

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, FEBRUARY 6, 1996

SESSION OF 1996

180TH OF THE GENERAL ASSEMBLY

No. 8

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

REV. DONALD KNAPP, Chaplain of the House of Representatives and Chaplain at Brittany Pointe Estates, Lansdale, Pennsylvania, offered the following prayer:

Shall we pray together:

Here we stand on the edge of tomorrow, O Lord. We dream great dreams; we overflow with hope; we seek a better day; we desire to right wrong; we would build Utopia. Yet reality reminds us that some problems are greater than we are, that some questions remain to be answered, and that our resources have a limit.

Teach us, O Lord, how to bring our dreams into harmony with our realities, our fantasies into harmony with our facts. We recognize that this "holy experiment" begun by our founder, William Penn, is not yet a holy accomplishment.

Here we stand on the edge of tomorrow, and we are only alive this day, today. Let us labor on in faith and courage. The dreams of today will only become realities as we plan and work, struggle and debate, argue and compromise, give and take, propose and amend. They will only become real as we recognize in our opponents the same sincerity and desire for a better way that we find in ourselves.

Here we stand on the edge of tomorrow. Give us boldness to take the challenges of today. Bless the goals of His Excellency, Governor Thomas Ridge. May they be realized through the strength and wisdom, the disagreement and conciliation of the good minds gathered in this room full of legislators. Each one of them seeks to champion the cause of the people of Pennsylvania.

Here we stand on the edge of tomorrow. Help each of us as we rededicate ourselves to needs which cry out for help, to push forward programs already succeeding, to be willing to set aside that which has outlived its usefulness or has failed to achieve its hoped-for goal.

Lives of great men all remind us  
We can make our lives sublime.  
And, departing, leave behind us  
Footprints on the sands of time.

So, O Lord, enable us to begin today to leave imprints for good in the lives of our citizens. O Lord, here we stand on the edge of tomorrow. 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, February 5, 1996, will be postponed until printed. The Chair hears no objection.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2375** By Representatives KUKOVICH, PLATTS and SCRIMENTI

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, repealing provisions relating to additional expenses for members of the General Assembly.

Referred to Committee on STATE GOVERNMENT, February 6, 1996.

**No. 2376** By Representatives SCHULER, COY, TULLI, SATHER, EGOLF, ADOLPH and YOUNGBLOOD

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 continuing professional development and renewability of certain professional certification.

Referred to Committee on EDUCATION, February 6, 1996.

**No. 2377** By Representatives PETTIT, HESS, GODSHALL, HERSHEY, GEIST, OLASZ and SERAFINI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving on right side of highway.

Referred to Committee on TRANSPORTATION, February 6, 1996.

**No. 2378** By Representatives BROWNE, NAILOR, BELARDI, HERMAN, EGOLF, M. N. WRIGHT, PISTELLA, TIGUE, L. I. COHEN, GEIST, DENT, MELIO, SCHRODER, E. Z. TAYLOR, YOUNGBLOOD, TULLI, J. TAYLOR and TRELLO

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a research and orphan drug tax credit.

Referred to Committee on FINANCE, February 6, 1996.

**No. 2379** By Representatives LYNCH, D. W. SNYDER, ITKIN, McGEEHAN, FARGO, MAITLAND, HALUSKA, EGOLF, TRELLO, NICKOL, WAUGH, SAYLOR, READSHAW, MILLER, CLARK, FEESE, SCHULER, BELFANTI, E. Z. TAYLOR, BAKER, WOGAN, CORRIGAN, J. TAYLOR, TIGUE, ALLEN, HENNESSEY, BROWNE and MERRY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for credit card fraud; defining the offense of unlawful device-making equipment; and providing penalties.

Referred to Committee on JUDICIARY, February 6, 1996.

**No. 2380** By Representatives LYNCH, BARLEY, FARGO, GEIST, BROWN, TULLI, HERSHEY, PETTIT, ARGALL, SAYLOR, ROHRER, HALUSKA, MILLER, D. W. SNYDER, YOUNGBLOOD, MERRY and STEELMAN

An Act amending the act of October 21, 1988 (P.L.1036, No.116), known as the Hardwoods Development Council Act, further providing for definitions, for the Hardwoods Development Council and for the council's powers and duties.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 6, 1996.

**No. 2381** By Representatives TANGRETTI, STABACK, GEIST, ITKIN, FICHTER, HALUSKA, SHANER, BELFANTI, FARMER, MELIO, VAN HORNE, LAUGHLIN, HERSHEY, OLASZ, WALKO, CORRIGAN, BAKER, CURRY, BOSCOLA, HENNESSEY, BROWNE, MERRY, THOMAS, LEVDANSKY, PETRARCA, YOUNGBLOOD and STEELMAN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for excuses from certain classes.

Referred to Committee on EDUCATION, February 6, 1996.

**No. 2382** By Representatives B. SMITH, SHANER, DEMPSEY, COLAIZZO, BAKER, MARKOSEK, FICHTER, ROEBUCK, STISH, SCHULER, VAN HORNE, PETRARCA, ROONEY, BELARDI, HENNESSEY, STABACK, McCALL, GODSHALL, FLEAGLE, PLATTS, HESS, GEORGE, HERSHEY, PISTELLA, GEIST, MILLER, CLARK, VEON, FAJT, FARGO, MUNDY, READSHAW, BARD, ROBERTS, YOUNGBLOOD, MAITLAND, ARMSTRONG, NAILOR, MAJOR, EGOLF, MERRY, LUCYK, TRELLO, COLAFELLA, BROWNE, E. Z. TAYLOR, SURRA, WAUGH, O'BRIEN, WALKO, HARHART, TRAVAGLIO, TRUE, FAIRCHILD, LEH, ADOLPH, MARSICO, DiGIROLAMO and L. I. COHEN

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for disabled veterans.

Referred to Committee on GAME AND FISHERIES, February 6, 1996.

**No. 2383** By Representatives LAWLESS, SERAFINI, ADOLPH, KELLER, BUTKOVITZ, McGEEHAN, LEDERER, NYCE, O'BRIEN, J. TAYLOR and STEIL

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for temporary relocation of distribution and importing distributor licenses.

Referred to Committee on LIQUOR CONTROL, February 6, 1996.

### HOUSE RESOLUTION INTRODUCED AND REFERRED

**No. 281** By Representatives GEORGE, REBER, SURRA, TRAVAGLIO, STEELMAN, READSHAW, COLAIZZO, COLAFELLA, LESCOVITZ, SHANER, KUKOVICH, LaGROTTA, DeLUCA, GIGLIOTTI, COY, D. R. WRIGHT, TRELLO, ROONEY, BLAUM and MUNDY

A Resolution memorializing the Congress of the United States to protect the environmental, economic and health and safety interests of the people of Pennsylvania in regard to low-level radioactive waste.

Referred to Committee on RULES, February 6, 1996.

### 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 291;  
HB 1397;  
HB 1920;  
HB 2064; and  
HB 2139.

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

HB 291;  
HB 1397;  
HB 1920;  
HB 2064; and  
HB 2139.

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

**COMMUNICATION FROM GOVERNOR**

**REQUEST FOR JOINT SESSION**

The Speaker laid before the House the following communication in writing from the office of His Excellency, the Governor of the Commonwealth:

Commonwealth of Pennsylvania  
Office of the Governor  
Harrisburg

January 23, 1996

To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I would like to address the Members in Joint Session on Tuesday, February 6, 1996, at a time convenient to the General Assembly.

Thomas J. Ridge  
Governor

**RESOLUTION**

**COMMITTEE TO ESCORT SENATE**

Mr. PERZEL offered the following resolution, which was read, considered, and adopted:

In the House of Representatives  
February 6, 1996

RESOLVED, That the Speaker appoint a committee of three to escort the members and officers of the Senate to the Hall of the House for the purpose of attending a Joint Session of the General Assembly.

**COMMITTEE APPOINTED**

The SPEAKER. The Chair appoints as a committee to wait upon the Senate, the gentleman from York County, Mr. Smith; the lady from Cumberland County, Mrs. Vance; the lady from Philadelphia County, Ms. Washington.

The committee will proceed with the performance of its duties.

**COMMITTEE TO ESCORT GOVERNOR APPOINTED**

The SPEAKER. Pursuant to the resolution previously adopted by the House, the Chair appoints as a committee to escort the Governor to the hall of the House, the gentleman from Luzerne County, Mr. Stish; the lady from Susquehanna County, Miss Major; the gentleman from Lawrence County, Mr. Sainato.

The committee will proceed with the performance of its duties.

**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.)

**LEAVES OF ABSENCE**

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

The gentleman requests leave for the gentleman from Bucks County, Mr. STEIL, for today's session, and the gentleman, Mr. DENT, from Lehigh County for today's session.

Without objection, leaves will be granted.

The Chair recognizes the gentleman, Mr. Itkin, who requests leave of absence for the gentleman, Mr. PISTELLA, from Allegheny County, and the lady, Ms. BISHOP, from Philadelphia County.

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

**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—198**

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	Mayernik	Sheehan
Belardi	Gamble	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Smith, S. H.
Birmelin	Geist	McGill	Snyder, D. W.
Blaum	George	Melio	Staback
Boscola	Gigliotti	Merry	Stairs
Boyes	Gladeck	Michlovic	Steelman
Brown	Godshall	Micozzie	Stern
Browne	Gordner	Mihalich	Stetler
Bunt	Gruitza	Miller	Stish
Butkovitz	Gruppo	Mundy	Strittmatter
Buxton	Habay	Myers	Sturla
Caltagirone	Haluska	Nailor	Surra
Cappabianca	Hanna	Nickol	Tangretti
Carn	Harhart	Nyce	Taylor, E. Z.
Carone	Hasay	O'Brien	Taylor, J.
Cawley	Hennessey	Olasz	Thomas
Chadwick	Herman	Oliver	Tigue
Civera	Hershey	Perzel	Travaglio
Clark	Hess	Pesci	Trello
Clymer	Horsey	Petrarca	Trich
Cohen, L. I.	Hutchinson	Petrone	True
Cohen, M.	Itkin	Pettit	Tulli
Colafilella	Jadlowiec	Phillips	Vance
Colaizzo	James	Pitts	Van Horne
Conti	Jarolin	Platts	Veon
Cornell	Josephs	Preston	Vitali
Corpora	Kaiser	Ramos	Walko

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Bishop	Dent	Pistella	Steil
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LEAVES ADDED—1

Egolf

**REPORT OF COMMITTEE  
ESCORTING SENATE**

The SPEAKER. The House will come to order.

The Senate is now entering the hall of the House. Members and guests will please rise.

The Chair recognizes the Sergeant at Arms of the House.

The SERGEANT AT ARMS. Mr. Speaker, the chairman of the committee on the part of the House, Mr. Smith.

The SPEAKER. The Chair recognizes the chairman of the committee escorting the Senate, Mr. Smith.

Mr. B. SMITH. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the hall of the House has performed that duty and reports that the Senate is in attendance.

The SPEAKER. The committee is discharged with the thanks of the House.

The Chair requests the Lieutenant Governor, the Honorable Mark Schweiker, to preside over the proceedings of the joint session of the General Assembly.

The President Pro Tem of the Senate, the Honorable Robert C. Jubelirer, is invited to be seated on the rostrum.

The members of the House and Senate will please be seated.

The Chair is pleased to present to the Lieutenant Governor the gavel and ask him to preside at this joint session.

**JOINT SESSION OF THE  
GENERAL ASSEMBLY**

**THE LIEUTENANT GOVERNOR  
(MARK S. SCHWEIKER) PRESIDING**

The LIEUTENANT GOVERNOR. Thank you, Mr. Speaker.

This being the day and the time agreed upon by a concurrent resolution of the Senate and House of Representatives to hear an address by His Excellency, the Governor, the Honorable Tom Ridge, this joint session will please come to order.

The General Assembly will be at ease while it awaits the arrival of His Excellency, the Governor of the Commonwealth.

**REPORT OF COMMITTEE  
ESCORTING GOVERNOR**

The LIEUTENANT GOVERNOR. The Governor is entering the hall of the House. Please rise.

The Chair recognizes the chairman of the committee to escort the Governor, the Senator from Allegheny, Senator Fisher.

Mr. FISHER. Mr. President, as chairman of the committee to escort the Governor, I wish to report that His Excellency, the Governor, is present and is prepared to address this joint session.

The LIEUTENANT GOVERNOR. Members of the General Assembly, I have the honor and the privilege of presenting His Excellency, the Governor, the Honorable Tom Ridge, who will now address this joint session.

**FISCAL YEAR 1996-97  
BUDGET ADDRESS OF  
GOV. THOMAS J. RIDGE**

The GOVERNOR. Thank you, and good morning.

One month ago today, late at night after most of us had gone to bed, heavy snows began to fall across our Commonwealth, and with the dawn the storm intensified and would not relent. And by the time the sun had set again on Pennsylvania, much of the State was covered with 30 inches of snow. It was the storm of the century, and it had only just begun.

Next were heavy winds, bitter cold, and drifting. Five days later, another foot of snow, and 7 days after that, the mercury hit 56 degrees. As quickly as it arrived, the snow began to melt. And then the Almighty handed Pennsylvania the ultimate test — heavy rains.

Those destructive floods came fast and strong. More than 200,000 Pennsylvanians were forced to flee their homes. Over 52,000 homes were damaged or destroyed. From that first snowfall to the receding waters, our communities and our citizens suffered losses totaling \$1 billion, at least. One hundred Pennsylvanians lost their lives, and it is only right that we begin today with a moment of silence for those victims, a moment of prayer, each of us in our own way.

(A moment of silence and prayer was observed.)

We should also pause for a moment today to recognize those who kept that toll from rising. Three of those heroic Pennsylvanians are with us. Winston Churchill once said that "courage is the quality which guarantees all others." My words cannot capture the courage of these Pennsylvanians, so listen to their stories.

Equipped with only a jet-ski and their courage, Eric Malone and Mike Bowmaster saved five people from the raging, icy Juniata River. Braving frigid waters and deadly currents, Eric and Mike pulled four people from the water after flooding overcame a mobile home, and soon after that, they returned and they pulled from the water a teenage girl who was holding onto a bush, clinging for her life.

And there was Sgt. Arthur Goodling, who represents the best of the Pennsylvania National Guard, Pennsylvania's soldiers. Buffeted by high winds, snow squalls, and using night-vision goggles, the guardsmen of Company G lowered their Chinook helicopter in and out of tight quarters for 24 hours. They rescued 65 people from rooftops, cars, and fenceposts, and at one point, Sergeant Goodling himself plunged into those rushing waters in an attempt to rescue a fellow Pennsylvanian.

Gentlemen, today you represent thousands of Pennsylvanians whose names we may never know but whose courage and compassion we will never forget, and on behalf of all Pennsylvania, all Pennsylvanians, we thank you.

Shortly, the General Assembly will reconvene in this chamber to open a special session on this natural disaster. Pennsylvanians helped one another survive the blizzard and the floods. As their elected representatives, we will join together to help them rebuild. It is our desire, it is our duty, and working together, it will be done.

But today we gather for a different task. As we recover from the past, we still must look to the future. We must continue our work to make Pennsylvania a competitor and a leader in the global economy. We must continue our work to provide better schools, safer streets, and family-sustaining jobs. And we must continue our work to make Harrisburg a lean model of customer-driven government.

I submit to you a budget for Pennsylvania's future. This is a budget for the 21st century.

It emphasizes people, not government. It invests in technology, not bureaucracy. It makes hard choices, not automatic handouts. And it demands accountability, not just from those that government serves but from government itself.

We can no longer look to Washington for more. We will receive less. This budget assumes that Washington will send Pennsylvania nearly \$600 million less. It assumes State revenue growth will be slow.

This budget is for our future, and we will not respond like budgets of the past. Too often, State government met such challenges with increased taxes and increased spending. Too often, State government dug into the pockets of taxpayers when they could least afford it. This budget does the exact opposite.

For the first time in 25 years, State government will spend less than the year before. We cut General Fund spending by \$30 million. We redirect another \$787 million to better reflect the priorities of Pennsylvania. And we cut taxes — 60 million dollars' worth. Every cent aimed at job creation and job retention. Every cent aimed at the job market of the 21st century.

Last year, we cut taxes by \$286 million. We did it to send a signal that Pennsylvania is now job-friendly. We did it so everyone will know we are more committed than ever to retaining the jobs

we have and to creating new ones. Already we have seen the results. This past year, Pennsylvania kept and created nearly 30,000 jobs, and this budget contains a tax cut to continue that trend.

First, something new for Pennsylvania — a job creation tax credit. Employers will now be eligible for a tax credit of up to \$1,000 for every new, family-sustaining job they create. It is a \$30-million annual tax cut with a guarantee: taxpayers will not spend a cent unless there are new jobs to show for it.

I also propose the elimination of the 1991 sales tax on computer services in several sectors of our economy. Just listen to what Harrisburg did. A high-value, good-paying, future-oriented sector of our economy was just beginning to take off. So what did Harrisburg do? It taxed it. That just does not make sense. These are precisely the jobs we want for Pennsylvanians.

And finally, I propose a \$24-million reduction in the capital stock and franchise tax.

Tax cuts are an important part of our economic development strategy, but they are just that — a part. Today's intense competition requires more. In support of Pennsylvania's workers, we have done more.

This budget nearly doubles, nearly doubles our investment in customized job training — \$7.5 million more. It is a proven program. We also create regional skills centers that operate as virtual supermarkets for training and education resources. We establish Individual Learning Accounts to give employers and employees the opportunity to invest together in themselves.

But there is another kind of investment Pennsylvania must make to retain and create jobs. This investment bears no cost to taxpayers. It requires only an investment of our will. We must reform workers' compensation.

Here are the facts: Pennsylvania recently compared itself to six of our competitor States. In 40 out of 42 categories, Pennsylvania had the highest workers' comp rates, and in most categories, we were not even close. This is one competition where Pennsylvania cannot afford to be number one.

I recently received a letter from a bottling company executive in Philadelphia, and here is what he wrote: "It has become increasingly difficult for business to remain competitive and profitable while operating in the Commonwealth of Pennsylvania due to our workers' compensation statute and the classification rating structure. As a company doing business in three states, we face a difficult choice: stay in Pennsylvania or move our distribution to a neighboring state and benefit from potentially large cost reductions."

If they move their 700 jobs from Pennsylvania to New Jersey or Delaware, that company could save \$3 to \$4 million a year in workers' comp rates. Same job; different address; \$3 to \$4 million a year in savings. Now, for the time being, those jobs are still in Pennsylvania, but as he warns in his letter: "The issue here is jobs — gaining new jobs and retaining existing jobs. Further delays in meaningful reform will only increase the exodus of industry from our state, and after 93 years in Pennsylvania, we would hate to be joining this flight."

But, ladies and gentlemen, the flight is already under way. Just ask 200 men and women who are unemployed in southwestern Pennsylvania. Ask them if they and their families would have enjoyed their working at TRACO on Pittsburgh's North Side. TRACO could have expanded right next to its existing facility, but instead they took their 200 jobs to Iowa. Why? Ask them. A major factor — workers' compensation. Ask the 50 employees who could

have been employed by Turner Steel. That employer is in Hermitage, Pennsylvania, and it expanded into Ohio. Why? Because of workers' compensation. How long will we wave goodbye to our jobs? When will we act to save them? I say the time to act is now.

Pennsylvania's workers perform difficult, demanding jobs, and on the job, some are injured. And when that happens, it is only right that while they recover, we provide them quality health care and financial support. That basic principle will not be compromised by meaningful, fair, and equitable reform. But we can no longer pretend, we can no longer pretend that our workers' compensation system is helping our workers, because tragically, ironically, the system we designed to help injured workers is costing healthy workers their jobs. No economic development strategy will be complete without real workers' compensation reform. This is not about labor versus management. This is not about special interests. This is about Pennsylvania's jobs.

We must also design new economic development tools. This past year I personally worked with many of you to attract job-creators, good job-creators like Sony and Pfizer, Bush Industries and Berg Electronics, Lockheed Martin and Harris Semi-Conductor. Pennsylvania was fortunate to enjoy these and other successes. But the competition among States is fierce. We discovered that our economic development tools, although sharp and to the point 15 years ago, have lost their cutting edge. I propose a consolidation of our economic development programs so that we can deliver the right kind of services, the right kind of capital, at just the right moment.

Pennsylvania also needs to offer one-stop-shopping to all potential employers. Through a business resource center, modern technology will connect prospective employers with every community in our State, and Team Pennsylvania will work with existing employers to resolve problems before they take our jobs elsewhere.

This budget also reaffirms our willingness to compete and win in global markets. We will expand our presence in Asia and Latin America and target new markets for our products, including our number one industry, agriculture. Well, you may clap if you think agriculture is important. I do, too. And we will attract the dollars of foreign and domestic visitors with an aggressive new campaign for tourism.

But when it comes to creating jobs — jobs for the future — there is nothing more important than education. The link between economic development and education is irrefutable.

A Pennsylvania high school diploma should send, should send a clear message to employers. It should mean that its recipient is ready to meet the high standards that are expected of 21st century workers in any plant, in any office, anywhere. Otherwise, no tax cut, no regulatory reform, and no new program will help secure Pennsylvania's economic resurgence.

If today's students are to be tomorrow's workers, they need a firsthand foundation in technology.

I propose project "Link to Learn" for Pennsylvania's children — a 3-year initiative; \$121 million for the 21st century. It will bring Pennsylvania's children together and put our classrooms on-line.

Erin O'Brien is a fifth-grader at Grace Park Elementary School in Delaware County. The other day she e-mailed me about the role she hopes technology could play in her education. This is what she sent: "We could be on the Internet and reach out to places that we aren't in right now. We could see things that otherwise would be impossible to bring into our classroom."

I want Erin and her fellow students to see the impossible. Our goal is to make computers as commonplace as the chalkboard. This community partnership begins with a \$40-million payment this year. We will help buy computers for local school districts, targeted at the schools that need them the most. And just as important, we will link these computers with other classrooms, with our communities, and with our institutions of higher education. Think about it — virtual libraries, virtual classrooms, and teachers trained to use them.

Coupled with an expansion of the distance learning network, soon Pennsylvania's children will be able to talk, interact, and learn from each other. In fact, tomorrow I will have the chance to use this new technology. From our capital, I will be linked to students in Philadelphia, Erie, and Indiana. Together we will explore the information superhighway and demonstrate that in the age of cyberspace, classrooms should not just be preparing for the 21st century, they should be living in it.

We reach out to Pennsylvania's children in other ways as well. Three- to five-year-olds receive more help with a \$2-million increase in Early Intervention. We will create a better atmosphere for learning with an increase for Safe Schools and Alternative Schools. And we will bolster Pennsylvania's support of lifetime learning with an additional \$1 million for public libraries.

Last year, Pennsylvania's school districts received their largest funding increase in basic education in 4 years. This budget sustains that record funding level, but it will not increase. Yet we can still provide millions and millions of dollars to our school districts without asking taxpayers to pay more. I challenge the General Assembly to send me the broadest possible mandate relief package for our local school boards. That way, we can relieve the tax pressure on older Pennsylvanians and property owners. Spending previously dictated by Harrisburg will be directed at the local level by teachers and schools and parents. The Pennsylvania School Boards Association estimates that the elimination of one mandate alone — mandatory sabbaticals — could save \$225 million. That is the equivalent of the General Assembly voting for a 6.7-percent increase for basic education. Send it to my desk. It is a bill I will be proud to sign.

For me, one of the most difficult decisions in the budget was to not include the line item for educational opportunity grants. It is no secret how I feel. There are only three or four people who applauded that. Maybe we should have that vote now, Mr. Speaker. It is certainly no secret how I feel; giving parents and children choices must be one of our highest educational goals. I will continue to make my case to Pennsylvanians. I am confident that their support of this reform will soon be reflected in this chamber. In other words, I will be back.

Last year we began another very important debate in Harrisburg. It was a debate about the relationship between government and those it serves. It is, in part, a debate about welfare. We must continue that debate now.

Pennsylvania is a compassionate and generous State. We care about one another. And for years we have spent billions to eradicate poverty and help the most vulnerable. Right now 33 cents of every dollar Pennsylvanians send to Harrisburg is spent by the Department of Public Welfare.

Despite our good intentions, despite the unprecedented sums of money, government has failed to break the cycle of dependency. We failed because along the way we separated welfare from our traditions and our common sense.

I call upon this legislature to pass welfare reform that embodies Pennsylvania's traditions: its work ethic, its commitment to family, and the importance we place on education. It is just common sense.

Common sense — those who receive benefits from the State should be held accountable. So we will require an agreement of mutual responsibility, an agreement of mutual responsibility between welfare recipients and the working Pennsylvanians who pay for their support.

Common sense — working welfare recipients should not be penalized for saving money. So we will not.

Common sense — teenage parents on welfare will always be on welfare without a diploma. So we will insist that they get one.

Common sense — it is difficult for welfare parents to go to work or go to school if they cannot afford day care for their kids. So we will make an unprecedented investment in child care — \$52 million more.

Common sense — self-sufficiency means work. So we will require work by the end of 2 years, and we will provide a 66-percent increase for job training to help people obtain it.

Our objective is not just to save taxpayers' money. Our objective is to save people. And if we do the job right, we will do both. We can no longer wait for Washington. I ask that the General Assembly begin work now on this reform. Together, I know we can get the job done.

Pennsylvanians are committed to helping the most vulnerable among us, but they also want safe neighborhoods, quality schools, and good roads. If we are to support the priorities of Pennsylvanians, this year and in years to come, we must get medical assistance spending under control. Over the last 10 years, the cost of medical assistance has soared 134 percent — double the rate of our State budget. These costs are staggering. We can no longer afford such broad coverage.

This budget tightens the eligibility for medical assistance benefits to able-bodied adults without dependent children, and it directs much of the savings to programs that support self-sufficiency — job training, drug and alcohol treatment, and special mental health services.

In addition, we accelerate our efforts to improve the management of this monstrous program. Today we begin implementing the dramatically improved Health Choices program, a managed-care program for medicaid recipients in southeastern Pennsylvania. We must explore any means to stretch these dollars as far as we can.

And we continue our special efforts for children. I propose we redirect another penny of the existing State cigarette tax to the Children's Health Insurance Partnership, or CHIP. As you know, this program provides health insurance to children of the working poor. Total costs soon will outstrip its dedicated revenue. This is an important program. We will find the savings to sustain it. For example, the savings generated by the simple merger of the Department of Community Affairs into the Department of Commerce will free up resources to support the children in CHIP.

We also looked for ways to improve services for older Pennsylvanians. I propose a \$20-million expansion of the PACE program, so another 26,000 older Pennsylvanians can get help in obtaining prescription drugs. We also give assistance to over 1,100 more seniors to create options other than nursing homes, so they can stay in the homes and the communities they hold dear rather than in nursing homes. And to honor the sacred contract between government and our veterans, we will open a new nursing-home facility in southwestern Pennsylvania.

A year ago, I stood before you to open the special session on crime. Thanks to your bipartisan work, it was an unprecedented success. We enacted 37 laws, each of them designed to make Pennsylvanians safer. We elevated victims' rights. We sent an unmistakable signal to violent juveniles that the rules had changed. They are now held accountable for their actions. We took bold steps to modernize our rape laws, to protect communities against those who assault our children, to keep firearms out of the hands of criminals, and we made the death penalty a reality, not an idle threat.

Now we must continue our work to make every community safer. This budget includes \$62 million for the continued expansion of our prison system. Now, some in the Capitol will criticize this expenditure. Most Pennsylvanians will not. Those who murder, assault, and rape our neighbors must be put away.

We expand our efforts to prevent crime. This budget funds new grants for counties to expand drug and alcohol programs. We offer juveniles a chance to turn their lives around before they become violent. We fund expanded drug and alcohol treatment in our prisons and provide new community grants for crime-prevention strategies. We also continue to increase our support for the probation and parole system. Greater vigilance and greater oversight and hopefully fewer incidents of repeat crime.

Pennsylvanians, your State government will continue to do more with less. There is a sign hanging in my Budget Secretary's office. Some of you may have seen it. It says, "Nothing stimulates the imagination like a budget cut." It is true. And by the way, who said government should get bigger just because it is a year older? We should strive to be leaner, more responsive, and more friendly to you, our customer, the taxpayer. We have already begun this work in earnest.

Last year I led the way, cutting the Governor's Office budget by 10 percent. This year I cut my budget again.

We eliminated the Department of Environmental Resources. Now it is a leaner Department of Environmental Protection. Its mission: to cooperate with Pennsylvanians in the joint venture of environmental preservation. With the newly established money-back guarantee program, we put our money where our mouth is. In doing so, we introduced to government a very novel concept — timely answers, timely responses, to our citizens.

We must do everything we can to make it easier to do business with the State. We simplified tax forms. We have increased electronic access to information with the Pennsylvania Internet Home Page.

But there is more, much more, to be done. Too often, PennDOT has greeted taxpayers with a complicated form, a long line, or a busy signal. That will change. We will put our customers first with Saturday hours, easier vehicle registration, and driver's license testing in our schools.

At the Department of State, we begin the process of computerizing campaign finance records. Candidates will be able to submit their reports on disk, and those disks will be made available to the public.

And finally, this morning I signed an executive order that calls for a statewide regulatory review among all departments. We want to make sure that regulations are in plain language, easily understood, and do not cause more harm than good.

When the blizzard and the flood struck, State government responded with teamwork, cooperation, and timeliness. No one said, "I don't do windows." Everybody did them.

PennDOT and the Department of General Services workers joined National Guardsmen. They worked around the clock to clear snow-covered roads. Our park system and State universities loaned heavy equipment and machinery. The Department of Banking worked with the private industry to provide special low-interest loans to aid disaster victims. The Blizzard Brigade was out in full force. A job needed to be done, and it got done.

State government did something it should do all the time. It pulled together to pull Pennsylvania through. Its response was creative and decisive, and Pennsylvania is stronger for it.

Now we must apply the same creative energy and the same decisive action to the task that will outlive this generation, uniting Pennsylvania with the 21st century.

This budget is for the 21st century.

We merge the traditions of our past with new directions for our future. We take another step to fulfill the great promise and potential our Commonwealth holds, and we say to Pennsylvania's children, we dared to do more and to do things differently, not just for us but for them.

Thank you, and God bless you.

### JOINT SESSION ADJOURNED

The LIEUTENANT GOVERNOR. The Chair asks that the members of the House and visitors remain seated for just a moment while the members of the Senate leave the hall of the House.

The business for which the joint session has been assembled having been transacted, the session is now adjourned.

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

The SPEAKER. The House will come to order.

### MOTION TO PRINT PROCEEDINGS OF JOINT SESSION

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the proceedings of the joint session of the Senate and the House of Representatives held this 6th day of February 1996 be printed in full in this day's Legislative Journal.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Barley, who requests that the gentleman from Perry, Mr. EGOLF, be added to today's leave of absence list. Without objection, leave will be granted. The Chair hears no objection.

Members will please take their seats.

### STATEMENT BY MAJORITY LEADER

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

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, Governor Tom Ridge showed us today he is a man of principle. When he was elected to lead this great State, he promised to cut the size and the cost of government. This budget reflects mainstream pocketbook principles of families across this great State. We have to live within our means.

For the first time in 25 years, a Governor has proposed spending less next year than this spending year.

Spending less; \$60 million in additional tax cuts to spur the creation of new jobs; cutting unneeded bureaucracy; getting government focused on serving its customers – the hardworking taxpayers who give us the money that we spend. Those are the priorities of this budget.

No one in this House should be surprised at what we are facing this year. The Governor has painted a realistic portrait of Pennsylvania's economy and has laid before us a challenge that we must face.

In 1991 we faced a somewhat similar scenario, but the final result was much different. In 1991, instead of tightening the belt, Governor Casey pushed for the largest tax increase in Pennsylvania's history. This year we are going to tighten our belt and live as Pennsylvanians expect us to live – as they have to live themselves.

That means no tax hikes, Mr. Speaker. That means making difficult decisions. That means facing our problems right up front. That means expecting every Pennsylvanian to assume responsibility for their lives and not to expect government to do that for them, Mr. Speaker.

Pennsylvania is compassionate, as the Governor said. We do more than 48 States do through our optional welfare programs. Just one example is Governor Ridge's proposal for an additional \$51 million to provide day-care services for 14,600 more families.

I am very pleased that the Governor has proposed expanding the older Pennsylvanian prescription program – PACE (Pharmaceutical Assistance Contract for the Elderly), as we all know it – by some 25,700 persons.

I am pleased to see funding for education technology that I have been hearing on the radio all week, so I am sure it is a priority for both sides of the aisle. That is an important step forward to prepare our young people to compete in the 21st century.

As we read through the budget, you will see the Governor is being bold and innovative. It is a refreshing change. It shows us once again that Harrisburg, thankfully, is not Washington, D.C.

In Washington, the politicians tell you they are cutting and reducing the size of government, but they keep on increasing the amount of the taxpayers' money that is being spent on the programs.

In Harrisburg, when we say we are going to spend less, we will spend less so that taxpayers can have more of their own hard-earned dollars to spend as they wish.

This is a budget that hundreds of thousands of hardworking, tax-paying Pennsylvanians will applaud. This budget gives us no-frills, no-nonsense government. To me and the vast majority of my constituents and yours, that is government at its best. It sends a strong message to Pennsylvania taxpayers that this government, like families all across this State, is going to live within its means.



We will closely examine this budget in the coming weeks and months. We will listen to the varied perspectives. Our Appropriations Committee will hold hearings to closely examine this budget. Members will listen to the administration, and they will ask many questions. Members from both sides of the political aisle will have the opportunity to offer their ideas and suggestions to this budget.

In the end, Mr. Speaker, I am confident we will have a budget that will be on time and reflective of the principles that Governor Ridge outlined a short time ago. Thank you, Mr. Speaker.

### STATEMENT BY DEMOCRATIC LEADER

The SPEAKER. The Chair recognizes the Democratic floor leader, the gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

In the spirit of the loyal opposition, notwithstanding some of the laudable declarations of the Governor, it is incumbent upon us to have a perspective that is not necessarily parallel with the executive branch.

I am glad that my esteemed colleague from Philadelphia, the majority leader, has indicated that there will be a chance for cooperation with our Appropriations team and with our rank and file. I think that will certainly augment our process.

One thing, however, Mr. Speaker, that the Governor left unanswered was a fundamental question, and that fundamental question is, what happened to our \$500-million surplus? Where is it? How did the Republican leadership, Mr. Speaker, turn Pennsylvania's growing and vibrant economy with a half-a-billion-dollar surplus into an economic basket case in just 6 short months? Even before the blizzard and the flood, the document that sits in front of Representative Shaner's seat, where he is perusing it now, was already crafted, and \$500 million in surplus had been frittered away.

It is intensely ironic that so many of the challenges we face today come from former Congressman and now Governor Tom Ridge's colleagues in Washington, D.C. Here we are in February, and local schools do not have any idea what to expect from Washington. Here we are 5 months after the Federal Government was supposed to have passed a budget, and our Governor does not know what to expect from Washington, D.C., relative to major lifeline programs for our citizens such as Medicaid.

A year ago, Governor Ridge along with Republican leaders in the House, with a mellifluous and honey-tongued phrase, if I might borrow from Shakespeare, confidently told the people of Pennsylvania that they had the answers. If we cut business taxes faster than the Democrats had already enacted our business tax cuts, then Pennsylvania will be prosperous once again. It has not worked out that way, I share with my esteemed colleagues from Bucks; it has not worked out that way.

Meyer-Werft, Mr. Speaker, the German shipbuilding colossus, would have brought Pennsylvania not just 7,000 jobs but a whole new industry in one fell swoop — in one fell swoop — but Meyer-Werft is not the only debacle.

Last year— And think about it. These names resonate within our history. As we were growing up as boys and girls, we heard these names. They were intrinsically Pennsylvania. And in spite of a \$286-million trickle-down tax cut to our corporate brothers and sisters, last year Hershey Foods, Breyer's Ice Cream, Scott Paper, Zenith, General Electric, Harley-Davidson, and yes, our own

namesake, Quaker State Oil, voted with their feet and left Pennsylvania. Two hundred and eighty-six million in tax cuts, and some of Pennsylvania's giants left our Commonwealth. Nineteen thousand Pennsylvanians lost their jobs last year due to plant shutdowns, restructuring, and corporate consolidation.

Mr. Speaker, we need to stop the bleeding. We need to go back to being worker-friendly; worker-friendly, like they are in some of our western States. We have got to work and make sure that working men and women, make certain that these folks, once the corporate executives have boarded their planes to Boca Raton, as has the Scott Paper executive, we have got to make sure that the great mass of working Pennsylvanians who support families, these folks who ultimately drive our economy through the goods and services they buy in the marketplace, we have to make sure that their matters are attended to and that they are our preeminent goal.

It is imperative, Mr. Speaker, that we ask, what does this budget do for ordinary Pennsylvanians? And the answer is emphatically and succinctly, not much.

There is nothing here to make people feel more secure, Mr. Speaker, about their jobs, nothing to give parents more confidence that their children will have a good education and a secure future in our State. Little wonder — and one of our colleagues may be benefiting from this service very soon for other reasons, of course — but it is little wonder that United Van Lines says that Pennsylvania has more folks moving out than any State of the 50.

It used to be said, Mr. Speaker — and this is so poignant to those of us who from time to time read the business pages of our major newspapers — but it used to be that if you did your job well, you could keep it. Not any more. Downsizers are more anxious to get profits for stockholders and grossly bloated bonuses for CEO's (chief executive officers) by laying off a few hundred workers. It does not matter how you did your job. And even white-collar, white-collar, middle-class suburbanites have greater job anxiety right now, Mr. Speaker, because they know, they know their job does not depend upon performance. In fact, while American businesses were racking up record profits last year, the salaries of CEO's jumped 30 percent. The average worker's pay jumped 2.7 percent; 30, 2.7. Business-friendly; we have got to make Pennsylvania worker-friendly, Mr. Speaker.

Here is a gross and obscene fact, a national statistic, but it is adapted in our Commonwealth: The top 1 percent, the top 1 percent of our individuals control 42 percent of our wealth. That is a staggering statistic. The top 1 percent of our people control 42 percent of our wealth. That is unacceptable. It is a perversity of greed that reaps a bitter harvest, Mr. Speaker, for our citizens, and quite frankly, it is a result of being business-friendly instead of worker-friendly.

This so-called friendly culture has seen workers lose their health security. In 1980, when I had only been here about 4 years, 72 percent of our workers had health care at the job site. Today, today only 37 percent of the folks around our State from Butler County to Bucks County have health care; 37 percent.

Defying imagination, Mr. Speaker, it gets worse. Today the Governor adds cuts in Medicaid, cuts in the Health Department's prevention programs, and a license to pollute.

The Governor's platitudes notwithstanding, it is time for Pennsylvania to have a real plan, not a shell game, a plan that would keep Pennsylvania businesses in Pennsylvania. We should make that our top priority — to keep Pennsylvania businesses in Pennsylvania.

Pennsylvania needs a plan that does not confuse economic development with community development. The Governor's plan to submerge Community Affairs within the Department of Commerce is a regrettable example of such confusion. And away from my written remarks, the idea of paying for the CHIP program by savings from DCA (Department of Community Affairs) is a dictionary definition of the word "specious" — apparently good, yet lacking real merit.

A community is more than the sum of its businesses, Mr. Speaker. The Ridge plan exalts business issues over community issues, ignoring housing, cultural heritage — cultural heritage — and infrastructure, many things that DCA and only DCA does extremely well.

Governor Ridge should listen to the 80 or 90 percent of our township supervisors and borough council people who do not want to decimate DCA.

That is not the only thing that local leaders will oppose. While the Governor talks about saving \$30 million at the State level, he does not mention that this savings is achieved by shifting hundreds of millions of dollars in costs to local taxpayers.

As for the other priorities Governor Ridge enunciated in his budget proposal, they are stark statements that show him and other Republican leaders to be out of touch with ordinary Pennsylvanians. Those priorities, however, are consistent with the fact that the Governor gave 97 days for known tax cheaters to ante up. He only gave the poor 20 days to get their heating assistance in line.

I would assert to the gentleman from Philadelphia, my colleague in the majority pit, that this budget gets an F for education. The Republicans have drastically underfunded rural schools. They give these kids an education that locks them in the 20th century as we stand on the threshold of the 21st.

Governor Ridge's education proposal will produce higher property taxes, not just in Greene and Fayette and Washington and Monroe and Susquehanna and Union and Snyder and Bedford but I believe, I believe higher property taxes in our big cities as well, and that is going to help pay for our local schools.

Last year Governor Ridge told us "There is absolutely nothing a government program can do to provide a breadwinner's job unless people have a good education." A good education is the foundation for a breadwinner's job. This budget fails to provide it, and the Governor will not get support for an economic development scheme that he himself has consigned to failure.

If Republicans are serious about helping Pennsylvania business stay here — Hershey Foods, Breyer's Ice Cream, Harley-Davidson, Scott Paper, et cetera — they will have to join us as we insist that we do as good a job at educating rural kids, rural kids. And 15, 20, 25 of my respected colleagues on the other side of the aisle have the same kind of numerical challenges within the budget formula as a rural legislator as I do, but they are going to have to join us or else rural kids and urban kids are just going to continue to be educated in a way that is less effective than our affluent suburbanites.

One percent of the population controls 42 percent of the wealth, and it is pregnant, wealth is pregnant in our suburbs. And our rural areas and our major urban centers, in many cases, are destitute of economic activity and the kind of lifestyle that we should want for all of our sisters and brothers.

Governor Ridge's budget means that Harrisburg Republicans are content for tuitions to go higher at our colleges and universities. When the distinguished gentleman from Chester organizes his

Appropriations hearings, I would speculate that our leaders in higher ed will desperately need more money, and mom and pop back home will be anteing up additional money for tuitions. Why? It is reflected by a lack of focus and a lack of money for higher education inherent in this document. Washington, D.C., is going to make drastic cuts in education, and we are not going to respond.

Governor Ridge's budget means that we will spend even more tax dollars keeping people in jail, and jail does nothing to strengthen local or State police and neither does this budget. This budget does not do anything for victims; it does not do anything to respond to Representative Tangretti's aggressive and substantive efforts last year to try to focus on more money for local law enforcement.

In this budget debate, Mr. Speaker, Democrats will be working to establish priorities for Pennsylvania. We will try to make them so that our Commonwealth is worker-friendly, citizen-friendly, rather than just business-friendly. We want to be business-friendly, too.

Under the rubric of jobs and economic security, Democrats propose that Pennsylvania businesses be first in using public funds to retain and create jobs. We want to be the first, Mr. Speaker, to make sure that some of our public money is invested to create jobs and especially in communities of the greatest need — our urban centers and our rural settings.

We want to insure a sound education for a secure future. By doing that, Democrats will work to increase State funding for rural, small, and urban schools to give each and every child a level playing field for learning.

We are going to try to cut tuition, Mr. Speaker, not raise it at our State System of Higher Education and our State-related universities. That is going to be our goal in the Appropriations process.

The goal of Democrats is to prevent crime before it happens. We want to strengthen our local and State police.

Relative to taxes, the Democrats want to abolish property taxes except in the communities that want to keep them.

And finally, Mr. Speaker, Democrats are proposing a government that citizens can count on. We are going to aggressively embrace sweeping reforms and open public meetings to the public, and hopefully, pass campaign finance reform.

These priorities for Pennsylvania show our people that Democrats care about them and their future.

In the coming months, we will welcome the participation of our moderate friends on the other side of the aisle who share our vision so that we can make this a reality.

In closing, I could not help but say that the workers' compensation aspect of our Governor's speech reminds me a lot of last year's speech when he said that \$286 million in tax reductions would trickle down to who knows who. Hopefully it would have been Harley-Davidson and Hershey Foods and Quaker State Oil, or maybe even Meyer-Werft, but now we have this ostensible and I think specious manifestation of workers' compensation reform.

Trickle-down economic development at its most piercing lucidity. It is not going to happen; it is not going to happen. We are going to be here 1 year from today giving tax breaks to corporate potentates, fighting and scuffling relative to ostensible workers' compensation reform. Trickle-down did not work in the eighties, it is not working in the nineties, and hopefully, the Democratic Party will stand unyielding to make certain that our workers' rights are not jeopardized or threatened.

Thank you, Mr. Speaker, for the attention of my colleagues and for your discretion.

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Was that a speech for another \$3-billion tax increase? I did not catch that, Mr. Speaker. I do not know how we are going to fund all those things.

But there are a couple of things that we have to deal with. Number one, we are in a global economy, and each and every one of you knows that we are in a global economy. So when you start to talk about Meyer-Werft, think about Meyer-Werft.

When the Governor came up with roughly \$45 million for Meyer-Werft, I asked the Deputy Secretary of Commerce to call Christie Todd Whitman's office in New Jersey and ask, what about the money she was going to put up as part of this deal? They said the whole deal was a joke. They did not believe it. Then we asked, what about Mayor Rendell? How much money is he putting up? He is going to put up \$20 million, but it is Federal money and he does not have it yet. Then we asked about the Delaware River Port Authority, and our people told us they were already bonded to the hilt, so they had no money. So we do not know where all this money was coming from. The only person with a legitimate check was the Governor of the Commonwealth of Pennsylvania. And just for your information, since we are talking about workers' comp and losing jobs, for a sheet metal worker in the city of Philadelphia, it is \$51 per 100 a payroll for workers' compensation costs, so ultimately they were not going to be competitive anyway. So they would have had to leave anyway just based on what we pay in workers' compensation, Mr. Speaker.

Now, the right honorable gentleman mentioned the fact that we lost \$500 million. A majority of the members in this chamber — roughly 30 Democrats, roughly 98, 100 Republicans — voted for tax cuts at \$280 million last year, and we have revenue increases at \$350 million. That is where the money comes from, and that is where it went; that is exactly where it went, Mr. Speaker.

The budget reflects what is going on in Washington. The Governor said that. He told you we are taking about a \$600-million hit from Washington, and he told you the budget reflects that.

What does the budget contain? Tax cuts and job growth. If you turn to page 3 in what the Governor gave us, he said already it seems that the results are showing. This past year Pennsylvania created nearly 30,000 jobs. That is the right direction. I am told by our staff people we went from 49th in America for new jobs to 46th. Not a great change but at least in the right direction.

Cut spending growth was part of his budget. All of us said we believe in that. Restructure State government, reducing the size of State government. The only thing that increased largely was our prison system, because every one of you, almost to a person, voted to restructure the way we treat criminals in Pennsylvania and we said let us lock them up. So if you turn to page 8, it tells you we spent about \$60-some million more on prisons in order to lock those people up we said ought to be locked up, and each one of your constituents wanted them locked up also just like mine want them locked up. So I think we are headed in the right direction.

I watched TV last night and I saw — I will not mention the name because Representative Nyce would be upset — it is a Democrat candidate for Auditor General, who said that a good job is the answer to our problems, not the welfare system. That is what Democrat candidates are saying running for office, and that is what I think we all believe in here; at least the majority of us believe in

that, Mr. Speaker. I think that sets the tone for which way we should be headed. Maybe it does not address all the priorities we would like to see, but at least it is headed in the right direction. I do not think the people want to see tax increases.

You know, the Governor, when he talked about education— Maybe the minority leader missed the Links program — that is on page 6 — which talked about how much more was going to be spent just based on Links, but there were two compelling sentences on page 6 in paragraph 3. "Last year, Pennsylvania's school districts received their largest funding increase in basic education in 4 years." But later on — and I will be glad to cosponsor this with the minority leader and bring it out and bring it up for a vote and use the money to subsidize basic education — "...mandatory sabbaticals — could save \$225 million. That is the equivalent of...voting for a 6.7-percent increase for basic education." And here is what it says: "Send it to my desk. It is a bill I will be proud to sign." I am proud to bring it up, but I need some support on the other side. If you are with me, we will do it. We will give them \$225 million, and the Governor is with us on that one.

And, Mr. Speaker, if you look at welfare spending and where we are, if you would read what the Governor said, 33 cents on every dollar we collect goes for welfare. My research people — the speech I gave said we were third in America — my research people tell where we are second in America for the amount of money we spend on welfare. We are not trying to deprive nor cheat people. We are trying to restructure it so people can get jobs and go to work and be productive. That is what we are trying to do, and that is what we stand for.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. On a side note, Mr. Speaker — enjoying the flexibility that the Speaker always allows for floor leaders — I just want to say for multitudinous reasons I will look forward to traveling to the anonymous arms of Las Vegas and visiting my good friend when he has wafted to the western State.

Now, I only have one moment of interrogation, one moment of interrogation to the, to embrace the British parliamentary parlance of Perzel, the right honorable gentleman, which I naturally — enjoying an occasional tautology — enjoyed his remark.

I have one moment, one question for the gentleman. Will he submit to interrogation for one question?

The question is, would you asseverate to my colleagues and to your own irrevocably that in this session or any special session during this year you will not advocate, embrace, endorse, and propound a tax increase, gas or otherwise? Would you tell me that you are not going to embrace any tax increase between now and the end of session? Yes or no, and then we can have lunch.

Mr. PERZEL. I am sorry I did not get right back to you, Mr. Speaker. I had to have his translation done.

That is our intent, Mr. Speaker.

### STATEMENT BY MR. BLAUM

The SPEAKER. The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I will not go on about the shortcomings of this presentation; I think the minority leader did a good job, but I think there are some things that the members of this House can be proud of, and that is on June 6 of 1995 we passed and sent to the Senate an increase and expansion of the prescription drug program for Pennsylvania senior citizens. This House did that, sent to the

Senate a whole host, a menu of suggestions on how we could best include additional senior citizens to be covered underneath the prescription drug program.

Our proposal – all the members of this House – has sat in the Senate ever since June 6 of 1995, and I think it is disingenuous for anyone to say that they propose an expansion. The leadership was done by the members, by the 203 members of this House, and I hope that the Senate will act on it so that senior citizens in all of our districts, more senior citizens in all of our districts, can be covered by this fine program. Thank you, Mr. Speaker.

#### STATEMENT BY MR. FLICK

The SPEAKER. The gentleman from Chester, Mr. Flick.  
Mr. FLICK. Thank you, Mr. Speaker.

For the record, I would just like to indicate that yesterday in a bipartisan fashion the House Subcommittee on Basic Education approved a bill, HB 1031, which would eliminate State-mandated sabbaticals and leave the decisions solely to the local elected school board officials, and I suspect that that bill will be acted on by the full Education Committee possibly as early as tomorrow, and we would hope we have that bill reported to the chamber this week or the early part of next week. Thank you, Mr. Speaker.

#### STATEMENT BY MR. KING

The SPEAKER. The gentleman, Mr. King.  
Mr. KING. Thank you, Mr. Speaker.

I think it is only appropriate for me to extend an invitation to all the members of the House who may choose to visit me as I move to another State in the future, especially those who may be traveling back from the Far East. Thank you.

The SPEAKER. The Chair is advised that there is no need for caucus. Is that correct, Mr. Cohen? Is that accurate?

#### RECESS

The SPEAKER. Does the majority leader or Democratic floor leader have any further remarks, statements, or announcements?

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

#### AFTER RECESS

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

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

**HB 1346, PN 3087** (Amended) By Rep. MERRY

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, changing the date of appeal.

LOCAL GOVERNMENT.

**HB 1566, PN 3088** (Amended) By Rep. MERRY

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for inspection of assessment rolls and for appeals.

LOCAL GOVERNMENT.

**HB 2002, PN 3089** (Amended) By Rep. MERRY

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, providing for auxiliary appeal boards in counties of the second class A; and further providing for rules and regulations.

LOCAL GOVERNMENT.

**HB 2021, PN 3092** (Amended) By Rep. MERRY

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for taking money and property by gift, for creation of a capital reserve fund, for the operating reserve fund, for billing and collecting by the county treasurer, for functions of the controller, for custody of documents, for books of fiscal affairs, for settlement of accounts, for audit of accounts, for claims against a county, for reports to commissioners, for fees of witnesses and jurors, for receipts and accounts of money due a county, for preparation of proposed annual budget, for amending budgets, for levies, for tax rates, for appropriations, for filing the budget, for notice and for the preparation of uniform forms; and providing for refusal to submit to examination and for the procedure for approval.

LOCAL GOVERNMENT.

**HB 2041, PN 3090** (Amended) By Rep. MERRY

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, providing for correction of errors and informal review in counties of the second class A.

LOCAL GOVERNMENT.

**HB 2102, PN 3091** (Amended) By Rep. MERRY

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, further providing for assessment appeals; and providing for changes in assessment in counties of the second class A.

LOCAL GOVERNMENT.

**HB 2239, PN 3093** (Amended) By Rep. MERRY

An Act providing for purchases by public agencies of products and services using Federal contracts; providing for powers and duties of the Department of General Services; and exempting purchases using Federal contracts from advertising and competitive bidding requirements.

LOCAL GOVERNMENT.

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

The clerk of the Senate, being introduced, returned **HB 2079, PN 3076**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**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 1823;  
SB 399; and  
SB 944.

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 1823;  
SB 399; and  
SB 944.

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

**COMMUNICATION****LOBBYIST LIST PRESENTED**

The SPEAKER. The Chair acknowledges receipt of a list of lobbyists who have registered under the Lobbying Registration and Regulation Act, which the clerk will file.

The following communication was submitted:

The General Assembly of Pennsylvania  
Main Capitol Building  
Harrisburg, Pennsylvania 17120

February 1, 1996

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania  
To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from January 1, 1996 through January 31, 1996 inclusive, for the 180th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:  
Mark R. Corrigan, Secretary  
Senate of Pennsylvania

Ted Mazia, Chief Clerk  
House of Representatives

(For list, see Appendix.)

**ANNOUNCEMENT BY MR. CLYMER**

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

Mr. CLYMER. Mr. Speaker, am I in order to make an announcement?

The SPEAKER. The gentleman may make his announcement.  
Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, if I could have the attention of the House members for just 30 seconds—

The SPEAKER. The House will come to order.

Mr. CLYMER. Thank you.

The SPEAKER. The House will come to order.

Conferences on the floor, conferences on the floor, please break up.

Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I have at the clerk's desk, at the bill clerk's desk, a House resolution that commemorates the 100th birthday of World War I veteran Sgt. W. Gordon Lundie. I understand that members must sign it; I just cannot make an announcement that everyone sign. So I am asking those who wish to sign that resolution, that House resolution, please go to the bill clerk's desk and sign that resolution. It will be introduced tomorrow. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**CALENDAR****RESOLUTIONS PURSUANT TO RULE 35**

Mr. PETRONE called up **HR 278, PN 3057**, entitled:

A Resolution congratulating the Pittsburgh Steelers for winning the American Football Conference Title.

On the question,  
Will the House adopt the resolution?

The SPEAKER. Is there any debate on this?

This is a congratulatory resolution regarding the Pittsburgh Steelers, a well-deserved resolution.

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

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Egolf	Pistella	Steil
Dent			

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

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Mr. BUNT called up **HR 280, PN 3075**, entitled:

A Resolution designating February 4 through 10, 1996 as "National Boy Scout Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED—5

Bishop                      Egolf                      Pistella                      Steil  
Dent

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

**COMMITTEE MEETING CANCELED**

The SPEAKER. The Chair interrupts the votes at this time and recognizes the gentleman, Mr. Hasay, who advises the members that the committee meeting previously scheduled for the Commerce and Economic Development Committee has been canceled.

**GUESTS INTRODUCED**

The SPEAKER. The Chair also at this time would like to welcome to the hall of the House Dondee Sponseller, a student at Hanover High School, here today as the guest page of Representative Steve Nickol. Would the guest page please rise.

The Chair is pleased to welcome to the hall of the House, as the guests of Representatives Matt Wright and Tony Melio of Bucks County, representatives of the Pennsylvania Society of Land Surveyors — Don Rife and Don Kamp. These gentlemen are to the left of the Speaker. Would the gentlemen please rise.

**ANNOUNCEMENT BY MR. HASAY**

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

Mr. HASAY. Yes. Thank you, Mr. Speaker.

Mr. Speaker, the House Commerce and Economic Development Committee meeting that was scheduled, as you made an announcement, has been canceled for Thursday. However, we do hope that the meeting will be rescheduled for next Wednesday at 1 o'clock. A notice will be sent out in the future. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1036, PN 2981**, entitled:

An Act providing for Commonwealth support for a Mental Health and Mental Retardation Staff Member Loan Forgiveness Program for Commonwealth residents who graduate from institutions of higher education and who apply their degrees to careers as mental health and mental retardation staff members in this Commonwealth.

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

Mr. COWELL offered the following amendment No. **A0251**:

Amend Sec. 4, page 3, line 12, by inserting before "A"

(a) General rule.—

Amend Sec. 4, page 3, by inserting between lines 27 and 28

(b) Limitation.—A loan forgiveness award shall not be made for a loan that is in default at the time of the application.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Cowell, with respect to amendment A0251. Is that the proper number, Mr. Cowell ?

Mr. COWELL. Yes.

The SPEAKER. The gentleman is recognized.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, in 1993 the legislature approved the Early Childhood Loan Forgiveness Program, and the year before that we approved the Agriculture Education Loan Forgiveness Program. The amendments that I am offering today, beginning with amendment 251, are intended to have the bill before us, after it is amended, mirror the language in those two earlier loan forgiveness programs that we established.

The amendment that I am first offering would provide language that a loan forgiveness award shall not be made for a loan that is in default at the time of the application. That is language that we added in 1993 to the Early Childhood Loan Forgiveness Program. In principle, the message is we will not give awards to those individuals who have already defaulted on their loan obligations.

Mr. Speaker, I would urge that we approve the amendment.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Petrone, from Allegheny County seek recognition on this amendment ?

Mr. PETRONE. Thank you, Mr. Speaker.

I ask for an affirmative vote—

The SPEAKER. The gentleman is recognized.

Mr. PETRONE. Thank you, Mr. Speaker.

I, too, ask for an affirmative vote on Mr. Cowell's amendment, which I believe has been agreed to by both sides of the aisle.

I would like to make a few remarks, if I may, regarding this piece of legislation.

The SPEAKER. Do I understand the gentleman to say that he wants recognition on final passage, not on the amendment ?

Mr. PETRONE. That is correct, Mr. Speaker.

Yes, sir. Not now, but final passage. Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

**YEAS—197**

Adolph	Fairchild	Lynch	Saylor
Allen	Fajt	Maitland	Schroder
Argall	Fargo	Major	Schuler
Armstrong	Farmer	Manderino	Scrimenti
Baker	Feese	Markosek	Semmel
Bard	Fichter	Marsico	Serafini
Barley	Fleagle	Masland	Shaner
Battisto	Flick	Mayernik	Shechan

Bebko-Jones	Gamble	McCall	Smith, B.
Belardi	Gannon	McGeehan	Smith, S. H.
Belfanti	Geist	McGill	Snyder, D. W.
Birmelin	George	Melio	Staback
Blaum	Gigliotti	Merry	Stairs
Boscola	Gladeck	Michlovic	Steelman
Boyes	Godshall	Micozzie	Stern
Brown	Gordner	Mihalich	Stetler
Browne	Gruitza	Miller	Stish
Bunt	Gruppo	Mundy	Strittmatter
Butkovitz	Habay	Myers	Sturla
Buxton	Haluska	Nailor	Surra
Caltagirone	Hanna	Nickol	Tangretti
Cappabianca	Harhart	Nyce	Taylor, E. Z.
Carn	Hasay	O'Brien	Taylor, J.
Carone	Hennessey	Olasz	Thomas
Cawley	Herman	Oliver	Tigue
Chadwick	Hershey	Perzel	Travaglio
Civera	Hess	Pesci	Trello
Clark	Horsely	Petrarca	Trich
Clymer	Hutchinson	Petrone	True
Cohen, L. I.	Itkin	Pettit	Tulli
Cohen, M.	Jadlowiec	Phillips	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
Dermody	Lawless	Rohrer	Youngblood
DeWeese	Lederer	Rooney	Zimmerman
DiGirolamo	Leh	Rublely	Zug
Donatucci	Lescovitz	Rudy	
Druce	Levdansky	Sainato	Ryan,
Durham	Lloyd	Santoni	Speaker
Evans	Lucyk	Sather	

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Egolf	Pistella	Steil
Dent			

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. COWELL offered the following amendment No. A0286:

- Amend Sec. 3, page 2, by inserting between lines 15 and 16
  - (1) Is a resident of this Commonwealth.
  - (2) Has successfully completed an undergraduate program at an accredited college or university.
- Amend Sec. 3, page 2, line 16, by striking out "(1)" and inserting (3)
- Amend Sec. 3, page 2, line 23, by striking out "(2)" and inserting (4)

- Amend Sec. 3, page 2, line 27, by striking out "(3)" and inserting (5)
- Amend Sec. 3, page 3, line 1, by striking out "(4)" and inserting (6)
- Amend Sec. 3, page 3, line 5, by striking out "(5)" and inserting (7)
- Amend Sec. 3, page 3, line 6, by striking out "(6)" and inserting (8)

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

The SPEAKER. On the question of adopting amendment 286, the Chair recognizes the gentleman, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, if the second amendment which I am offering is approved, it will not be necessary to offer amendments 3 and 4.

The second amendment would insert in the language of the bill two additional criteria for the award applicants. One is that the individual must be a resident of the Commonwealth, and secondly, the individual must have successfully completed an undergraduate program at an accredited college or university.

Both of those terms or those criteria are found in the two earlier loan forgiveness programs that I mentioned as they were approved in 1993 and 1992. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Egolf	Pistella	Steil
Dent			

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Mrs. TAYLOR. Mr. Speaker?

The SPEAKER. On final passage, the lady, Mrs. Taylor, is recognized.

Mrs. TAYLOR. Thank you very much, Mr. Speaker.

I certainly want to begin by commending my colleague on the other side of the aisle for what I think he believes is a well-intended piece of legislation.

I, too, have been an ardent and long-time supporter of our friends in the MH/MR (mental health/mental retardation) community. We in our area are also always looking for very capable and well-intended leadership in the field of mental health and mental retardation. However, Mr. Speaker, I must say that this piece of legislation, in my opinion, does not reflect the goals that PHEAA (Pennsylvania Higher Education Assistance Agency) has set in their loan and grant programs.

Only this morning we were presented a budget that reflects a downsizing in our loan forgiveness programs. As Representative Cowell pointed out, we have several on the books — the rural and urban teacher forgiveness program, the child-care program, the agriculture program. If you check in those programs, you will find that we even have a piece of legislation in this House which does away with one of those areas.

This bill, in my opinion, expands a program and is not an answer to attracting capable personnel to employment in certain areas. This probably will not be the last time we will see a bill of

this nature, but, Mr. Speaker, I have to stand and report that I shall be voting in the negative on this legislation.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Allegheny County, Mr. Petrone, on final passage.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask my colleagues to vote in favor of HB 1036.

We have tried for four successive terms to get this piece of legislation moving, and now is the time if ever it was.

This legislation would create a loan forgiveness program for MH and MR staff workers who are employed full time as a director, caseworker, direct caregiver, therapist, or program coordinator by a county-approved mental health or mental retardation department or by a private provider under contract to the county. Let me point out, under in this bill, qualified applicants would make no more than \$35,000 per year and must have received a loan through PHEAA.

Mr. Speaker, there is an urgent need for mental health and mental retardation staff professionals in Pennsylvania. College students are choosing other specialties, and the pool of qualified staff members is dwindling. This bill will encourage both college students to enter this field and staff members to continue working in the Commonwealth.

The work that mental health and mental retardation staff members do is tough, it is demanding, it is difficult, but it is also vital. As a service to those who suffer from mental health problems, HB 1036 would help provide for those suffering from mental disabilities by making sure those who are entrusted with their care are well trained and dedicated to their profession, and I ask all of you for an affirmative vote. Thank you very much.

The SPEAKER. Does the gentleman from Montgomery, Mr. Lawless, seek recognition? The gentleman is recognized.

Mr. LAWLESS. Thank you, Mr. Speaker.

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

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

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, could you identify to the House any background or statistical information that you have that would give us some kind of feel for the need for this legislation as far as, is there a demand for these positions that is not being fulfilled in employment currently in Pennsylvania?

Mr. PETRONE. Well, the problem, Mr. Speaker, is the fact that the people are not staying in the field. This is true of virtually every county in the Commonwealth. We are unable to attract qualified applicants who stay and make it a career. They are leaving simply because we do not have this kind of an attractive program. I think everybody that is connected with any MH or MR program in any county is aware of this fact.

Mr. LAWLESS. I hear your answer, Mr. Speaker, but my question is, though—

Mr. PETRONE. I do not have numbers, if that is what you are looking for. I do not have the numbers—

Mr. LAWLESS. —do you know of any statistics that we have in any of the counties across Pennsylvania where we are lacking or there is an abundance of these jobs that have vacancies right now?

Mr. PETRONE. Well, Allegheny County is a prime example. I would think Philadelphia County. Two of the biggest are suffering from tremendous deficiencies in employment in these areas.

Mr. LAWLESS. Could you be more specific and tell me what hospitals or what agencies—

Mr. PETRONE. I can provide it. I do not have it in front of me, but I will be glad to provide it for you. I do not have it in front of me at this moment. My staff people that have worked on this and our county people have that information. We can do it county by county.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, may I speak on the bill?

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

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, once again we are moving to have loan forgiveness for another program which is going to cost the Commonwealth millions and millions of dollars at some point. We also do not have the facts behind where there are job vacancies and why there is a need for this right now.

**MOTION TO TABLE**

Mr. LAWLESS. So, Mr. Speaker, based upon the answers that were given to me by the prior speaker, I would like to make a motion to table this until these figures are available to the General Assembly, before we move on to a program to give away money again which necessarily may not be needed. Thank you.

The SPEAKER. The gentleman, Mr. Lawless, has moved that HB 1036, together with amendments, be tabled.

On the question,

Will the House agree to the motion?

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

The Democratic floor leader would waive his rights to debate, I am sure, to the gentleman, Mr. Fajt?

Mr. FAJT. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask the Democratic floor leader if I may debate on his behalf the motion to table?

The SPEAKER. Is that agreeable to the gentleman, Mr. Petrone, as a matter of courtesy? The gentleman indicates that it is.

The Chair recognizes the gentleman, Mr. Fajt.

Mr. FAJT. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to table and also to maybe attempt to answer some of Mr. Lawless' questions about the specifics of this program and hence the origin of his motion to table.

First of all, we have done these types of programs for—

The SPEAKER. The gentleman will yield.

The question now is on the motion to table, not on the merits of the bill. The merits of the bill should have been debated a little while ago. The only thing before the House is the motion of the gentleman, Mr. Lawless, to table or not to table. We are not going to re-debate the bill.

Mr. FAJT. Thank you, Mr. Speaker.

Mr. Speaker, I did rise to debate the merits of the bill earlier but was not yet recognized, and if it comes back up, I will do that again.

But I am rising to oppose the motion to table. This bill has been out there before. We are all aware of its contents. This is not a surprise to anybody that this bill is before the House today.

It is a bill that should be addressed now; it should not be delayed. People out there in the mental health/mental retardation field are very deserving of this legislation. Let us vote it today and take care of this matter once and for all.

Thank you, Mr. Speaker. I would like to ask my colleagues to vote against the motion to table.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Petrone, is not in order to debate this now.

The gentleman, Mr. Perzel, is recognized.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, on the basis of fairness, yesterday we had a resolution that was on the calendar for 12 days, which took us back to December 12, I believe it was. This bill has been on the calendar for 6 days, which takes us back quite some time.

So it has had plenty of time on the calendar, and I would oppose the motion to table.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—37**

Adolph	Fairchild	Micozzie	Steelman
Birmelin	Farmer	Nickol	Taylor, E. Z.
Carone	Flick	Nyce	Tigue
Civera	Gannon	Phillips	Waugh
Clark	Godshall	Raymond	Wright, M. N.
Clymer	Hess	Reinard	Zug
Conti	King	Saylor	
DiGirolamo	Krebs	Schroder	Ryan,
Druce	Lawless	Sheehan	Speaker
Durham	Masland	Smith, S. H.	

**NAYS—157**

Allen	Fajt	Lucyk	Rudy
Argall	Fargo	Lynch	Sainato
Armstrong	Feese	Maitland	Santoni
Baker	Fichter	Major	Sather
Bard	Fleagle	Manderino	Schuler
Barley	Gamble	Markosek	Scrimenti
Battisto	Geist	Marsico	Semmel
Bebko-Jones	George	Mayernik	Shaner
Belardi	Gigliotti	McCall	Smith, B.
Belfanti	Gladeck	McCiechan	Snyder, D. W.
Blaum	Gordner	McGill	Staback
Boscola	Gruitza	Melio	Stairs
Boyes	Gruppo	Merry	Stern
Brown	Habay	Michlovic	Stetler
Browne	Haluska	Mihalich	Stish
Bunt	Hanna	Miller	Strittmatter
Butkovitz	Hasay	Mundy	Sturla
Buxton	Hennessey	Myers	Surra
Caltagirone	Herman	Nailor	Tangretti
Cappabianca	Hershey	O'Brien	Taylor, J.
Carn	Horsey	Olasz	Thomas
Cawley	Hutchinson	Oliver	Travaglio
Chadwick	Itkin	Perzel	Treflo
Cohen, L. I.	Jadlowiec	Pesci	Trich
Cohen, M.	James	Petrarca	True
Colafigliola	Jarolin	Petrone	Tulli
Colaizzo	Josephs	Pettit	Vance
Cornell	Kaiser	Pitts	Van Horne
Corpora	Keller	Platts	Veon
Corrigan	Kenney	Preston	Vitali
Cowell	Kirkland	Ramos	Walko
Coy	Kukovich	Readshaw	Washington

Curry	LaGrotta	Reber	Williams
Daley	Laughlin	Roberts	Wogan
DeLuca	Lederer	Robinson	Wozniak
Dempsey	Leh	Roebuck	Wright, D. R.
Dermody	Lescovitz	Rohrer	Yewcic
DeWeese	Levdansky	Rooney	Youngblood
Donatucci	Lloyd	Rublely	Zimmerman
Evans			

NOT VOTING-3

Harhart	Rieger	Serafini
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EXCUSED-5

Bishop	Egolf	Pistella	Steil
Dent			

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

On the question recurring,  
Shall the bill pass finally?

The SPEAKER. The gentleman, Mr. Fajt, was next on our list. The Chair recognizes the gentleman.

Mr. FAJT. Thank you, Mr. Speaker.

Mr. Speaker, I would like to rise in support of HB 1036 and also to attempt to answer Mr. Lawless' questions earlier about specifics and the need for this type of legislation.

I served for 5 years on the board of directors of an organization by the name of Southwinds, which provides group homes for mentally retarded adults. I saw firsthand the problems that we had in attracting and keeping staff people in that profession. It is a profession that is high stress. It is a profession that is historically low paying. This type of legislation will make it more palatable for people who are making \$14,000 or \$15,000 a year, with college educations -- \$14,000 or \$15,000 a year with college educations -- this legislation will make these types of jobs more attractive to them, because they know that this is an economic benefit to them. I have seen that firsthand.

I am also very familiar with another organization that provides group homes in Allegheny County, an organization by the name of Step-By-Step. They also typically had turnover, significant turnover, in their staffing in the group homes because of wage problems, low-paying wages. People come in; they have their resume out on the street the day after they come in the door of these agencies; and as soon as they find a better-paying job, they take that job, and nobody can blame them for doing that.

This type of legislation is needed. It is working with the most defenseless people in our society -- people with mental retardation, mental illness. We need to get competent staff people to work with these individuals, and this legislation will allow that to happen.

I ask for an affirmative vote. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

YEAS-153

Allen	Fairchild	Lucyk	Sainato
Argall	Fajt	Maitland	Santoni
Armstrong	Farmer	Major	Sather
Baker	Feese	Manderino	Schuler
Bard	Fleagle	Markosek	Scrimenti
Barley	Gamble	Marsico	Semmel
Battisto	Geist	Masland	Serafini
Bebko-Jones	George	Mayernik	Shaner
Belardi	Gigliotti	McCall	Smith, B.
Belfanti	Gladeck	McGeehan	Snyder, D. W.
Blaum	Godshall	Melio	Staback
Boscola	Gordner	Michlovic	Stairs
Boyes	Gruitza	Mihalich	Stern
Browne	Gruppo	Miller	Stetler
Bunt	Habay	Mundy	Stish
Butkovitz	Haluska	Myers	Strittmatter
Buxton	Hanna	Nailor	Sturla
Caltagirone	Harhart	Nyce	Surra
Cappabianca	Hasay	O'Brien	Tangretti
Carn	Hennessey	Olasz	Taylor, J.
Cawley	Herman	Oliver	Thomas
Chadwick	Horsey	Perzel	Travaglio
Clark	Itkin	Pesci	Trello
Cohen, L. I.	James	Petrarca	Trich
Cohen, M.	Jarolin	Petrone	True
Colafella	Josephs	Pettit	Tulli
Colaizzo	Kaiser	Phillips	Vance
Corpora	Keller	Pitts	Van Horne
Corrigan	Kenney	Preston	Veon
Cowell	Kirkland	Ramos	Walko
Coy	Kukovich	Readshaw	Washington
Curry	LaGrotta	Reber	Williams
Daley	Laughlin	Roberts	Wogan
DeLuca	Lederer	Robinson	Wozniak
Dempsey	Leh	Roebuck	Wright, D. R.
Dermody	Lescovitz	Rooney	Yewcic
DeWeese	Levdansky	Rublely	Youngblood
Donatucci	Lloyd	Rudy	Zimmerman
Evans			

NAYS-42

Adolph	Fichter	McGill	Smith, S. H.
Birmelin	Flick	Merry	Steelman
Brown	Gannon	Micozzie	Taylor, E. Z.
Carone	Hershey	Nickol	Tigue
Civera	Hess	Platts	Vitali
Clymer	Hutchinson	Raymond	Waugh
Conti	Jadlowiec	Reinard	Wright, M. N.
DiGirolamo	King	Rohrer	Zug
Druce	Krebs	Saylor	
Durham	Lawless	Schroder	Ryan,
Fargo	Lynch	Sheehan	Speaker

NOT VOTING-2

Cornell	Rieger
---------	--------

EXCUSED-5

Bishop	Egolf	Pistella	Steil
Dent			

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 2360, PN 2989**, entitled:

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

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

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, in Philadelphia we have a State agency known as the traffic court, and outstanding and owed to the city of Philadelphia is 47 percent of any amounts of money collected, which means that 53 percent of this bill or these funds goes to the State.

Outstanding and uncollected is \$324 million, Mr. Speaker. That I know of, there is no State agency in the Commonwealth with this number of outstanding funds. We have scofflaws in the city of Philadelphia who owe upwards of \$40,000, each one, and there is no method or methodology other than the traffic court bringing these people before them to collect these funds.

Mr. Speaker, this particular bill with its impoundment portion, this legislation will allow traffic court to seize individuals who owe huge amounts of money. The top four, for example, one owes \$36,000, one owes \$40,000, one owes \$31,000, and one owes \$30,000. These are for outstanding moving violations owed to the State. This bill will allow the traffic court in Philadelphia to collect these particular funds. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Dermody.

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this bill would give local municipalities' police officers the ability to impound a car if a traffic record shows or if a driving record shows that a person owed \$250 on a citation.

Now, I have had several people come into my office and I am sure you have had constituents come into your offices with problems with their driving records, errors on their driving records, people with receipts that have indicated they have paid fines and yet their driving record in the computer shows that they have not paid those fines. Now, if this bill were law, that person could be driving down the street in the middle of the night, stopped for whatever reason, and if that record showed that they owed \$250, that police officer could impound the car on the spot.

Now, we should not allow police officers or anybody else to be able to take a person's car for a nonpayment of a \$250 fine that may well be an error, and I hope that everybody will oppose this bill. People should not lose their cars because of a computer error.

The SPEAKER. The Chair recognizes the gentleman from Bucks County, Mr. Wright.

Mr. M. N. WRIGHT. Thank you, Mr. Speaker.

HB 2360 was the genesis of our HR 38 that we passed earlier this summer. At that particular point, the resolution was to try to identify ways— When the law enforcement agencies identify cars on the streets that have been suspended and should not be out on the road and are causing accidents with our legitimate constituents,

what we are trying to do is develop some sort of a way that we can get these cars off the road. In this particular case, this is a scofflaw bill. These are people that have been convicted. These are not innocent victims. These are people that have been convicted, have gone to court and lost and are convicted, have been given the chance to pay the bills, have been given the chance to pay the bills and then thumbed up their noses. These are people that have thumbed up their noses to our system and then went out and got behind the wheel again, after they have been in court, they have had their day in court, they lost, they have had at least one ticket, and their total outstanding fines have to be more than \$250, and they have to be given up on paying it. If they have a plan, that is fine, but these are people that have stopped paying and these are people that have been convicted. These are scofflaws.

In this particular bill, it only affects specifically the county of Philly. If any other community would like to be in on it, by local ordinance by the municipalities, their boards or their supervisors can opt to come into it by ordinance, but it only specifically brings in the county of Philadelphia right now.

These people are people, as I said, that are not the victims of what was mentioned before, the computer mistakes and whatnot. What happens is, they have been convicted the first time and then the law enforcement has to go back to that judge again and say, we have tried to work with this person; this person keeps going out and keeps getting ticket after ticket after ticket, and because of that, we want you, the judge, to give an order, to give an order to go impound that particular vehicle.

This is not just a quick, random thing. First of all, you have to be convicted, and you have to give up on paying, you have to thumb your nose up; then you go back to the judge and you ask the judge, will you go out and give an order, an order to go get this car? So it is not just a random occurrence. It is twice before a judge.

As we heard some of these statistics, we have people that owe what, \$30,000, \$40,000 of fines, \$30,000 or \$40,000 of fines, and they drive all throughout the community and they smash up our cars of our constituents. Our constituents have come to us on a regular basis and said, I got into this accident with this car; he did not have insurance; he did not have a license; he did not have a registration or inspection, nothing. What did the cop do? He could not do anything. The cop wrote a ticket out and let him get back in that car and drive away. That is not right; that is not right.

We need a way to get these people off the road. I am tired. Our police forces cannot legitimately get these people off the road right now. We need a way. This is not the way that I originally wanted to go. I wanted to be a little more serious than this, but this is a good, negotiated way. Nine months of hearings, 9 months of meetings with all the various interest groups — the judges of Pennsylvania, the Philadelphia Traffic Court, PennDOT, all the various attorneys, et cetera, and constituent groups — 9 months of negotiated meetings on this, and I would like for my fellow members to support this piece of legislation. Thank you.

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, I would like to stress the fact that this is optional in every municipality in the Commonwealth of Pennsylvania with the exception of Philadelphia. This only applies to Philadelphia unless another municipality has their council vote to elect to be part of this program, and you have to have 250 dollars' worth of fines. Currently a fine for driving under suspension is \$210. You would have to have at least two tickets before something like this

would kick in. In Philadelphia we have somewhere around 200,000 uncollected tickets. Those are the people we are looking to go after, Mr. Speaker — people that do not pay their tickets.

So I would ask for an affirmative vote.

The SPEAKER. The gentleman from Allegheny County, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support this legislation.

Four years ago we passed the same type of legislation that I introduced pertaining to the Commonwealth of Pennsylvania. At that time the district magistrates were in favor of this legislation, and I am sure they are in favor of this legislation today. There is an abundance of money out there that is just sitting in the magistrates' offices that they cannot do anything to collect.

Now, they do have the right to throw these scofflaws in jail, but naturally, we know they are not going to put them in jail because of the fact that the jails are overcrowded. The only way that we can try to address this situation is to hit them in their pocketbook and confiscate the cars. That is the only way.

This is a good piece of legislation. It is a shame it does not go far enough to make the whole State, because the State is suffering, because this money, all over the State, that sits in our magistrates' offices is uncollectible, and hopefully our local municipalities will opt into this type of legislation to collect some of these debts out there. There is no sense in passing laws if we are not going to enforce them, and there are people out there knowing that they are not going to jail who continually drive five, six, seven, eight, nine times and get caught under suspension.

I think this is the right direction to go, and I firmly support this legislation. Thank you, Mr. Speaker.

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

Mr. OLASZ. Yes, Mr. Speaker.

As one of the previous speakers indicated, this is a "may" bill. You have communities that "may" take advantage of this, and therein lies the problem.

Hypothetically, you may have given your car to some other individual to drive, and that individual may be the one to have those traffic tickets outstanding. But what happens to that car once it is taken to the pound and it gets banged up like they usually do in car pounds? How do local municipalities handle this impoundment? Do they have salvors in these communities?

This is a pretty serious situation that we are addressing when you start taking a person's property when a computer — And we know how computer glitches occur every day. We talk about this bill having passed in one other session, and I think you ought to think about it before you vote and remember that the Senate, in its infinite wisdom, killed this bill last year, and we should not let it survive this House today. I suggest we vote against it. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. Wright, for the second time on the question.

Mr. M. N. WRIGHT. Thank you, Mr. Speaker.

I just want to remind everybody, these are people that knowingly have been convicted, and they knowingly have gone out and are avoiding the law, and they knowingly know that now they do not have insurance. These are not innocent victims.

I am sure people can conjure some strange occurrence here where somebody might end up being a victim, but the vast majority of the time, I am putting forward to you, these are people that knowingly are out there driving with convictions. They were in

court, and a judge presided over it and found them guilty. They set up a plan, and for some reason they just either could not pay it or decided not to pay. I just want to put it to you, Mr. Speaker, that what do you do when your constituents come to you and say, I was just hit by an uninsured driver? This person does not even have a driver's license, does not even have car insurance. Right now there is nothing that the police department can do. There is nothing to get that car off the road except to write another ticket and another ticket and another ticket.

I am saying we have got to do something and we have got to start now. We have got to get the people off the road that are driving these vehicles that knowingly are convicted and should not be driving. We are not talking about innocent victims here. These are people that are scofflaws, are thumbing their nose up.

Approximately \$300 million is outstanding just in the city of Philadelphia right now — \$300 million. I think it is a pretty good tool to finally corner these people and take their car. Now, when I say "take," you have got to be careful. We are not "taking" taking the car; we are holding it. The municipality is holding it until they get their insurance, until they get it registered, until they get it inspected, until they pay off their fines. Then they can have the car back. We are just holding it so that they do not continue to drive down your street and smash into one of your victims or yourself.

There is \$300 million outstanding in the city of Philadelphia right now. That is just one city. Think about it. We had been talking earlier today about money. Now, we are not going to get all \$300 million out of this, but if we can force all these people back into court because they want that car back, then we can go back after all those fines and get it paid up. Thank you.

The SPEAKER. The gentleman from Erie, Mr. Scrimenti.

Mr. SCRIMENTI. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the sponsor, please.

The SPEAKER. The gentleman, Mr. Horsey, will stand for interrogation. You may begin.

Mr. SCRIMENTI. Mr. Speaker, my question is, what other recourses are available to the municipalities other than impoundment if this bill were to pass?

Mr. HORSEY. Presently, Mr. Speaker, in the city of Philadelphia — and just for the record; many people do not realize it — we presently have impoundment and have impounded cars in Philadelphia for 10 years.

Presently, in traffic court, if a gentleman comes in front of the court and he is found guilty and he agrees to a payment plan, he walks out of the courtroom, and that is the only recourse.

These scofflaws that I am speaking of who owe \$36,000 and \$40,000, Mr. Speaker, quite often are people who have been in front of the judge four, five, six, seven, eight times, promised they were going to pay the tickets, and there is nothing the judge can do but accept their signature that they will pay these tickets. They walk out of the courtroom.

Now, the key significance to this legislation is, there are people who owe, once again, \$30,000 and \$40,000 who own clear titles to automobiles. They owe traffic court for outstanding moving violations \$30,000 and \$40,000, and they have clear title to 1995 and 1996 cars. That has to stop, Mr. Speaker.

Mr. SCRIMENTI. Mr. Speaker, let me see if I understand you correctly. After you have an outstanding fine, is there not a warrant on your arrest?

Mr. HORSEY. No, Mr. Speaker; absolutely not.

Mr. Speaker, there is a warrant on your arrest, and many people seem to understand that if they get stopped because they got a

ticket, they have an outstanding ticket, that car is going to immediately be impounded. That is not what this legislation says, Mr. Speaker. This legislation says that a judge "may" issue an impoundment order against the person.

Mr. Speaker, when a person has a single moving violation in the city of Philadelphia, the judge issues an order for an arrest, the same as anywhere in the State. This legislation does not mean that automatically your car is going to be impounded. It takes a secondary order from that judge who is sitting to issue an arrest warrant and/or an impoundment order. Now, if we have \$320 million outstanding in traffic court, trust me, he is not going to waste his time on one person who owes a \$250 fine. We are after the people who owe \$10,000, \$20,000, \$30,000, and \$40,000 to traffic court.

Mr. SCRIMENTI. What I fail to understand, Mr. Speaker, is why cannot imprisonment be in place here if they failed to pay their fines?

Mr. HORSEY. Oh, Mr. Speaker, in the city of Philadelphia, we have been under a Federal court order disallowing it because there is not enough jail space in the city of Philadelphia.

Mr. SCRIMENTI. Okay.

Mr. HORSEY. So jail is not a viable option once we go after scofflaws, to lock them up. We do not have the jail space.

Mr. SCRIMENTI. Okay.

Mr. HORSEY. We have convicted felons who are walking because we do not have the jail space.

Mr. SCRIMENTI. Well, thank you, Mr. Speaker. I am through with my interrogation.

My understanding, everywhere else in the State, is that a warrant is issued for an arrest if there is a failure to pay a fine, and if they fail to pay that fine, they will suffer the consequences of possibly imprisonment. That is the way it works, my understanding is, everywhere else in the State. I understand that there are limitations in Philadelphia. However, I believe that procedure, that process that is set up right now, works everywhere else in the State, and I believe this legislation provides for other municipalities to opt in, permitting impoundment, and for that reason I would oppose this legislation, because we do indeed have a process right now that does work. Thank you, Mr. Speaker.

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

Mr. HORSEY. Mr. Speaker, presently, if you come to the city of Philadelphia, for the last 10 years at least, you run the risk of being impounded. We have in Philadelphia the Philadelphia Parking Authority, who will boot your car and will impound it, and this has been going on for over 10 years. So the only thing I am asking is that the same rights that the Philadelphia Parking Authority has been given to Philadelphia Traffic Court, and I will explain to you the reason why.

Philadelphia Traffic Court collects between 8 and 12 percent of outstanding revenue. That is the lowest of any collection by a State traffic court in the entire country. Philadelphia Parking Authority collects 80 percent of outstanding revenue, and the difference between the Philadelphia Parking Authority and traffic court is, when you have outstanding tickets from the Philadelphia Parking Authority in Philadelphia, you run the risk of being booted and impounded, and that is why they collect 80 percent of their revenue. The only thing I would like is for Philadelphia Traffic Court to be able to do the same thing.

Now, Philadelphia Parking Authority is a city agency, and they collect 80 percent of their revenue. Let us extend this right to

Philadelphia Traffic Court so that they can collect some of that \$324 million. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

## YEAS—177

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

## NAYS—15

Corrigan	Itkin	Olasz	Trich
Coy	Melio	Rooney	Williams
Dermody	Mihalich	Scrimenti	Wright, D. R.
George	Myers	Surra	

## NOT VOTING—5

Belardi	Rieger	Steelman	Thomas
Carn			

EXCUSED-5

Bishop	Egolf	Pistella	Steil
Dent			

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 the guests of Representative Keith McCall, his brother, Thomas McCall, and Dr. Dave Moylan. Will these guests please rise.

Also, seated over by Tom McCall, here to the left of the Speaker, are guests of Representative Matt Wright, two guests from Bucks County visiting here in Harrisburg, the Honorable Chris Blaydon, the mayor of Langhorne Borough, and his wife, Mary. Would these guests please rise.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2339, PN 3052**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the weather emergency of 1996.

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

Mrs. **COHEN** offered the following amendment No. **A0293**:

Amend Sec. 2 (Sec. 1502), page 4, line 16, by inserting after "1996."  
In those cases where a board of directors chooses to reschedule instructional days on Saturdays in accordance with the provisions of this section, schools within such board's jurisdiction shall not schedule tests or examinations on these Saturdays.

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

The following roll call was recorded:

YEAS-195

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

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

NAYS-0

NOT VOTING-2

Carn Rieger

EXCUSED-5

Bishop	Egolf	Pistella	Steil
Dent			

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?

Mrs. **MILLER** offered the following amendment No. **A0314**:

Amend Sec. 1 (Sec. 1501.7), page 1, line 17, by striking out "June 30, 1996," and inserting June 15, 1996,

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

The SPEAKER. On that question, the Chair recognizes the lady, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Amendment A0314 simply changes the date from June 30 to June 15, by which time the schools can invoke the additional Saturdays or the extended hours in order to make up their 180 days, and I ask for the support of the House.

The SPEAKER. On the question of the amendment, the gentleman, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, would the maker of the amendment consent to interrogation, please?

The SPEAKER. The lady, Mrs. Miller, indicates she will stand for interrogation. You may begin.

Mr. COWELL. Mr. Speaker, my understanding of the amendment is that this would have the effect of reducing the burden on school districts to make up any days which were lost as a result of the weather emergency?

Mrs. MILLER. Mr. Speaker, the schools would still be required to make up all available days up until June 15. This would give them some flexibility to have the additional time made up on Saturdays or an extended schoolday. This would not absolve them of the requirements to meet the required hours or days, having made every attempt to meet those requirements.

As you know, Mr. Speaker, most of our schools do not have the luxury of air-conditioning, and the last 2 weeks in June, with the high humidity and heat, certainly do make learning for these students quite difficult.

Mr. COWELL. Mr. Speaker, what would the impact of this amendment be on school districts that have previously scheduled days of instruction beyond June 15 of 1996?

Mrs. MILLER. Mr. Speaker, this amendment is being put forth for those schools who cannot make up their required times, meeting their requirements for June 15. Those schools whose previously filed plans do go beyond June 15 could potentially come under this legislation. However, the intent is to help out in those situations where, because of the flood and snow, they are not able to meet their scheduled plans.

Mr. COWELL. Mr. Speaker, I do not understand your response when you say that districts who previously scheduled days beyond June 15 – and I think I am quoting you now – could possibly come under this bill. What does that mean?

Mrs. MILLER. Mr. Speaker, the schools that have scheduled themselves for the 180 days that would go beyond June 15 would still be required to meet that. However, this is to help out in those situations where they were not scheduled to go beyond June 15.

Mr. COWELL. Mr. Speaker, when you say this is intended to help out districts, could you explain how this helps out districts? My understanding is that this may help out a district by telling the district it does not have to provide 180 days of instruction. Is that your intent?

Mrs. MILLER. The intent, Mr. Speaker, is to eliminate the need to go beyond to the June 30 deadline, which currently is in the bill. What we are seeing in Pennsylvania is the fact that many of our school districts are not reaching that June 30 date and therefore could not benefit from this legislation in order to provide their students with the best learning environment.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I would like to be recognized for some remarks.

The SPEAKER. The gentleman is in order and is recognized.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, when we had the first blizzard where Harrisburg and this central Pennsylvania area received some 30 inches of

snow, early in January, one of the very first questions that representatives of the media asked of Governor Ridge was, what is the State going to do about these weather days? Governor Ridge said – and I am paraphrasing – but he said, schools ought to provide 180 days of school and that that ought to be a requirement that we not back away from.

Mr. Speaker, on the earlier occasions when the General Assembly has had to deal with weather emergencies, as those emergencies have affected schools, we have never retreated so easily as this amendment would have us retreat from our requirement that schools provide 180 days of instruction for students and have us retreat from our commitment to students that they will have the benefit of 180 days of instruction, if at all possible, during a school year which need not end prior to June 30.

Mr. Speaker, every other time this General Assembly has dealt with this issue, we have dealt with it with dates similar to those dates that are in the bill before us, and we have not been so willing and our predecessors have not been so willing to embrace language such as that in this amendment, and, Mr. Speaker, we have had winters that were worse than this one. We have had school districts not in February but in March and April confronting the question of how to make up days. This legislature has said, you owe it to the kids, you owe it to the kids to make every reasonable effort to get them 180 days of instruction, something that we require in the law year after year after year; you owe it to the kids if you can do that within the parameters of a schedule that will not end and need not end until June 30, and we also give you the extra latitude, as we do in this legislation, to even use one Saturday a month. The effect of this amendment would be to walk away from what Governor Ridge said was important just a few weeks ago – and that is, we honor our commitment to kids to make sure that they have at least 180 days of school.

Mr. Speaker, there is debate all over this country and often in this State that we ought to be having a longer school year. There is no reason whatsoever, under these circumstances, to retreat from our commitment of at least 180 days. It is not unusual for some of our schools already to schedule instruction days beyond June 15. Why would we say to some they do not have to, even if they will shortchange the kids in their school district?

Mr. Speaker, I would remind you that there is already other language in this bill that guarantees that employees will be paid, and now we are going to say to those employees, if we adopt Representative Miller's amendment, that we are going to guarantee your payment as long as the schools use all the days available not to June 30 but to June 15. So we are not only shortchanging the kids but we are wasting taxpayers' money if we adopt this amendment.

Mr. Speaker, I would urge that we defeat the amendment.

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

Mr. BLAUM. Thank you, Mr. Speaker.

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

This amendment does nothing more than raise the possibility that the kids of Pennsylvania will not get 180 days of education. I think the entire bill is premature. I do not know that it is time for us to decide if Saturdays have to be added to the schedule. If anybody knows anything about what goes on on Saturdays in these schools, it is not very much. It is merely a way of hitting the magic number of 180, and it is not in the best interest of education.



But I think the worst thing we can do is do anything which will in any way reduce the number of days to below the number of 180, and I would ask for a negative vote.

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

Ms. CARONE. Thank you, Mr. Speaker.

I, too, rise to ask for a "no" vote on this amendment.

Having been an educator for 23 years, many Junes are not that hot, or if they are that hot, educators can certainly motivate their students to be able to learn well, and you have no guarantee whether September is not going to be a very hot month as well. So regardless of whether you have air-conditioning or not, I think it is very important that youngsters have their full educational possibilities to go through June 30.

So I argue that we stay with the original language and defeat the amendment. Thank you.

The SPEAKER. The gentleman from Westmoreland, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

I certainly would like to comment on this amendment, and I am not standing to say we should vote for the amendment or vote against the amendment but maybe to clear up some of the discussion that has been mentioned during this amendment.

Certainly this amendment states we are going to change the school calendar, the maximum school calendar, from June 30 to June 15, and I think we are all very much aware that during the month of June, sometimes during the latter part of June it does get very warm in Pennsylvania in spite of being cold in January and February, and most schools do not have air-conditioning or maybe climate conducive to education. But nevertheless, we do allow for schools to go into the latter part of June.

Also, many young people have amusements in their district or have businesses in their district that do employ young people. It does present a sacrifice on these students and businesses likewise not to have them have employment during the latter part of June during the tourist season or during the recreational season in our Commonwealth.

So these are kind of a couple reasons why we should maybe cut off the calendar at June 15. But on the other side, there is a very strong point to be made that historically we have somewhat honored the 180-day school year and we have set out a precedent to try to maintain the integrity of the 180 days. Oftentimes, that requires us, because of snow emergencies or other emergencies or construction delays or strikes or whatever it may be, that even with all good intent, going one Saturday a month, extending the hours each day, going holidays, with the exception of Memorial Day, we can get the calendar in by June 30, and by making that June 15, that may, in some districts, make that impossible.

I am not saying that 180 days is some magical day that if you do not have that many days of instruction, we are not going to have good education, but we have certainly put an emphasis on having a full school year, and if we are going to change the full school year some date in the future to 200 days or 190 days, so be it, but at this present time we have tried to maintain it at 180 days, and there are going to be districts in Pennsylvania, although maybe not many, that are going to say for whatever reason we do not want to go past June 15, and I think that takes away from the integrity of going a full equivalent of education, whatever that may be.

So I would hope that you would think about this. And this may mean that teachers who may only work 177 days, 170 days, 179 days, will get the full reimbursement, or students will only go 177 days or 178 days and not get their full equivalent of education.

If indeed we have some more bad weather, which I hope we do not have, and there are more school closings, I think it would make it very, very difficult for most school districts to be able to have 180 days by June 15, and it may require them to go until June 30.

So you certainly can vote as you desire on this, but I want to tell you that 180 days, maybe not sacred, are something that we try to shoot for and try to emphasize very, very rigidly that our school districts meet those 180 days. So I am not saying that is a magical day that we get a good education, but I think a precedent has been set. The last emergency that we had in 1994, when we allowed school districts ways to make up days, we did not change it from June 30 to June 15. So the precedent has been established that we use June 30.

Certainly you have to vote your district where you come from or your conscience on this, but we should make every effort to make up those 180 days. Whether it goes June 15 or June 30, we should not allow districts a reduction. So I am not telling you how to vote on this, but certainly you have to vote what is best for your district, I know, but certainly let us try to keep in mind 180 days and do everything possible to meet that deadline. Thank you, Mr. Speaker.

The SPEAKER. The question before the House is, will the House adopt the amendment of the lady, Mrs. Miller?

On that question, the Chair recognizes the lady.

Mrs. MILLER. Mr. Speaker, just a few points that I would like to make for the House's general information.

One of the things that is different between 1996 and 1993 is the fact that the occurrence of the blizzard and the unusual snowstorm actually occurred in March in 1993 and in January in 1996. We had a very much different situation in making up those schooldays from March until the end of June.

The other thing that I think is important to stress to the members is the fact that whether or not they accept June 15 depends on the Department of Education. This is not something a school district can unilaterally decide. They have to present to the Department of Education all of the necessary documentation on why they cannot meet their 180 days or 900 hours by June 15. This is not an automatic. They still must have this approved.

So again, if what we are trying to do in this legislation is to provide flexibility, I ask that the House provide the true flexibility to our school districts by giving them the option of June 15 instead of the mandate of June 30, which at this point very few, if any, of our school districts will be able to utilize. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—70

Adolph	Fleagle	Maitland	Saylor
Allen	Flick	Marsico	Semmel
Argall	Gannon	McGill	Serafini
Armstrong	Geist	Micozzie	Smith, B.
Bard	Godshall	Miller	Snyder, D. W.
Barley	Gruppo	Nailor	Stern
Brown	Habay	Nickol	Stish
Bunt	Hasay	O'Brien	Strittmatter
Chadwick	Hennessey	Perzel	Taylor, E. Z.
Civera	Herman	Pettit	Taylor, J.
Conti	Hess	Phillips	True
Cornell	Hutchinson	Pitts	Tulli

Dempsey	Jadlowiec	Raymond	Wogan
DiGirolamo	Kenney	Reber	Wright, M. N.
Durham	King	Reinard	Zimmerman
Fargo	Lawless	Rohrer	
Feese	Leh	Rublely	Ryan,
Fichter	Lynch	Sather	Speaker

NAYS-127

Baker	Donatucci	Lucyk	Schroder
Battisto	Druce	Major	Schuler
Bebko-Jones	Evans	Manderino	Scrimenti
Belardi	Fairchild	Markosek	Shaner
Belfanti	Fajt	Masland	Sheehan
Birmelin	Farmer	Mayernik	Smith, S. H.
Blaum	Gamble	McCall	Staback
Boscola	George	McGeehan	Stairs
Boyes	Gigliotti	Melio	Steelman
Browne	Gladeck	Merry	Stetler
Butkovitz	Gordner	Michlovic	Sturla
Buxton	Gruitza	Mihalich	Surra
Caltagirone	Haluska	Mundy	Tangretti
Cappabianca	Hanna	Myers	Thomas
Carn	Harhart	Nyce	Tigue
Carone	Hershey	Olasz	Travaglio
Cawley	Horsey	Oliver	Trello
Clark	Itkin	Pesci	Trich
Clymer	James	Petrarca	Vance
Cohen, L. I.	Jarolin	Petrone	Van Horne
Cohen, M.	Josephs	Platts	Veon
Colaella	Kaiser	Preston	Vitali
Colaizzo	Keller	Ramos	Walko
Corpora	Kirkland	Readshaw	Washington
Corrigan	Krebs	Rieger	Waugh
Cowell	Kukovich	Roberts	Williams
Coy	LaGrotta	Robinson	Wozniak
Curry	Laughlin	Roebuck	Wright, D. R.
Daley	Lederer	Rooney	Yewcic
DeLuca	Lescovitz	Rudy	Youngblood
Dermody	Levdansky	Sainato	Zug
DeWeese	Lloyd	Santoni	

NOT VOTING-0

EXCUSED-5

Bishop	Egolf	Pistella	Steil
Dent			

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. COWELL offered the following amendment No. A0338:

Amend Sec. 1 (Sec. 1501.7), page 3, by inserting between lines 17 and 18

(h) No school entity which was closed because of the weather emergency of 1996 and which makes a good faith effort, as determined by the Secretary of Education, to meet the requirements of this section shall receive less subsidy payments or reimbursements than it would otherwise be entitled to receive for the school year 1995-1996.

Amend Sec. 1 (Sec. 1501.7), page 3, line 18, by striking out "(H)" and inserting

(i)

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

The SPEAKER. The question before the House is the adoption of the Cowell amendment.

The Chair recognizes the gentleman.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, in past sessions when we have approved legislation similar to this weather emergency legislation, we have tried to address two problems; we have had two primary purposes with that legislation.

The first was to require school districts to make every reasonable effort to insure that kids have the benefit of 180 days of instruction, and the second major purpose has been to assure districts that make a good-faith effort at using all the days that are available to them in the law by June 30, including one Saturday a month, make every good-faith effort to get the 180 days in by June 30, then we would make sure that those school districts were not financially penalized.

The current bill before us seeks to address the 180-day guarantee, but it does not provide any guarantee financially for school districts that they will not be penalized if they make every effort but simply run out of days.

So the amendment that I am offering is similar to language that we found in the law when we had a similar bill and a similar law back in the mideighties. It says that every school district that does make a reasonable effort, does use all available days, including one Saturday a month, up to June 30 but simply runs out of days and cannot get the 180 in, we will still provide them the full State subsidy that they would normally be entitled to.

Mr. Speaker, I think this is a reasonable thing to do, because if we fail under those circumstances to give them full reimbursement, we will have the effect of shifting to local taxpayers some additional burden.

So I would urge that we approve this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. Stairs, on the question.

Mr. STAIRS. Thank you, Mr. Speaker.

I would ask the Speaker if he would ask the sponsor of the amendment to stand for interrogation, please.

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

Mr. STAIRS. Thank you, Mr. Speaker.

I would like to have a clarification for my own information. Does this amendment in any way remove the option of a school district to go on Saturdays or to extend the schoolday after the regular hours?

Mr. COWELL. Mr. Speaker, it in no way reduces the obligation of a school district to make every effort given the expanded authority that we give them in this legislation, and to be eligible for this full reimbursement, they would have to demonstrate to the Secretary of Education that they have made that full-faith effort.

Mr. STAIRS. Okay. Thank you.

Mr. Speaker, I would like to be recognized to make some remarks.

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

Mr. STAIRS. Thank you, Mr. Speaker.

Upon hearing the remarks of the maker of the amendment, I would like to support this amendment, and I would hope that other members could definitely agree.

We are keeping the June 30. We are allowing the options of local school districts. So I would hope that other members could join me in supporting this amendment. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Nyce, from Northampton County is recognized.

Mr. NYCE. Thank you, Mr. Speaker.

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

Mr. COWELL. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Cowell, indicates he will stand for interrogation. The gentleman, Mr. Nyce, may proceed.

Mr. NYCE. Mr. Speaker, did I understand your intention is to see that our local school districts do not lose any of their State subsidy as a result of the changes implemented in the bill for those districts that cannot get 180 days of instruction?

Mr. COWELL. The intention is to make sure that a school district is not financially penalized if it cannot get the 180 days in by June 30, if it uses all available days, including the one Saturday per month, and demonstrates to the satisfaction of the Secretary of Education that the district made that good-faith effort.

Mr. NYCE. Mr. Speaker, could you explain to me under what conditions a school district could possibly owe expenditures in excess of 180 days if in fact they cannot get 180 days by June 30? What economic encumbrances could they have at June 30 if they cannot get 180 days of instruction in? Let us say they got 175 days of instruction by June 30 but their teacher contract says they should have 183. Can those teachers actually work beyond June 30 in the next fiscal period and be paid for that, or is the contract null and void? I am trying to get to the bottom of what part the contract plays in the requirement for 180 days.

Mr. COWELL. Mr. Speaker, my understanding is that there is no impact of this legislation on the contracts, and the contract will not determine a school district's eligibility for reimbursement under this amendment that I am offering.

The law does not speak to the issue that you raise — as I understand the law anyway — it does not speak to the issue that you raise about when the teachers will fulfill the terms of their contract. The only thing that we are dealing with with this legislation and particularly with this amendment is the 180-days-of-instruction issue.

Mr. NYCE. Mr. Speaker, I understand that is your intention, but I am not sure that is the case.

I do not know off the top of my head whether under the law the school district could expend moneys beyond June 30 for services provided beyond June 30 out of last year's fiscal budget, and that is the issue I am trying to get to.

If you are required to have 183 days of instruction by contract but you cannot get 180 days of teaching in by June 30, can the school district legally expend the money after June 30 to pay for services rendered after June 30?

Mr. COWELL. Mr. Speaker, this is about dollars that the school district will spend during the fiscal year that ends June 30. I think that all of us recognize that a school district will not have its expenditures or its obligations reduced by one one-hundred-eightieth if it only provides 179 days of instruction up through June 30. The district's debt service

obligations will be the same whether they had 180 days of instruction or 30 days of instruction. The school district's obligations with respect to the utilities and the operation of a building often have nothing to do with the number of days for which instruction is actually offered. Many of the costs that a school district experiences or is obligated to for a fiscal year have little or nothing to do with the number of days of instruction. Yet under the law, we would penalize them in terms of State reimbursement if they do not meet the 180 days.

It is for that reason that I think we should approve this amendment, because I think it is unfair to penalize school districts that meet the test, and that is, they make a good-faith effort to get the 180 days in, yet cannot because it is simply physically impossible.

In those circumstances, I think that we should recognize that a district has many fixed costs that they are going to have to pay for even if their State reimbursement is reduced. If their State reimbursement is reduced and they still must pay for those fixed costs, we have effectively shifted financial burden to local taxpayers. That we should avoid.

Mr. NYCE. Mr. Speaker, there is no doubt that the portion of the annual expenditures of a school district represented by fixed costs should be supported by this legislature. However, the point I was trying to make was whether or not the contract would obligate the local district to pay when there were no services rendered and whether or not those expenditures could be made out of either the following year's fiscal budget or from funds from the previous year after June 30.

I am not sure we are able to answer that question here today, but it still remains in my mind unanswered. And a substantial portion of every school district's budget is salaries, wages, and benefits, not so much the capital, maintenance, other issues. So I appreciate your response.

On the amendment, Mr. Speaker.

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

Mr. NYCE. Mr. Speaker, as indicated in my earlier comments, I do believe there are some remaining unanswered questions on the amendment. However, I think the intent of the gentleman is clear — we do not want to take subsidy away from our local school districts. I believe there is even a portion in the bill that speaks to the fact that we are going to authorize it once we act on the bill so that payment will be made to the local school districts.

Under those conditions, I will support the amendment, and I ask the other members to do the same. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—197

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

Birmelin	George	Melio	Staback
Blaum	Gigliotti	Merry	Stairs
Boscola	Gladeck	Michlovic	Steelman
Boyes	Godshall	Micozzie	Stern
Brown	Gordner	Mihalich	Stetler
Browne	Gruitza	Miller	Stish
Bunt	Gruppo	Mundy	Strittmatter
Butkovitz	Habay	Myers	Sturla
Buxton	Haluska	Nailor	Surra
Caltagirone	Hanna	Nickol	Tangretti
Cappabianca	Harhart	Nyce	Taylor, E. Z.
Carn	Hasay	O'Brien	Taylor, J.
Carone	Hennessey	Olasz	Thomas
Cawley	Herman	Oliver	Tigue
Chadwick	Hershey	Perzel	Travaglio
Civera	Hess	Pesci	Trello
Clark	Horsey	Petrarca	Trich
Clymer	Hutchinson	Petrone	True
Cohen, L. I.	Itkin	Petit	Tulli
Cohen, M.	Jadlowiec	Phillips	Vance
Colafiglia	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
Dermody	Lawless	Rohrer	Youngblood
DeWeese	Lederer	Rooney	Zimmerman
DiGirolamo	Leh	Rubley	Zug
Donatucci	Lescovitz	Rudy	
Druce	Levdansky	Sainato	Ryan,
Durham	Lloyd	Santoni	Speaker
Evans	Lucyk	Sather	

NAYS-0

NOT VOTING-0

EXCUSED-5

Bishop	Egolf	Pistella	Steil
Dent			

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

On the question recurring,

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

**AMENDMENT A0314 RECONSIDERED**

The SPEAKER. The Chair is in receipt of a reconsideration motion.

The lady, Mrs. Miller, moves that the vote by which amendment 0314 was defeated to HB 2339, PN 3052, on the 6th day of February be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-2

EXCUSED-5

Carn	Rieger		
Bishop	Egolf	Pistella	Steil
Dent			

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

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

The clerk read the following amendment No. **A0314**:

Amend Sec. 1 (Sec. 1501.7), page 1, line 17, by striking out "June 30, 1996," and inserting  
June 15, 1996,

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

The SPEAKER. The Chair recognizes the lady, Mrs. Miller.  
Mrs. MILLER. Thank you, Mr. Speaker.

Hopefully to clear up some confusion on this amendment, I would like to yield at this point to the Policy chairman, who will provide further explanation to the House.

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

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, if I could have some attention on this. There was a lot of noise in the debate on this amendment, and I think there is some confusion.

The SPEAKER. The gentleman is correct.

The various conferences on the floor, the groups of people in the aisles, please break up. Staff people not involved with this last bill of the day, please take a side position on the House floor.

The gentleman may proceed.

Mr. SNYDER. Mr. Speaker, granted that the way this bill is written and was amended it does give some cause for confusion, but yet I think the sponsor of the amendment, Representative Miller of Berks County, has an intent, and even though I am not quite sure it is completely clear by the amendment on what she is trying to accomplish, I would like to just take a minute to perhaps explain what she is trying to do, and hopefully maybe we can reconsider this amendment in a different light.

The way I read the bill and several of us look at this bill is if our school districts right now can meet the 180 days by going to school every day until, let us say, June 29, they do not have the option under section (c) of going to the Secretary of Education and asking for longer schooldays as an alternative to additional schooldays.

In other words, the way section (c) is written – and this is where the problem arises that we are trying to address here – is if you can meet the 180 days by going to school through June 30, then you do not have the ability to go to the Secretary. The only way you can go to the Secretary is if you cannot meet the 180 days within the June 30 deadline. So if a school right now would have to go, as I said, through June 29, they do not have that option.

What Representative Miller is trying to do with this amendment is say, if we cannot meet the 180 days by June 15, then give us the option of either continuing to go to school through June 30 or have the extended hours or the Saturday hours, because if a school does not want to go until June 29 but would rather go on Saturdays or have extra hours in the classroom during the regular scheduled days, they do not have that option right now under this bill unless they exceed every day available in June.

I think what we are trying to do is give the flexibility to our school districts to determine what is best for their needs and not say you are going to be limited by the way the language in

section (c) is written. Whether or not amendment 314 does that exactly, that is the intent. The intent is not to say that if you do not meet the 180 days by June 15, you are not obligated to meet the 180 days, because the School Code provides for you to go to school until June 30.

That is the intent of the amendment. It is to give greater flexibility to our schools, because most of us realize the grades for the finals and everything else are usually in the beginning of June and many school districts do not want to continue to have to have classes through that month if they can have the option of longer days or Saturdays.

So I ask for your reconsideration of your vote on this amendment. If it is not clear, let us at least get it in so we can clear it up in the Senate so we at least express our intention, or at least if you are voting "yes" or "no," you know what you are voting for in terms of at least the intention of the amendment to give our schools greater flexibility.

The SPEAKER. The gentleman, Mr. Reber, on the question.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, I do not want to prolong the debate. I simply want to echo exactly what was just said by Representative Snyder.

If in fact there is ambiguity, I think the legislative intent as well as the intent expressed by him certainly clarifies that, and I do believe that we do want to give that flexibility for the option to be exercised with the 15th day in place.

Therefore, I would urge adoption of the Miller amendment and wholeheartedly endorse the legislative intent as spread upon the record by Representative Snyder. Thank you.

The SPEAKER. The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I would still rise in opposition to the amendment.

I think it could be interpreted— I think the gentleman, Mr. Snyder, makes an interesting interpretation of this amendment, but if it does as originally thought – forgive the 180-day limit – I think that is wrong. If the new interpretation put forward by Mr. Snyder is correct, I think that is wrong as well. Allowing our school districts to include Saturdays as days of instruction in the school districts when they can meet the 180-day requirement by June 30, I think is a mistake.

To believe that education takes place in our schools on Saturdays, I think we all know from a few years ago that that just is not the case, and if we are interested in pleasing superintendents and administrators, I think that is one thing, but if you are interested in the education of the kids, longer schooldays, going to school on Saturdays where the enrollment and the membership of kids that show up on those days is dismally low, I do not think it is in the best interest of education or the children.

I think this amendment should be defeated irregardless of which interpretation – the first or the most recent – you accept, and I would ask the members for a negative vote.

The SPEAKER. The gentleman, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

As the day goes on, we get more confused, and certainly I am going to stand to say that we voted "no" on this amendment a few minutes ago.

I feel that if we want to give local option to our school districts, we want to keep a sense of a continuation of what we have done in the past and be on track and be continuing a straight course that we always have done – keeping with June 30 and the integrity of the 180 days – we should vote "no" on the amendment.

I am fearful that if we vote "yes" on the amendment, this amendment will change a couple of things. One, probably the most tragic will be it will take away the local option that the supporters of this amendment want to give. So I think in the wording, there are some confusing parts of this, and I would hope that we would vote "no" and certainly keep things in order and not try to confuse the issue and give districts local option. I appreciate a "no" vote.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I think that we have all learned around here that we can say anything we care to on the floor in terms of intent but the words on the paper are what really count. And significantly, the new expression of intent did not come from the maker of the amendment; it came from another member.

We should not send fuzzy language over to the Senate. That would be a terrible mistake. We are doing this bill now, even though this is just half of the legislative process, because we want to send some clear signals to school districts and board members and superintendents who are trying to figure out how to make up days and what the requirements are going to be, and if we send them this fuzzy language with this fuzzy intent as proposed with this amendment, we will not have been helpful at all. We will probably have added much more confusion to the situation than currently exists.

Let us stick with the kind of language that we have used in prior sessions; let us stick with the language that the administration has already said it supports; let us stick with language that preserves the integrity of the 180-day requirement; let us defeat this amendment.

The SPEAKER. The Chair recognizes the lady from Berks County, Mrs. Miller, for the second time.

Mrs. MILLER. Thank you, Mr. Speaker.

And once again, I do reiterate the fact that perhaps my explanation of the intent of this amendment was not clear the first time around, and for that reason I asked for the assistance of our Policy chairman to perhaps shed a little bit more light on it.

The intent of this amendment is in fact to give the school districts the possibility of flexibility which we are promising them without delivering in HB 2339 for the majority of our school districts in Pennsylvania.

I call to the attention of the members subsection (c), which says that those school entities which submit documentation to the Department of Education are only those whose reconsideration of their school year will be considered and then ruled on by the Department of Education. This is not something that they can amend their school year if it was scheduled to go beyond June 15 just arbitrarily. They are going to have to provide the documentation.

So again, Mr. Speaker, for your school districts and to provide them the flexibility that we are intending in this legislation, I do ask for the support of the membership on the amendment. Thank you.

The SPEAKER. The gentleman, Mr. Snyder, for the second time.

Mr. SNYDER. Mr. Speaker, I agree with Representative Cowell, the previous speaker on this, who said let us stay with what we have done in the past, and that is what we are asking to do.

If you look at the bill, on page 2 of the bill, lines 4 through 8 incorporate an amendment that was put in by the Education Committee. This language was not part of the past practice. The troubling language in that amendment is in line 7, where it says that "...THEIR INABILITY TO MEET THE ONE HUNDRED EIGHTY (180) DAY REQUIREMENT UNDER THE PROVISIONS OF SUBSECTION (B)..." If it would just say the inability to meet the 180-day requirement, there would be no need for Representative Miller's amendment, because then as long as you come to the Secretary of Education and prove that you can meet the 180-day requirement one way or the other, they would have the ability to give you that flexibility. But when it says "UNDER THE PROVISIONS OF SUBSECTION (B)," and you go to subsection (b) and it says you have to first try to meet the 180 days by June 30, that is the problem.

So, you know, if this is the first time we are not going to vote for something because it is fuzzy, we better start making sure all the amendments on both sides of the aisle are very clear, because we are going to start looking for fuzzies all the time. Thank you.

The SPEAKER. The Chair thanks the gentleman.

### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Ms. Anne Madden and Jim McGinley, here to the left of the Speaker. They are law students at Widener University, guests of Representative Bruce Smith. Would the guests please rise.

### CONSIDERATION OF HB 2339 CONTINUED

The SPEAKER. The question before the House is, shall the House adopt the amendment offered by the lady, Mrs. Miller?

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

The following roll call was recorded:

#### YEAS-69

Allen	Feese	Maitland	Schroder
Argall	Fichter	McGill	Semmel
Armstrong	Fleagle	Miller	Smith, B.
Baker	Flick	Nailor	Snyder, D. W.
Bard	Gannon	Nickol	Stern
Barley	Geist	Nyce	Stish
Boyes	Godshall	O'Brien	Strittmatter
Brown	Gordner	Perzel	Taylor, E. Z.
Browne	Habay	Pettit	Taylor, J.
Bunt	Harhart	Phillips	True
Chadwick	Hennessey	Pitts	Tulli
Civera	Hess	Raymond	Wogan
Clymer	Hutchinson	Reber	Wright, M. N.
Conti	Jadlowiec	Reinard	Zimmerman
Dempsey	Kenney	Rohrer	
DiGirolamo	King	Rubley	Ryan,
Durham	Leh	Sather	Speaker
Fargo	Lynch	Saylor	

NAYS—128

Adolph	Evans	Lucy	Santoni
Battisto	Fairchild	Major	Schuler
Bebko-Jones	Fajt	Manderino	Scrimenti
Belardi	Farmer	Markosek	Serafini
Belfanti	Gamble	Marsico	Shaner
Birmelin	George	Masland	Sheehan
Blaum	Gigliotti	Mayernik	Smith, S. H.
Boscola	Gladeck	McCall	Staback
Butkovitz	Gruitza	McGeehan	Stairs
Buxton	Gruppo	Melio	Steelman
Caltagirone	Haluska	Merry	Stetler
Cappabianca	Hanna	Michlovic	Sturla
Carn	Hasay	Micozzie	Surra
Carone	Herman	Mihalich	Tangretti
Cawley	Hershey	Mundy	Thomas
Clark	Horsey	Myers	Tigue
Cohen, L. I.	Itkin	Olasz	Travaglio
Cohen, M.	James	Oliver	Trello
Colaella	Jarolin	Pesci	Trich
Colaizzo	Josephs	Petrarca	Vance
Cornell	Kaiser	Petrone	Van Horne
Corpora	Keller	Platts	Veon
Corrigan	Kirkland	Preston	Vitali
Cowell	Krebs	Ramos	Walko
Coy	Kukovich	Readshaw	Washington
Curry	LaGrotta	Rieger	Waugh
Daley	Laughlin	Roberts	Williams
DeLuca	Lawless	Robinson	Wozniak
Dermody	Lederer	Roebuck	Wright, D. R.
DeWeese	Lescovitz	Rooney	Yewcic
Donatucci	Levdansky	Rudy	Youngblood
Druce	Lloyd	Sainato	Zug

NOT VOTING—0

EXCUSED—5

Bishop	Egolf	Pistella	Steil
Dent			

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?

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?

The Chair recognizes the lady from Susquehanna, Miss Major, on final passage.

Miss MAJOR. Thank you, Mr. Speaker.

The legislation that has come before us today continues previous legislative history by enacting provisions which will attempt to help local school boards deal with the problem of rescheduling days of instruction lost due to the extraordinary weather conditions impacting on the Commonwealth of 1996.

As reported from the House Education Committee, this legislation is identical, with two exceptions, to Act 12 of 1994,

which was adopted unanimously by this chamber and unanimously concurred to by the Senate.

The two exceptions are, one, language was inserted similar to provisions contained in weather emergency legislation enacted in 1977, 1978, 1979, and 1986 but omitted from the 1994 statute, stating that no temporary or professional employee of a school closed by reason of the weather emergency of 1996 could receive more or less compensation to which they would otherwise have been entitled had the weather emergency not occurred. The absence of a similar provision in 1994 led to a number of personnel grievances over salaries of teachers who worked longer days, Saturdays, and even fewer than 180 days as a result of the make-up schedules implemented.

Second, a provision was included that would make the 900- or 990-hours option available only to school entities which submitted documentation to the Secretary of Education of their inability to meet the 180-day requirement utilizing the days available through June 30. In the past, districts were automatically given the extended-hour option, resulting in some districts whose regularly scheduled hours already exceeded 900/990 using this option not to make up days missed but to actually open schools as few as 172 days.

Mr. Speaker, it is essential that this legislation move as quickly as possible. Informing districts of what, if any, additional options will be available to them in rescheduling days missed due to the weather cannot wait until May or June. School boards must adjust their calendars as early as possible in order to give parents ample notice of adjustments which they, too, may have to make in their work or travel schedules. With the number of session days left between now and April dwindling, the time is now to pass this legislation on to the Senate for action.

As the Representative of a legislative district which has been hit hard by both the snows of 1996 and their related flood and with 6 weeks of winter still to come — as we are told by Punxsutawney Phil — I urge—

The SPEAKER. The lady will yield.

Members will take their seats. Members will take their seats, please.

The lady may proceed.

Miss MAJOR. Thank you, Mr. Speaker.

I urge my fellow members to join with me in passing this legislation, which will give our local school districts additional flexibility if it becomes needed to complete their educational year. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

I rise in support of this bill. I do just caution the Senate Education Committee to examine the issue that was raised by Representative Miller.

I do believe that on page 2 in subparagraph (c), that it does state that a school district would have to use 180 days, up to and including June 30, before they would be eligible for the 900 hours for elementary or 990 hours for secondary schools, and I would urge the Senate Education Committee to examine that, because I do not believe that is what really is intended by the prime sponsor of this bill.

I believe that the prime sponsor of the bill would like all school districts to be able to take advantage, that were affected by the snow and the flood, to take advantage of that provision, and I

believe that there is a gray area and would encourage the Senate Education Committee to review that. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady from Montgomery, Dr. Sheehan. Ms. SHEEHAN. Thank you, Mr. Speaker.

I rise in support of HB 2339, and I would like to clarify, Mr. Speaker, my understanding of both the language and the intent as this bill came through the Education Committee.

First of all, I would like to agree with Representative Gordner, that I think there are some gray areas in the language of this that can be very easily cleared up. On the other hand, I think that the intent of the bill was made perfectly clear in the Education Committee.

There was a disagreement about whether the 180 days was absolutely required before school districts could choose the option of going to adding extra hours on regular schooldays, and an amendment to that effect was placed before the committee. It was soundly and unanimously opposed by the members of the committee except for one member, and so that amendment was withdrawn.

The intent of the committee was absolutely and perfectly clear, that there would be flexibility in this bill so that if the 180 days could not be met, so that the word "inability" is a loose construction. It means unable due to simply the number of days left as a result after the weather emergencies, the number of them that have happened and how much time is left in the calendar. But also, Mr. Speaker, for other reasons, including, and very crucially important because of some people's religious convictions in the State of Pennsylvania, it was the absolute and clear intent of the committee that that flexibility would be written in the bill, that school districts for reasons of religious conviction had every right and opportunity to choose to extend the hours of their schoolday and still meet the 900- or 990-hour requirement, and that could serve as a substitute for the 180 days when necessary and desired.

So, Mr. Speaker, I support this bill. I recognize that there has been some misunderstanding, but I hope that we can pass the bill out with a clear understanding that the intent of both the committee and this House is to provide for that flexibility and for the concerns of people of all religious convictions in our Commonwealth. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

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-196

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

Boyes	Godshall	Micozzie	Stern
Brown	Gordner	Mihalich	Steller
Browne	Gruitza	Miller	Stish
Bunt	Gruppo	Mundy	Strittmatter
Butkovitz	Habay	Myers	Sturla
Buxton	Haluska	Nailor	Surra
Caltagirone	Hanna	Nickol	Tangretti
Cappabianca	Harhart	Nyce	Taylor, E. Z.
Carn	Hasay	O'Brien	Taylor, J.
Carone	Hennessey	Olasz	Thomas
Cawley	Herman	Oliver	Tigue
Chadwick	Hershey	Perzel	Travaglio
Civera	Hess	Pesci	Trello
Clark	Horsey	Petrarca	Trich
Clymer	Hutchinson	Petrone	True
Cohen, L. I.	Itkin	Petit	Tulli
Cohen, M.	Jadlowiec	Phillips	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	Reinard	Williams
Coy	Kirkland	Rieger	Wogan
Curry	Krebs	Roberts	Wozniak
Daley	Kukovich	Robinson	Wright, D. R.
DeLuca	LaGrotta	Roebuck	Wright, M. N.
Dempsey	Laughlin	Rohrer	Yewcic
Dermody	Lawless	Rooney	Youngblood
DeWeese	Lederer	Rubley	Zimmerman
DiGirolamo	Leh	Rudy	Zug
Donatucci	Lescovitz	Sainato	
Druce	Levdansky	Santoni	Ryan,
Durham	Lloyd	Sather	Speaker
Evans	Lucyk		

NAYS-0

NOT VOTING-1

Reber

EXCUSED-5

Bishop	Egolf	Pistella	Steil
Dent			

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.

COMMITTEE APPOINTED

The SPEAKER. Pursuant to HR 275, the select committee to study the National Weather Service and cooperation in weather-related disasters has been named: Tom Dempsey, chairman; and Representative Baker, Representative Feese, Representative Daley, and Representative Corpora make up the balance of that committee.

There will be no further votes today other than the housekeeping-type votes.



## REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the Democratic floor leader, who submits the following remarks for the record, which the Chair receives.

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

Governor Ridge left unanswered the fundamental question of this budget year:

Where is the surplus? How did Republican leadership turn Pennsylvania's growing, vibrant economy with a half-billion-dollar State surplus into an economic basket case in just 6 short months – even before the blizzard and the flood? So the question recurs: What did you do, Governor, with the half-billion-dollar surplus?

It is intensely ironic that so many of our challenges emanate from the Governor's Republican colleagues in Washington, D.C.

Here we are in February with local schools needing to create their budgets for next year without the slightest idea what to expect from Washington.

Here we are, 5 months after the Federal Government was to have passed its budget, and Governor Ridge does not know what to expect from Washington to support major lifeline programs for our citizens such as medicaid.

A year ago, Governor Ridge along with Republican leadership in the House and Senate, with mellifluous and honey-tongued phrases, confidently told the people of Pennsylvania that they had the answers. If we cut business taxes faster than the tax cuts Democrats already had enacted, then Pennsylvania will be prosperous. It has not worked out that way.

Meyer-Werft would have brought Pennsylvania not just another business but an entire industry and 7,000 new jobs in one fell swoop. But we cannot blame this distress solely on the Meyer-Werft debacle.

In just the past year, Pennsylvania has lost thousands and thousands of jobs. Hershey Foods, Breyer's Ice Cream, Scott Paper, Zenith Products, General Electric, British Petroleum, WorldClass Steel, Harley-Davidson, and even our own namesake, Quaker State, voted with their feet, taking jobs out of Pennsylvania.

Altogether, nearly 19,000 Pennsylvanians lost their jobs last year when 30 plants closed, down-sized, restructured, were acquired, or consolidated.

We need to stop the bleeding and go back to being worker-friendly. At the end of the day – when the executives board their corporate jets for Florida – it is the working men and women who make business survive.

And it is the great mass of working people, making wages that can support a family, who ultimately drive our economy through the goods and services they buy in the marketplace.

So it is imperative that we ask: What does this budget do for the ordinary working man and woman? The answer is: "Not much."

There is nothing here to make people feel more secure in their jobs or their homes – nothing here to give parents confidence that their children will have a good education and a secure future in Pennsylvania. Little wonder that United Van Lines now lists Pennsylvania number one in people moving out.

It used to be that if you did your job well, you could keep it. Not any more. Today, the down-sizers get more profits for stockholders and grossly bloated bonuses for CEO's by laying off a few hundred workers. It does not matter how well workers have done their jobs. The middle managers have greater job anxiety than ever before because they know that their jobs do not depend on performance.

In fact, while American businesses were racking up record profits last year and the salaries of CEO's jumped 30 percent, working people took home only 2.7 percent more in wages and benefits. Today, the wealthiest 1 percent of Americans hold 42 percent of the Nation's wealth.

This is unacceptable. It is a perversity of greed that reaps a bitter harvest for our citizens, and it is exactly what the Republicans call "business-friendly."

This so-called business-friendly culture has seen workers lose the security of health-care coverage for their families, dropping from 72 percent of workers in 1980 to only 37 percent today.

Defying imagination, it gets worse. Governor Ridge adds cuts in medicaid, cuts in the Health Department's prevention programs, and a new license to pollute.

The Governor's platitudes notwithstanding, it is time for Pennsylvania to have a real plan – not a shell game – and that plan should keep Pennsylvania businesses in Pennsylvania. Let us make that our top priority.

Pennsylvania needs a plan that does not confuse economic development and community development. The Governor's plan to submerge Community Affairs within the Commerce Department is a regrettable example of such confusion.

A community is more than the sum of its businesses. Yet the Ridge plan exalts business issues over community issues, ignoring housing, cultural heritage, and infrastructure – many things that DCA, and only DCA, does extremely well.

Governor Ridge should listen to local leaders who, by margins of 80 to 90 percent, oppose his plan.

Nor is that the only thing that local leaders will oppose. While the Governor talks about saving \$30 million at the State level, he does not mention that this savings is achieved by shifting hundreds of millions of dollars in costs to local taxpayers.

As for the other priorities Governor Ridge enunciated in his budget proposal, they are stark statements that show him and other Republican leaders to be out of touch with ordinary Pennsylvanians. Those priorities are, however, consistent with the policy that gave 97 days for known tax cheaters to get a break while giving poor families only 20 days to get heating assistance.

When it comes to public education, this budget gets an "F."

Once again, Republicans have drastically underfunded rural schools. They give these kids an education that locks them in the 20th century as the world stands on the threshold of the 21st.

Governor Ridge's education proposal will produce higher local property taxes in rural areas. Statewide, the Ridge proposal adds up to about \$158 million in higher local taxes – just for basic education.

Last year, Governor Ridge told us, "There is absolutely nothing a government program can do to provide a breadwinner's job unless people have a good education."

A good education is the foundation of a breadwinner's job. This budget does not provide it, and the Governor will not get support for an economic development scheme that he himself has consigned to failure. If Republicans are serious about helping Pennsylvania businesses stay here, they will have to join Democrats and insist that we do just as good a job educating rural and urban kids as we do educating children in wealthy suburbs.

Governor Ridge's budget means that Harrisburg Republicans are content for tuitions to go even higher at our colleges and universities. Parents will have to go deeper in debt because Harrisburg Republicans fail to recognize that Washington Republicans are making extreme cuts in higher education aid to students and families.

Governor Ridge's budget means that we will spend ever more tax dollars on keeping ever more people in prisons while doing virtually nothing to strengthen local or State police and virtually nothing to prevent our citizens from becoming the victims of crime in the first place.

In this budget debate, Democrats will be working to establish "Priorities for Pennsylvania" that will make our Commonwealth worker-friendly and its government citizen-friendly.

Under the rubric of Jobs and Economic Security, Democrats propose to:

\* Put Pennsylvania businesses first in using public funds to retain and create jobs.

\* Raise the minimum wage to \$5.75 over 3 years.

\* Expand improvements in infrastructure — roads, rails ports, public transportation, clean water, sanitary sewers, telecommunications.

\* Target job creation efforts to communities in greatest need.

To ensure A Sound Education for a Secure Future, Democrats will work to:

\* Increase State funding for rural, small, and urban schools to give each and every child a level playing field for learning.

\* Cut tuition at State System and State-related universities.

\* Make schools safe by removing drugs, weapons, and disruptive students and providing alternative education programs.

The goal of Democrats is to Prevent Crime Before It Happens. We must:

\* Strengthen our local and State police.

\* Create mandatory treatment programs for drug and alcohol abusers in prisons.

\* Enforce a zero-tolerance policy for drugs and weapons in prisons.

Pennsylvania should have Taxes People Can Live With. Democrats propose to:

\* Abolish property taxes except in communities that choose to keep them.

Finally, Democrats propose A Government Citizens Can Count On. Democrats will work to:

\* Promote better public health through aggressive disease prevention, balanced nutrition, and a healthy environment.

\* Keep and improve the Department of Community Affairs to aid neighborhoods and local governments.

\* Enact sweeping reforms that open public meetings to the public.

\* Pass campaign finance reform.

These "Priorities for Pennsylvania" show our people that Democrats care about them and their future.

In the coming months, we will welcome the participation of moderate Republicans who share this vision and are as determined as Democrats to make it a reality.

### VOTE CORRECTION

The SPEAKER. Are there any changes to the record?

The Chair recognizes the gentleman, Mr. Belardi.

Mr. BELARDI. Thank you, Mr. Speaker.

Is it in order to change the record? Thank you, Mr. Speaker.

On HB 2360, I must admit I was in my seat and I made my switch malfunction. I would like the record to reflect that I would have voted in the affirmative. Thank you.

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

Are there any other reports of malfunctioning switches or members?

### BILLS AND RESOLUTIONS PASSED OVER

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

### ADJOURNMENT

The SPEAKER. Do the Republican or Democratic floor leaders have any further business? Any notices? Any announcements of committee meetings? Any corrections to the record?

Hearing none, the Chair recognizes the gentleman from Bucks, Mr. DiGirolamo.

Mr. DiGIROLAMO. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 7, 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 4:18 p.m., e.s.t., the House adjourned.