadelphia, and maybe even parts of the northeast have that same issue.

Regardless of personality, regardless of conditions or economy, the fact is, in Philadelphia County all that we have enacted has not solved the problems in Philadelphia County. That is all I am suggesting, and I daresay that anyone else from outside that county does not know Philadelphia County like we know Philadelphia County. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Corrigan, for the second time.

Mr. CORRIGAN. Thank you, Mr. Speaker.

Mr. Speaker, I respect your desire to have Mr. Williams speak last, but I think there is a misunderstanding that I would like to clarify.

I certainly am not interested in going into any district of any member in this House. What my statement was, and if it was not clear, my statement is that there are legitimate business people in every district except for the dry districts in Pennsylvania, and those legitimate business people deserve a right to be represented in this bill. What I am trying to do is make them compatible with the law. There is no intention to dictate to any other member of this Assembly.

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

Mr. ARMSTRONG. Thank you, Mr. Speaker.

May I interrogate the maker of the amendment, please?

The SPEAKER pro tempore. Will the gentleman suspend momentarily?

Mr. ARMSTRONG. Yes.

The SPEAKER pro tempore. The gentleman, Mr. Williams, is unavailable for interrogation. Does the gentleman, Mr. Armstrong, wish to be recognized?

Mr. ARMSTRONG. Yes, sir.

Is there anyone else who would care to answer my question that has an interest in this amendment?

The SPEAKER pro tempore. The Chair would pose that question to the floor. Seeing none—

Mr. ARMSTRONG. Okay.

The SPEAKER pro tempore. Ah. The Chair recognizes the lady, Ms. Manderino, who I assume is willing to stand for interrogation?

Ms. MANDERINO. Mr. Speaker, yes. The questioner asked for somebody who has an interest in the amendment, and that I do, so I will try to the best of my ability to answer his question as it refers to Philadelphia County.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman, Mr. Armstrong. You may proceed.

Mr. ARMSTRONG. All right. Hopefully you can answer this question.

According to the amendment, it states that we are going to be taking out the brackets around “forty per centum,” which means we are reimplementing the 40-percent requirement, and then it will be followed by “or more in cities of the first class and in all other

municipalities.” Then we have the next line, line 7, that says “THIRTY PER CENTUM.” Does that “THIRTY PER CENTUM” still stay there for some reason or other, or are we going to have a technical problem with this amendment?

Ms. MANDERINO. Mr. Speaker, I am trying to look at that just as the question is being asked. I can speak to the intent of the bill. Perhaps somebody— The intent of the bill was as you first described, which was to leave Philadelphia County at 40 percent, which is the current standard in law. I guess I would defer to the Parliamentarian as to whether or not there is a technicality with regard to where that is inserted.

PARLIAMENTARY INQUIRY

Mr. ARMSTRONG. Mr. Speaker, that is probably what the question should be asked then of the Parliamentarian, to check with the technical correctness of this amendment.

The SPEAKER pro tempore. It appears to the Chair that there is no drafting problem with the amendment.

Ms. MANDERINO. Thank you, Mr. Speaker.

Then I would just suggest that if there is no drafting problem as drafted, the intent was to leave Philadelphia County at 40 percent.

Mr. ARMSTRONG. May I approach the Chair?

The SPEAKER pro tempore. The gentleman can come to the rostrum.

The House will temporarily be at ease.

(Conference held at Speaker's podium.)

The SPEAKER pro tempore. Does the gentleman, Mr. Armstrong, wish to resume his interrogation?

Mr. ARMSTRONG. Yes.

First of all, I would like to ascertain if Mr. Williams is in the hall yet.

The SPEAKER pro tempore. The gentleman appears to be unavailable for interrogation. The lady, Ms. Manderino, has indicated a willingness to be interrogated.

Mr. ARMSTRONG. Okay.

The SPEAKER pro tempore. If you give her a moment to reach the microphone, I will put you in order so that you can go ahead.

Mr. ARMSTRONG. That is okay. I will just make a comment.

The SPEAKER pro tempore. The Chair recognizes the gentleman.

Mr. ARMSTRONG. Okay. Thank you for your time. You cleared up probably a question that I had.

I want to restate to all the members the way I perceive it, and then if for some reason I am not perceiving it correctly, whoever would like to correct me can feel free to do so, and that is that we are allowing Philadelphia to have the limit of 40 percent of their food sales and then all other municipalities will be 30 percent or more. That is the way I understand it, and because of that I am going to be a “no” vote.

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

The following roll call was recorded:

YEAS-54

Baker	Donatucci	Lederer	Readshaw
Battisto	Evans	Levdansky	Rieger
Birmelin	Fajt	Lloyd	Robinson
Bishop	George	Lucyk	Roebuck
Blaum	Gordner	Manderino	Rooney
Buxton	Gruitza	Masland	Scrimenti
Caltagirone	Hennessey	Mundy	Steelman
Carn	Hershey	Myers	Surra
Clymer	Horshey	Oliver	Thomas
Cohen, M.	Hutchinson	Pesci	Veon
Colafella	Itkin	Petrone	Washington
Corpora	James	Phillips	Williams
Coy	Josephs	Ramos	Youngblood
DeWeese	Kirkland		

NAYS-145

Adolph	Fairchild	Markosek	Sheehan
Allen	Fargo	Marsico	Smith, B.
Argall	Farmer	McCall	Smith, S. H.
Armstrong	Feese	McGeehan	Snyder, D. W.
Bard	Fichter	McGill	Staback
Barley	Flegle	Melio	Stairs
Bebko-Jones	Flick	Merry	Steil
Belardi	Gamble	Michlovic	Stern
Belfanti	Gannon	Micozzie	Stetler
Boscola	Geist	Miller	Stish
Boyes	Gigliotti	Nailor	Strittmatter
Brown	Gladeck	Nickol	Sturla
Browne	Godshall	Nyce	Tangretti
Bunt	Gruppo	O'Brien	Taylor, E. Z.
Butkovitz	Habay	Olasz	Taylor, J.
Cappabianca	Haluska	Petrarca	Tigue
Carone	Hanna	Pettit	Travaglio
Cawley	Harhart	Pistella	Trello
Chadwick	Hasay	Pitts	Trich
Civera	Herman	Platts	True
Clark	Hess	Preston	Tulli
Cohen, L. I.	Jadlowiec	Raymond	Vance
Colaizzo	Jarolin	Reber	Van Horne
Conti	Kaiser	Reinard	Vitali
Cornell	Keller	Roberts	Walko
Corrigan	Kenney	Rohrer	Waugh
Cowell	King	Rublely	Wogan
Curry	Krebs	Rudy	Wozniak
Daley	Kukovich	Sainato	Wright, D. R.
DeLuca	LaGrotta	Santoni	Wright, M. N.
Dempsey	Laughlin	Sather	Yewcic
Dent	Lawless	Saylor	Zimmerman
Dermody	Leh	Schroder	Zug
DiGirolamo	Lescovitz	Schuler	
Druce	Lynch	Semmel	Ryan,
Durham	Maitland	Serafini	Speaker
Egolf	Major	Shaner	

NOT VOTING-1

Mayernik

EXCUSED-2

Mihalich Perzel

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

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

Mr. LAWLESS offered the following amendment No. A0167:

Amend Title, page 1, line 18, by removing the period after "permit" and inserting

; and providing for temporary relocation of distribution and importing distributor licenses.

Amend Bill, page 2, by inserting between lines 14 and 15

Section 2. The act is amended by adding a section to read:

Section 436.1. Temporary Relocation of Distributor and Importing Distributing Licenses.—(a) In cases where any licensed premises of a distributor or importing distributor is damaged by fire, flood, natural disaster or other unforeseen cause beyond the control of the licensee to an extent that, in the opinion of the board, prevents the licensee from operating at the premises for a period of time, the board shall have the authority to allow the licensee to operate for a period not to exceed one year at a new location anywhere within the county where the license was operating.

(b) Every applicant for a relocation under this section shall file a written application accompanied by the appropriate fee and any other information which the board may require and shall meet all the requirements for distributor or importing distributor license operations not inconsistent with the provisions of this section. The application shall not be subject to the two hundred-foot-restriction, three hundred-foot-restriction or five hundred-foot-restriction or the notice posting requirements set forth in section 431.

(c) Upon receipt of the application in proper form and upon being satisfied that the applicant and the temporary location meet all the requirements of this act, the board shall approve the temporary operation of the license at the location for a period of up to ninety days.

(d) Upon the expiration of the initial and any subsequent period, the board may approve the continued operation of the license at a temporary location for additional periods of up to ninety days upon written request by the licensee. Such request shall be made in a manner prescribed by the board and shall be filed at least thirty days prior to the expiration of the previously approved period. In no case shall the board grant more than three extensions beyond the initial authority to operate at the temporary location.

(e) Upon the expiration of one calendar year after the temporary operation was begun, a licensee shall have no authority to operate at the temporary location and all malt or brewed beverages shall be removed within thirty days thereafter.

Amend Sec. 2, page 2, line 15, by striking out "2" and inserting

3

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Montgomery County, Mr. Lawless. Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, this amendment permits a temporary relocation of a license in cases where there is damage by fire, flood, natural disasters, or other unforeseen causes beyond the control of the licensee.

Recently in my district in a shopping center, an occasion happened where a merchant next door to a distributor had a fire. It affected the business of the distributor. The distributor was forced to close down. This would enable him to move to a location within the same shopping center, which is now not permitted by law.

I would appreciate your vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Corrigan.
Mr. CORRIGAN. Thank you, Mr. Speaker.
I agree with the Lawless amendment.

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

The following roll call was recorded:

YEAS-199

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

NAYS-0

NOT VOTING-1

Rieger

EXCUSED-2

Mihalich

Perzel

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

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

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

On that question, the Chair recognizes the gentleman from Bucks County, Mr. Clymer.
Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this proposal. I think all of us recognize that alcohol is the number one substance abuse not only in Pennsylvania but across this great Nation of ours, and I submit, is it sound public policy to pass legislation that is going to increase the availability of alcoholic beverages?

Mr. Speaker, the bill will allow Sunday sales permits for those liquor license establishments that have 30 percent of food. How many more of these liquor license establishments will get this Sunday sales permit? I think it is going to really open up the field, and we are going to have a lot more problems socially.

Is it not true that the Pennsylvania State Police are the people responsible for doing the audits, and if we increase the number that I think it is going to be increased to, will we have sufficient State Police and personnel to do the audits?

Mr. Speaker, last night on television at 10:30 on one of the news channels, they had showed another case of a woman, age 39, from Morristown, New Jersey, who was killed by a drunk driver. True, the driver did not mean to kill her, but he did, and this woman left behind a husband, a grieving husband; three small children; devastated her family, the sister and the parents.

Mr. Speaker, I say that because we are talking about a public policy issue. If we reject this bill, the laws that had been very generous and passed by this General Assembly over the past years to help, quote, "those liquor license establishments" will be the same; we are doing no injury. But to expand it to make more alcohol available, and as Representative Williams said, articulated the many problems that will flow, I think does not make good sense.

For those and for many other reasons, Mr. Speaker, I urge the members to reject this bill. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Mr. Corrigan.
Mr. CORRIGAN. Thank you, Mr. Speaker.

Mr. Speaker, I ask the House to pass this measure today. It has been around for a long time, and I think its time has come. It is time that we come to the aid of small businesses throughout this Commonwealth.

Some of the issues that have been discussed are legitimate ones and ones of concern. They are not items that are of concern with this bill. Some of those problems have existed during Prohibition.

The current law that we are dealing with was passed in 1971. Since 1971 malt beverages have increased in price by 90 percent. Wine and distilled spirits have increased by 70 percent. The price of food has gone up 40 percent. The increases that we are talking about and the adjustment that we are attempting to make today is the result of inflation as well as the result of increased taxes that we have imposed on liquor.

What I would ask today is to look at every small business in your district, those people who are struggling. They may only employ 5; they may employ 10 people; some employ 100 people. They are the backbone of the economy in many neighborhoods throughout Pennsylvania.

I sincerely believe that this bill will not cause an increase in the sale of alcoholic beverages. It will in fact cause legitimate business people to comply with the law that exists today. They are having a great deal of difficulty doing so. This will make it a little bit easier to comply with the law.

For that reason I ask for a "yes" vote. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I rise to oppose this bill.

It would be nice if we could isolate this as an issue of small business and the encouragement of small business. We cannot do that, because I represent a district where you have small businesses that use this particular law to violate the law. I have businesses that engage in Sunday sales that do not serve food at all, that have no capacity to serve food in their establishments, and there is no enforcement.

It is nice to say, well, we ought to get together and talk about this issue. We have talked about it, we have talked about it, and we have talked about it, and there has been no relief to the residents of my district who suffer day in and day out by irresponsible small businessmen who do not abide by the law, who do not engage in what the law says. And so we pass this and we make it easier for that to continue. We make it easier for those businesses to proliferate.

Where is the justice for the residents of my district in this bill, Mr. Speaker? Where is the remedy for those residents who are responsible, law-abiding homeowners who have to put up with nuisance bars day in and day out and are told every time we pass a bill like this, well, we will get together and at some point we will have a remedy to your problem? There is no remedy unless we do that.

Why do we not enact the remedy first and then come back and provide the carrot? Why are we only doing this and then say we are going to do the other, the thing that is right for individuals, small residents, and not address their problems as strongly as we want to address the problems of those who are engaged in the small businesses that we are seeming to protect?

Mr. Speaker, I would urge that the members of this legislature look very carefully at this legislation. Look at what it does in neighborhoods by reducing that figure. Look at what it does in encouraging those who are presently violating the law to continue to violate the law, and I urge you to vote against this proposal. Thank you, Mr. Speaker.

On the question recurring
Shall the bill pass finally?
The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-139

Adolph	DiGirolamo	Lucyk	Srimenti
Allen	Donatucci	Maitland	Semmel
Argall	Druce	Major	Serafini
Bard	Durham	Markosek	Shaner
Battisto	Fargo	Marsico	Sheehan
Bebko-Jones	Farmer	Masland	Smith, S. H.
Belardi	Feese	Mayernik	Snyder, D. W.
Belfanti	Fichter	McCall	Staback
Boscola	Fleagle	McGeehan	Stairs
Boyes	Flick	McGill	Steelman
Brown	Gannon	Melio	Steil
Browne	Gigliotti	Merry	Steller
Bunt	Gladeck	Michlovic	Stish
Butkovitz	Gruitza	Micozzie	Sturla
Buxton	Gruppo	Miller	Surra
Caltagirone	Habay	Nailor	Tangretti
Cappabianca	Haluska	Nickol	Taylor, E. Z.
Carn	Hanna	Nyce	Taylor, J.
Cawley	Harhart	O'Brien	Tigue
Chadwick	Hasay	Olasz	Trello
Civera	Hennessey	Pesci	Trich
Cohen, L. I.	Herman	Petrarca	Tulli
Colafella	Itkin	Petrone	Vance
Colaizzo	Jadlowiec	Pettit	Van Home
Conti	Jarolin	Pistella	Veon
Cornell	Kaiser	Platts	Vitali
Corpora	Keller	Raymond	Walko
Corrigan	Kenney	Reber	Waugh
Cowell	King	Reinard	Wogan
Curry	Kukovich	Roberts	Wozniak
Daley	LaGrotta	Rooney	Wright, D. R.
DeLuca	Laughlin	Rubley	Wright, M. N.
Dempsey	Lawless	Sainato	
Dent	Lescovitz	Santoni	Ryan.
Dermody	Levdansky	Schroder	Speaker
DeWeese			

NAYS-61

Armstrong	Geist	Lynch	Sather
Baker	George	Manderino	Saylor
Barley	Godshall	Mundy	Schuler
Birmelin	Gordner	Myers	Smith, B.
Bishop	Hershey	Oliver	Stern
Blaum	Hess	Phillips	Strittmatter
Carone	Horsey	Pitts	Thomas
Clark	Hutchinson	Preston	Travaglio
Clymer	James	Ramos	Truc
Cohen, M.	Josephs	Readshaw	Washington
Coy	Kirkland	Rieger	Williams
Egolf	Krebs	Robinson	Yewcic
Evans	Lederer	Roebuck	Youngblood
Fairchild	Leh	Rohrer	Zimmerman
Fajt	Lloyd	Rudy	Zug
Gamble			

NOT VOTING-0

EXCUSED-2

Mihalich Perzel

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

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

BILL PASSED OVER

The SPEAKER pro tempore. Turn to page 3 of today's calendar. HB 2014, PN 2848, will be over for the day.

The House proceeded to third consideration of **HB 664, PN 2232**, entitled:

An Act amending the act of July 10, 1981 (P.L.234, No.76), known as the Donated Food Limited Liability Act, further providing for game donated as food.

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

Mr. BUNT offered the following amendment No. **A0125**:

Amend Title, page 1, line 5, by striking out "providing for GAME" and inserting

further providing for definitions and for charitable or religious immunity; and providing for wildlife donated as food

Amend Sec. 1 (Sec. 3), page 2, line 10, by striking out "GAME ANIMALS AND GAME BIRDS." and inserting wildlife, or portions thereof.

Amend Sec. 1 (Sec. 3), page 2, lines 23 through 26, by striking out all of said lines and inserting

"Wildlife." As defined in 34 Pa.C.S. § 102 (relating to definitions) and taken by lawful hunting in accordance with 34 Pa.C.S. (relating to game) and 58 Pa. Code (relating to recreation).

Amend Sec. 1 (Sec. 5), page 3, line 9, by striking out "GAME ANIMALS OR GAME BIRDS" and inserting wildlife

Amend Bill, page 3, line 19, by striking out all of said line and inserting

Section 2. The act is amended by adding a section to read: Section 5.1. Wildlife donated as food.

(a) Authorization.—Wildlife may be donated to, and processed, prepared and distributed by, a charitable organization which serves or distributes food without cost to needy individuals.

(b) Information.—The Department of Agriculture shall enter into a memorandum of understanding with a recognized, not-for-profit organization registered with the Bureau of Charitable Organizations, under which the organization will serve as program coordinator to make available information, including cooperating processors and charitable and religious organizations which will accept donations of wildlife. Processors and charitable and religious organizations may notify the program coordinator of their intention to participate in distribution of wildlife. The

coordinator shall include them in its lists unless good cause otherwise exists.

Section 3. This act shall take effect immediately.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Snyder.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, amendment 125 to HB 664 is an amendment that is basically technical in nature. What it would do is it changes the terms that are mentioned in the bill under game birds and game animals to "wildlife." It would also provide for a coordinating organization that would be designated by the Department of Agriculture for the wildlife donation program, and it changes the effective date to immediately rather than 60 days.

I ask for your support.

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

The following roll call was recorded:

YEAS-199

Table with 4 columns of names: Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Battisto, Bebko-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Carn, Carone, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Colaizzo, Conti, Cornell, Corpora, Corrigan, Cowell, Coy, Curry, Daley, Del.uca, Egolf, Evans, Fairchild, Fajt, Fargo, Farmer, Feese, Fichter, Fleagle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Gruppo, Habay, Haluska, Hanna, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Itkin, Jadlowiec, James, Jarolin, Josephs, Kaiser, Keller, Kenney, King, Kirkland, Krebs, Kukovich, LaGrotta, Lucyk, Lynch, Maitland, Major, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, Melio, Merry, Michlovic, Micozzie, Miller, Mundy, Myers, Nailor, Nickol, Nyce, O'Brien, Olasz, Oliver, Pesci, Petrarca, Petrone, Pettit, Phillips, Pistella, Pitts, Platts, Preston, Ramos, Raymond, Readshaw, Reber, Reinard, Rieger, Roberts, Robinson, Roebuck, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stish, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigie, Travaglio, Trello, Trich, True, Tulli, Vance, Van Horne, Veon, Vitali, Walko, Washington, Waugh, Williams, Wogan, Wozniak, Wright, D. R., Wright, M. N.

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

NAYS-0

NOT VOTING-1

Gruitza

EXCUSED-2

Mihalich Perzel

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

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

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

The Chair recognizes the gentleman from Tioga County, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.
Mr. Speaker, this bill is near and dear to my heart and to the hearts of those individuals and volunteers that work in our food pantries and our food banks throughout the Commonwealth of Pennsylvania.

This bill attempts to encourage our hunters that are a million to a million and a quarter strong to contribute freely to the various food banks and food pantries to help those that are less fortunate and those that are poor. It encourages the private sector to help where the need is the greatest in their individual communities, and I would appreciate your support.

I have been a president or a vice president of a food pantry for 12 years now, and I know that the food pantries and the volunteers throughout the Commonwealth would greatly appreciate your support. Thank you very much.

On the question recurring,
Shall the bill pass finally?
The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-200

Adolph	Egolf	Lucyk	Saylor
Allen	Evans	Lynch	Schroder
Argall	Fairchild	Maitland	Schuler
Armstrong	Fajt	Major	Scrimenti
Baker	Fargo	Manderino	Semmel
Bard	Farmer	Markosek	Serafini
Barley	Feese	Marsico	Shaner

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Mihalich Perzel

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.

BILLS PASSED OVER

The SPEAKER pro tempore. HB 1689 and HB 2046 will be over for the day.

The House proceeded to third consideration of **HB 119, PN 93**, entitled:

An Act redesignating the Toby Creek Bridge located on State Route 1005 in Clarion County as the Wayne Richard Weaver II Memorial Bridge.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority whip.

Mr. BARLEY. Mr. Speaker, I move that HB 119, PN 93, on page 4 of today's calendar 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 pro tempore. The rest of the bills on page 4 of today's calendar will be over for the day.

Turn to page 5 of today's calendar. SB 140, PN 1686, will be over for the day.

The House proceeded to third consideration of **SB 712, PN 1526**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the issuance of certificates relating to release or discharge.

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

Mr. HERMAN offered the following amendment No. **A5761**:

Amend Title, page 1, line 3, by removing the period after "DISCHARGE" and inserting
and for the use or recycling of office supplies and materials.

Amend Bill, page 2, line 4, by striking out all of said line and inserting

Section 2. The Department of Military and Veterans Affairs shall continue to use or recycle all forms, stationery, business cards and other office supplies or materials which contain references to its predecessor department until the existing supplies and materials are depleted.

Section 3. Upon passage of legislation changing the name of the Department of Military Affairs to the Department of Military and Veterans Affairs, the Adjutant General shall cause notice of the same to be published in the Pennsylvania Bulletin.

Section 4. The amendment of 51 Pa.C.S. § 9201 shall apply to

Amend Sec. 3, page 2, line 7, by striking out all of said line and inserting

Section 5. This act shall take effect as follows:

- (1) The amendment of 51 Pa.C.S. § 9201 shall take effect in 60 days.
- (2) Section 4 of this act shall take effect in 60 days.
- (3) Section 2 of this act shall take effect upon publication of the notice under section 3.
- (4) The remainder of this act shall take effect immediately.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Centre County, Mr. Herman.

Mr. HERMAN. Thank you, Mr. Speaker.

In 1991 the General Assembly created the Fish and Boat Commission from the previously known Fish Commission, and an amendment similar to this was offered and adopted at that time. What this amendment does is make our State statutes consistent with the Department of Military and Veterans Affairs as was done in 1991. I would appreciate your support.

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

The following roll call was recorded:

YFAS-200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Mihalich Perzel

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

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-200

Adolph	Egolf	Lucyk	Saylor
Allen	Evans	Lynch	Schroder
Argall	Fairchild	Maitland	Schuler
Armstrong	Fajt	Major	Scrimenti
Baker	Fargo	Manderino	Semmel
Bard	Farmer	Markosek	Serafini
Barley	Feese	Marsico	Shaner
Battisto	Fichter	Masland	Sheehan
Bebko-Jones	Fleagle	Mayernik	Smith, B.
Belardi	Flick	McCall	Smith, S. H.
Belfanti	Gamble	McGeehan	Snyder, D. W.
Birmelin	Gannon	McGill	Staback
Bishop	Geist	Melio	Stairs
Blaum	George	Merry	Steelman
Boscola	Gigliotti	Michlovic	Steil
Boyes	Gladeck	Micozzie	Stern
Brown	Godshall	Miller	Stetler
Browne	Gordner	Mundy	Stish
Bunt	Gruitza	Myers	Strittmatter
Butkovitz	Gruppo	Nailor	Sturla
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	Pesci	Tigue
Chadwick	Herman	Petrarca	Travaglio
Civera	Hershey	Petrone	Trello
Clark	Hess	Pettit	Trich
Clymer	Horsey	Phillips	True
Cohen, L. I.	Hutchinson	Pistella	Tulli

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Mihalich Perzel

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

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

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

The House proceeded to consideration on the postponed calendar of concurrence in Senate amendments to House amendments to **SB 432, PN 1615**, entitled:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for grounds for involuntary termination of parental rights; providing for mediation in divorce and custody matters and for disclosure of child support arrearage information; and adding the definition of "consumer reporting agency."

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Snyder.
Mr. SNYDER. Mr. Speaker, I move that SB 432, PN 1615, be recommitted to the Committee on Rules.

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

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 76, PN 2930**, entitled:

An Act authorizing the Department of Conservation and Natural Resources to grant a restricted right-of-way allowing cable television transmission lines to cross Ohiopyle State Park property.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Fayette County, Mr. Roberts.

Mr. ROBERTS. Thank you, Mr. Speaker.

This legislation is legislation that is long overdue. Actually, it corrects a problem that was created by the State some years ago when the Commonwealth purchased the property of Ohiopyle State Park, which unfortunately surrounds the borough.

This bill passed the House twice. It passed last session and was stalled in the Senate. Finally we got it to pass the Senate this session, and it is back for concurrence in technical amendments.

Basically, this bill will allow cable TV to cross Ohiopyle State Park as the utilities currently do. And finally, the bill, if enacted into law, will provide people living in the borough with access to cable TV as all other people living in the Commonwealth now enjoy.

So I would appreciate the support of all my colleagues on both sides of the aisle, and I ask for a "yes" vote on HB 76.

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

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

YEAS-200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Mihalich Perzel

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 1076, PN 2883**, entitled:

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, providing for attorney fees in actions involving municipal claims; and authorizing certified mail to notify property owners of petitions or rules.

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

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

YEAS-200

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

Bishop	Geist	Melio	Stairs
Blaum	George	Merry	Steelman
Boscola	Gigliotti	Michlovic	Steil
Boyes	Gladeck	Micozzie	Stern
Brown	Godshall	Miller	Stetler
Browne	Gordner	Mundy	Stish
Bunt	Gruitza	Myers	Strittmatter
Butkovitz	Gruppo	Nailor	Sturla
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	Pesci	Tigue
Chadwick	Herman	Petrarca	Travaglio
Civera	Hershey	Petrone	Trelto
Clark	Hess	Pettit	Trich
Clymer	Horsey	Phillips	True
Cohen, L. I.	Hutchinson	Pistella	Tulli
Cohen, M.	Itkin	Pitts	Vance
Colafella	Jadlowiec	Platts	Van Horne
Colaizzo	James	Preston	Veon
Conti	Jarolin	Ramos	Vitali
Cornell	Josephs	Raymond	Walko
Corpora	Kaiser	Readshaw	Washington
Corrigan	Keller	Reber	Waugh
Cowell	Kenney	Reinard	Williams
Coy	King	Rieger	Wogan
Curry	Kirkland	Roberts	Wozniak
Daley	Krebs	Robinson	Wright, D. R.
DeLuca	Kukovich	Roebuck	Wright, M. N.
Dempsey	LaGrotta	Rohrer	Yewcic
Dent	Laughlin	Rooney	Youngblood
Dermody	Lawless	Rublely	Zimmerman
DeWeese	Lederer	Rudy	Zug
DiGirolamo	Leh	Sainato	
Donatucci	Lescovitz	Santoni	Ryan,
Druce	Levdansky	Sather	Speaker
Durham	Lloyd		

NAYS-0

NOT VOTING-0

EXCUSED-2

Mihalich Perzel

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

Ordered, That the clerk inform the Senate accordingly.

RESOLUTIONS

RESOLUTIONS PASSED OVER

The SPEAKER pro tempore. The remaining resolutions on page 6 of today's calendar will be over for the day.

HOUSE SCHEDULE

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

Mr. KAISER. Mr. Speaker, we received a memo last week saying that we might be in session this Thursday. Has that been confirmed yet?

The SPEAKER pro tempore. The Chair would suggest that that question be directed to the majority whip.

The gentleman, Mr. Kaiser, inquired as to whether or not we know if we will be in session on Thursday.

The Chair recognizes the majority whip.

Mr. BARLEY. Thank you, Mr. Speaker.

It is still somewhat unclear, but I am doubtful that there will be a need to be here Thursday. There is a meeting continuing in the Governor's Office, appears to be very successful, and it is my feeling that a timetable will probably be maybe early next week, and I, again, do not believe we will be in Thursday.

Mr. KAISER. Thank you, Mr. Speaker.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mercer County, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

There will be a caucus of the Republican members immediately, and I would appreciate it if you would get to the caucus room as quickly as possible. Senator Santorum will be there, is there at the present time, and we would appreciate your being in the caucus immediately. Thank you.

The SPEAKER pro tempore. Is there a need for a Democratic caucus? No Democratic caucus.

HEALTH AND HUMAN SERVICES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery County, Mr. Cornell.

Mr. CORNELL. Thank you, Mr. Speaker.

I would like to announce an immediate meeting of the Health and Human Services Committee in the rear of the House.

The SPEAKER pro tempore. The Chair thanks the gentleman.

There will be no further votes today.

Mr. COY. Mr. Speaker?

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

Mr. COY. Just a question, a point of information. I understand there will be session tomorrow, however.

The SPEAKER pro tempore. The Chair understands that to be the case.

Mr. COY. Thank you.

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority whip.

Mr. BARLEY. Mr. Speaker, I move that the following bills be removed from the table:

- HB 928, PN 2847;
- HB 1987, PN 2462;
- HB 1992, PN 2679; and
- SB 222, PN 228.

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

BILLS RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority whip.

Mr. BARLEY. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

HB 928, PN 2847;
HB 1987, PN 2462;
HB 1992, PN 2679; and
SB 222, PN 228.

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

BILLS SIGNED BY SPEAKER

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

HB 76, PN 2930

An Act authorizing the Department of Conservation and Natural Resources to grant a restricted right-of-way allowing cable television transmission lines to cross Ohio State Park property.

HB 1076, PN 2883

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, providing for attorney fees in actions involving municipal claims; and authorizing certified mail to notify property owners of petitions or rules.

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

HOUSE BILLS INTRODUCED AND REFERRED

No. 2340 By Representatives DENT, McGEEHAN, GORDNER, STABACK, HERMAN, BELARDI, ARMSTRONG, GEIST, M. N. WRIGHT, MCGILL, BARLEY, FEESE, WALKO, MAITLAND, TRUE, EGOLF, NAILOR, FARGO, PLATTS, BOSCOLA, MARKOSEK, CLARK, HALUSKA, MELIO, DIGIROLAMO, FAIRCHILD, RUDY, STURLA, STISH, CORRIGAN, SCHRODER, TRELLO, WOGAN, PISTELLA, ZUG, RUBLEY, WASHINGTON, FAJT, PETRARCA, KENNEY, DALEY, RAMOS, PETTIT, E. Z. TAYLOR, BARD, BROWNE, SAYLOR, DeLUCA, ROONEY, HORSEY, ADOLPHI, MARSICO and SERAFINI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for drug-free school zones.

Referred to Committee on JUDICIARY, January 30, 1996.

No. 2360 By Representatives HORSEY, M. N. WRIGHT, YOUNGBLOOD, PRESTON and DALEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for impoundment of vehicles.

Referred to Committee on TRANSPORTATION, January 30, 1996.

ADJOURNMENT

The SPEAKER. Does the Republican leader or Democratic floor leaders have any further business? Are there any announcements? Any corrections of the record?

Hearing none, the Chair recognizes the lady from Montgomery, Ms. Bard.

Ms. BARD. Mr. Speaker, I move that this House do now adjourn until Wednesday, January 31, 1996, at 11 a.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 12:47 p.m., e.s.t., the House adjourned.