

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 9, 1996

SESSION OF 1996

180TH OF THE GENERAL ASSEMBLY

No. 23

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

REV. DR. ROBERT E. MAYER, Chaplain of the House of Representatives and pastor of Church of the Open Door, Lebanon Christian Academy, Lebanon, Pennsylvania, offered the following prayer:

Let us pray:

Eternal Father, we lift our hearts with thanksgiving to Thee this day for the assurance of Thy presence with us and for Your wonderful watchful care.

We thank Thee, Heavenly Father, for our Nation, and we thank You in a very special way for this great State – the Commonwealth of Pennsylvania. We thank You, our Father, for our heritage, and we pray that as the years go by, that we will not soon forget the wonderful blessings we have received in this Nation.

We have just passed through a number of outstanding holidays, a time when people from various religions have reflected back on their faith, and now we are reassembled knowing this: that there is a great task before us, much work to be done, a lot of things to be accomplished.

We admit to Thee, Heavenly Father, that in ourselves we are incapable of doing all of the things that please everyone. We face various philosophies and convictions. But, our Father, we thank You that You have raised up men and placed them in specific places in government such as those who are gathered here today. We look to You to bless them, grant to them wisdom, give them understanding, and whatever decisions are made, we look to Thee to direct their thoughts that it will be the best for all people concerned.

We want to thank You for the privilege we have of calling upon Your holy name, and we ask now that as we begin our work, that it will be a day of great accomplishment, that much will be done to Your glory and the benefit of all of our citizens, for we ask it in that most holy name of the true and the living God. Amen.

PLEDGE OF ALLEGIANCE

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

FILMING PERMISSION

The SPEAKER. The House is advised that permission has been given to the York Dispatch to take still photographs on the floor during the initial floor proceedings. Permission has been given to Mike Ross of WHTM-TV to videotape on the floor, to Jennifer Ross of WHTM to videotape on the floor, to Dave Cohrac of WHTM-TV to videotape in connection with a girls basketball citation.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, March 27, 1996, will be postponed until printed. The Chair hears no objection.

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as a guest of the House, a gentleman from Ghana, Mr. Kwadwo Boateng, a Congressional Fellow, who is utilizing his experience in parliamentary administration. He is in Washington at the present time serving as a Hubert Humphrey Fellow. Would you kindly welcome the gentleman to the floor. He is here to the left of the Chair.

The gentleman has a lengthy biography of accomplishments that I am afraid would take much too long, but he was instrumental in, really, from what I gather, putting the legislative government of Ghana together many years ago, and I think he is to be congratulated for that. Just in the short time that I spent with him, which was really measured in moments, he was and is a very impressive gentleman, and we are very pleased to have him.

COMMUNICATION

LOBBYIST LIST PRESENTED

The SPEAKER. The Secretary of the Senate and the Chief Clerk of the House have filed with the Speaker, in accordance with Act No. 712, 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

April 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 March 1, 1996 through March 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.)

GUESTS INTRODUCED

The SPEAKER. There are a number of guests here today of members.

At this time the Chair is pleased to welcome to the hall of the House guest pages of the lady, Ms. Steelman, from East Pike Elementary School in Indiana – Joseph Ambrose and Justin McLaurine. Would the two students please rise. They are student council vice presidents, who, in a few years, will probably run against Ms. Steelman. I do not think Ms. Steelman heard me. I said, in a few years, they probably will run against you. They are vice chairmen of their student councils.

As the guests of the gentleman, Mr. Maitland, the Gettysburg Personnel Association is now visiting the Capitol. This group is seated at the rear of the House. It consists of approximately 20 members representing business leaders from Adams County. Would this group kindly rise to be acknowledged, the Adams County business group.

From Centre County, as the guest of Representative Lynn Herman, seated to the left of the Speaker, is Bill Foreman from Philipsburg. Mr. Foreman, would you please rise.

As the guests of the Speaker is a group from the Nether Providence Council of Republican Women, seated in the rear of the House. Would that group please rise.

LANCASTER CATHOLIC HIGH SCHOOL GIRLS BASKETBALL TEAM PRESENTED

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

The Chair recognizes the gentleman, Mr. Sturla, for the purpose of reading a citation.

Mr. STURLA. Thank you, Mr. Speaker. -----

While the rest of the members from the county congregate here, I would just like to make a few comments.

We have the coach and two of the team members behind us here, and the rest of the members are in the back of the House. We will get them to stand up and recognize them when we get the citation done here.

I would like to present a citation from the House of Representatives, and it says:

WHEREAS, The Commonwealth of Pennsylvania is always proud of the outstanding achievements realized by its youth in the spirit of competition, personal sacrifice, unity of purpose and commitment to a goal; and

WHEREAS, The Lancaster Catholic High School Girls Basketball Team has captured its third PIAA Class AAA state title by defeating Pittsburgh North Catholic by a score of sixty-eight to forty-nine at Hersheypark Arena. Members of the Lancaster Catholic Crusaders team, under the able direction of head coach Lamar Kauffman and assistant coaches John Kauffman and Ron Kubala, are Catherine Darcus, Angela Bauml, Stephanie Drevna, Lisa Clark, Stephanie Kuhn, Kerry Egan, Anita Charles, Joan Culp, Lisa Wertz, Elizabeth Hayek, Kari Kubala, Shannon Killen, Marie Charles and Maureen Ward.

NOW THEREFORE, The House of Representatives of the Commonwealth of Pennsylvania congratulates the Lancaster Catholic High School Girls Basketball Team and coaches upon their richly deserved championship title; proudly acknowledges the stellar athleticism, hard work and exemplary sportsmanship of these fine players in the tenacious pursuit of athletic excellence; offers best wishes for continued success in all future endeavors....

and directs that a copy of this citation, sponsored by myself and the rest of the members of the Lancaster County delegation, be presented to the Lancaster Catholic High girls basketball team.

If I could, I would like to present this to the coach and the two representatives from the team.

Could we have the rest of the team rise in the back also for recognition, please.

YORK COUNTY POLICE OFFICERS PRESENTED

The SPEAKER. The gentleman, Mr. Platts, is requested to come to the rostrum.

At this time we are going to, in a very, very, very small way, honor three police officers who were involved in a hostage incident here in Pennsylvania.

The Chair recognizes the gentleman from York.

Mr. PLATTS. Thank you, Mr. Speaker.

It is certainly my distinct privilege and honor today to join with the entire York County delegation in honoring three outstanding law enforcement officers from York County – Police Officers Patrick Hinds and Richard Trout of West Manchester Township and Officer James Beveridge of York City.

As you will learn over the next few minutes, these officers have acted in a manner that epitomizes the ideals of courage, service to one's community, selflessness, and great valor.

Beginning at approximately 3 a.m. on December 21 of last year, these officers were three of countless law enforcement and emergency service personnel involved in a harrowing 10-hour standoff in which an armed assailant held family members hostage. Although the assailant in the end took his own life, thankfully none of the hostages, his family members, were harmed.

During the course of the standoff, however, at approximately 8 o'clock in the morning, Officer Hinds, who was providing inner-perimeter security, was shot in the face and seriously wounded by the assailant, who was using a high-powered rifle with a telescopic sight. Relying on his training and extreme professionalism, Officer Hinds was able to return fire and began to withdraw to a safer position.

At that time and at great risk of serious injury or death to themselves, Officers Trout and Beveridge left cover and proceeded to assist Officer Hinds to ultimate safety and much-needed emergency medical care.

The actions of Officers Hinds, Trout, and Beveridge were certainly in keeping with the highest traditions of the police service. The actions of these three officers symbolize the actions and commitment to service of thousands upon thousands of law enforcement personnel throughout our great Commonwealth and great Nation, who, day in and day out, strive tirelessly to keep our streets and our neighborhoods safe for all of our citizens.

I am certainly pleased and honored to join with my entire York County delegation, my colleagues, in presenting House citations to Officers Hinds, Trout, and Beveridge for their service above and beyond the call of duty. As with all law enforcement officers, we are certainly and greatly indebted to you for your outstanding service to our communities.

Mr. Speaker, before closing, we would also like to recognize the many family members, friends, and colleagues, including the West Manchester Township supervisors, Brad Jacobs and Michael March, and York City Police Commissioner Herb Grofcsik, who are with us here today. Would all of these guests please rise and be recognized.

Certainly without the support of friends and family, as we all very well know, we would not have the great service that we do from these officers. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LEAVES OF ABSENCE

The SPEAKER. The Chair is about to take today's leaves of absence.

The Chair recognizes the gentleman from Lancaster, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

I have two requests: one for the gentleman from Bucks County, Mr. REINARD, for the week, and one for the gentlelady from Allegheny County, Mrs. FARMER, for the week also.

The SPEAKER. The Chair thanks the gentleman. Without objection, leave will be granted. The Chair hears no objection.

The Chair recognizes the gentleman from Allegheny County, Mr. Itkin, for the purpose of taking leaves of absence.

Mr. ITKIN. Mr. Speaker, I would request leaves of absence for the gentleman from Erie, Mr. SCRIMENTI; the gentleman from Washington, Mr. DALEY; the gentleman from Allegheny, Mr. OLASZ; the gentleman from Westmoreland,

Mr. TANGRETTI; the gentleman from Clinton, Mr. HANNA; and the gentleman from Allegheny, Mr. GAMBLE, all for today's session.

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

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

ADDITIONS—0

NOT VOTING—0

EXCUSED-8

Daley	Gamble	Olasz	Scrimenti
Farmer	Hanna	Reinard	Tangretti

LEAVES ADDED-1

Pitts

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.)

CALENDAR

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER. The Chair turns to page 1 of today's calendar. SB 1047 is over. SB 633 is over.

BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 1977 is over temporarily.

BILL PASSED OVER

The SPEAKER. Page 2. HB 2240 is over.

The House proceeded to third consideration of **HB 168, PN 3266**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding definitions; further defining "enforcement officer" and "superannuation age"; providing for optional active membership; further providing for credited school service and State service, for nonschool and nonstate creditable service, for special early retirement, for automatic cost-of-living increases and for multiple service members; providing for funding of early retirement incentive programs; authorizing annuitants to redetermine the effect of frozen present value; providing for special supplemental postretirement adjustments; limiting certain liability for bonds and notes; further providing for the class of service for bail commissioners and for termination of annuities; and making a repeal.

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

BILL REVERTED TO
PRIOR PRINTER'S NUMBER

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

Mr. COHEN. Mr. Speaker, I move to revert HB 168, PN 3266, to PN 2468, which is the bill as it was reported out of the State Government Committee. The effect of this motion would be to reduce the annual cost of this bill from a little under \$2 billion in its current printer's number to about \$100,000 a year as it was originally introduced.

The SPEAKER. The gentleman, Mr. Cohen, moves that HB 168, PN 3266, revert to HB 168, PN 2468, which I understand was the printer's number, Mr. Cohen, at what point?

Mr. COHEN. It is the printer's number of the bill as reported out of the State Government Committee.

The SPEAKER. As originally reported out of the State Government Committee. Thank you.

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

The SPEAKER. On that question of reversion to PN 2468, the Chair recognizes the gentleman from Lancaster County, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

I rise to support the gentleman, Mr. Cohen, on his motion to revert to the prior printer's number as the bill came out of the State Government Committee. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. Nickol, from the county of York.

Mr. NICKOL. Thank you, Mr. Speaker.

I rise to support the gentleman, Mr. Cohen's motion to revert to the prior printer's number.

Whoever said "You can't be all things to all people" quite obviously did not see the present version of HB 168.

This bill gathers together almost every pension promise legislators have made in a single package. Many of us probably support one or two of these items, but others among us have probably made promises to support all of them, never expecting to see all the promises come due the same day.

Do you recall the punch line to the old joke, "How do you eat an elephant?" The answer, of course, is, "One bite at a time." This is the same way we as legislators can get into trouble with pension funding - one promise at a time. Therefore, it was probably good for all of us - the special interest groups, the press, and the public - to see the grand sum and total cost of all promises, the elephant, so to speak.

As presently drafted, this bill would increase the debt of our two State pension funds by more than \$16 billion, the debt to be paid off over the next 20 years. On top of this, the bill would increase the normal cost of our pension plans by more than \$500 million in the first year alone. These payments would not end in 20 years.

I urge members to support the motion to revert. It will strip the bill down to one section containing language that complies with a court decision on the purchase of credit for military service. This would entail no added costs to the pension funds since the costs are required of us anyway. The bill will simply put the required provisions into State law.

Once again, I urge members to support this motion. Thank you.
The SPEAKER. The gentleman from Chester, Mr. Pitts.

Mr. PITTS. Thank you, Mr. Speaker.

For months the Appropriations and State Government Committees have received member requests for amendments related to the retirement systems.

It is difficult to resist requests from constituents or special interests to add benefits. Taken by themselves, many of these initiatives appear meritorious. However, in the aggregate, the effect of these changes is especially harmful.

Mr. Speaker, only when members can see the total cost of all their suggested changes does it become clear how imprudent it is to amend our retirement systems. By tinkering with our pension systems, we jeopardize their solvency, and no one wants to do that.

It would be irresponsible to adopt this legislation as it stands. We cannot set the dangerous precedent of adding benefits to our pension systems. Therefore, I rise to support this motion to revert to the prior printer's number. Thank you, Mr. Speaker.

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

Mr. EVANS. Mr. Speaker, thank you.

Mr. Speaker, this is probably the most interesting thing that I have seen in 16 years of being here. A bill is voted out of the Appropriations Committee with a cost analysis of \$1.9 billion and my good friend on the other side of the aisle stands up and says how this is not responsible.

I want to give a little history, because I think it is important, Mr. Speaker, that the way that this process works is we get an analysis from the retirement system regarding any retirement initiative, and once we have received that analysis, as we did in the Appropriations Committee, then members — Democrats and Republicans alike — review that analysis and then make some kind of determination where their vote is going to be.

But it is interesting, Mr. Speaker, that this bill was voted out of the Appropriations Committee 20 to 11 — Democrats voted one way, Republicans voted the other way — to be voted to the floor to teach the members a lesson.

The SPEAKER. Will the gentleman yield.

The question before the House is one of reversion, not committee votes. I would appreciate it if the gentleman would— A motion like this opens the door to all sorts of wonderful debate, and we are not going to allow it. We are going to stick to the question that is before the House, and that question is one of reversion, not what took place on the vote in committee. That is not before the House.

Mr. EVANS. You are correct, Mr. Speaker, and I will speak to the issue again. Thank you, Mr. Speaker.

As I indicated, this is a learning lesson for me, Mr. Speaker, because now this particular bill is on this floor and the same gentleman on the other side of the aisle who voted for it when it came out of the committee is now coming before this floor asking people to vote for the prior printer's number. It is the strangest thing I have ever seen.

The cost was very clear when it was in Appropriations — it has not changed — as well as it is on this floor: \$1.9 billion. It is amazing, Mr. Speaker, that all of a sudden that we want to refer it back to the prior printer's number. Well, the bill should have never come out of the Appropriations Committee, Mr. Speaker. It was wrong in the Appropriations Committee; it is wrong today. We have to stop this type of process of this game playing, Mr. Speaker.

I, too, stand to support it being reverted back to the prior printer's number, but I want to be clear, and I stand up to say that,

because we said in the Appropriations Committee it was wrong then. It is wrong now to play these kinds of games. I do not know what kind of game was being played, Mr. Speaker. I do not know who people were attempting to send a message to by adding every single item that dealt with any pension group in this General Assembly in this bill. I can only say to you, Mr. Speaker, that we raised this issue in the committee, we are raising it again, that there is no way that the taxpayers of this State could have afforded this.

I, too, stand with my good friend on that side of the aisle who said, I want to refer back to the prior printer's number, but I want to also set the record straight — I think he understands exactly what I am saying — that it was wrong what we told them in the committee, it is wrong now, and it should be reverted back to the prior printer's number. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Northampton, Mr. Nyce.

Mr. NYCE. Thank you, Mr. Speaker.

Mr. Speaker, I am not going to address the reasons why the bill is on the floor, but the bill is on the floor, and in its current form, we have seen the price tag.

Regrettably, in the past when we voted on bills like this, we never had the price tag. For example, the recent report of the pension commission on the Mellow bill, which passed in 1991, which cost us \$800 million and did not save a cent, and then the State workers' portion of that at some \$311 million. So—

The SPEAKER. The gentleman will yield; the gentleman will yield.

The question before the House is, should this bill be reverted back to its prior printer's number? Now, restrict your debate to that question—

Mr. NYCE. Thank you, Mr. Speaker.

The SPEAKER. —not the Mellow bill.

Mr. NYCE. Thank you, Mr. Speaker.

I was just justifying my reason why the bill should go back to the prior printer's number. It is loaded with all of those things that we never know the cost of until after they are passed, and for that reason and the other reasons stated by Representative Nickol, I believe we have to revert to the prior printer's number.

This bill is just a gross example of what we have done in the past, and I hope that the members will support the reversion to the prior printer's number. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question, those in favor of the motion of the gentleman, Mr. Cohen, that HB 168 revert to its prior PN 2468 will vote "aye"; opposed, "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—193

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

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

NAYS-0

NOT VOTING-2

Carn Mayernik

EXCUSED-8

Daley	Gamble	Olasz	Scrimenti
Farmer	Hanna	Reinard	Tangretti

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

The SPEAKER. The motion carries, and the prior PN 2468 shall be the relevant bill that will be considered by the House.

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

The SPEAKER. It is the understanding of the Chair that the gentleman, Mr. Cohen, has an amendment to HB 168, PN 2468.

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

Mr. COHEN offered the following amendment No. A1532:

Amend Bill, page 5, line 1, by removing the period after "1974" and inserting
, only for the purpose of determining eligibility to receive special supplemental postretirement adjustments.

Section 4. No payments under 24 Pa.C.S. § 8348.4 and 71 Pa.C.S. § 5708.4 shall be made to any eligible annuitant for any period of time prior to the effective date of this act.

Amend Sec. 4, page 5, line 2, by striking out "4" and inserting
5

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

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment A1532 is another fiscal responsibility amendment. It clarifies the intent of this bill, that these amendments are all prospective payments, not retroactive payments.

A member of the State Government Committee felt there was some possible ambiguity there, and upon research, we found there also was a possible ambiguity, so this gets rid of the ambiguity.

I urge your support for this amendment.

The SPEAKER. On the question of the adoption of the amendment, the gentleman, Mr. Clymer, from Bucks.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, this is indeed a technical amendment, and I would urge members to support it. Thank you.

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

The following roll call was recorded:

YEAS-192

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

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

NAYS-0

NOT VOTING-3

Carn	Mayernik	Reber
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EXCUSED-8

Daley	Gamble	Olasz	Scrimenti
Farmer	Hanna	Reinard	Tangretti

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS-193

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

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

NAYS-0

NOT VOTING-2

Carn	Mayernik
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EXCUSED-8

Daley	Gamble	Olasz	Scrimenti
Farmer	Hanna	Reinard	Tangretti

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.

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Reber.

Mr. REBER. Mr. Speaker, to correct a vote.

My switch malfunctioned on the Cohen amendment. I would like to be recorded in the affirmative.

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Pitts.

Mr. PITTS. Thank you, Mr. Speaker.

I understand we are going to break soon. I would like to call a meeting immediately of the House Appropriations Committee in the conference room back in the Appropriations area.

RULES COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Perzel, do I understand you want a Rules Committee meeting now?

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

RESOLUTION REPORTED FROM COMMITTEE

HR 284, PN 3119 By Rep. PERZEL

A Resolution recognizing and commending the Veterans of Underage Military Service.

RULES.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 148, PN 122 By Rep. HASAY

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, adding provisions relating to trade secrets.

COMMERCE AND ECONOMIC DEVELOPMENT.

HB 647, PN 3369 (Amended) By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the expungement of certain arrest records relating to sexual offenses.

JUDICIARY.

HB 1886, PN 2325 By Rep. BUNT

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for agricultural conservation easements.

AGRICULTURE AND RURAL AFFAIRS.

HB 1985, PN 2460 By Rep. HASAY

An Act amending the act of June 28, 1947 (P.L.1110, No.476), known as the Motor Vehicle Sales Finance Act, providing for notice to the local police department prior to the repossession of a motor vehicle.

COMMERCE AND ECONOMIC DEVELOPMENT.

HB 2362, PN 3370 (Amended) By Rep. GANNON

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for wiretapping and electronic surveillance and for windshield obstructions.

JUDICIARY.

HB 2442, PN 3200

By Rep. BUNT

An Act amending the act of June 10, 1982 (P.L.454, No.133), entitled "An act protecting agricultural operations from nuisance suits and ordinances under certain circumstances," defining "agricultural commodity."

AGRICULTURE AND RURAL AFFAIRS.

HB 2488, PN 3277

By Rep. GANNON

An Act amending the act of June 25, 1982 (P.L.629, No.178), entitled "An act providing for an annual assessment for the necessary expenses of the association of district attorneys in counties of the first class," further providing for annual assessments for the association of district attorneys.

JUDICIARY.

SB 1371, PN 1733

By Rep. BUNT

An Act amending the act of June 10, 1982 (P. L. 454, No. 133), entitled "An act protecting agricultural operations from nuisance suits and ordinances under certain circumstances," providing for the use of customary agricultural equipment.

AGRICULTURE AND RURAL AFFAIRS.

BILL REPORTED AND REREFERRED TO COMMITTEE ON CONSUMER AFFAIRS

SB 831, PN 1770

By Rep. BUNT

An Act amending the act of December 17, 1968 (P. L. 1224, No. 387), entitled "Unfair Trade Practices and Consumer Protection Law," providing protection for dog purchaser; imposing duties on the Attorney General; and providing for records and for penalties.

AGRICULTURE AND RURAL AFFAIRS.

FILMING PERMISSION

The SPEAKER. The Chair has given permission to KDKA, Pittsburgh, for videotaping on the floor.

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 2488;
HB 2362; and
HB 647.

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 2488;
HB 2362; and
HB 647.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. Are there any reports, corrections of the record, or announcements in regular session?

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Mr. Fargo, for the purpose of making an announcement with respect to caucus.

Mr. FARGO. Yes. There will be a Republican caucus immediately upon the call of recess. We will plan to come back for additional votes at 3 o'clock.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Cohen, desires recognition first in connection with submitting documents to the record.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I had some remarks prepared on HB 168. I ask that the remarks be submitted for the record.

The SPEAKER. Send them to the desk. Thank you.

Mr. COHEN. Thank you.

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

Mr. Speaker, this bill authorizes a supplemental annuity for a few State and school retirees who were denied the ability to buy their active military service time under Act 31 of 1974. That act contained a provision which denied veterans the ability to buy back their military active duty service time if they applied that service time to a National Guard or Reserve pension. In 1984, the U.S. District Court declared that provision of the act was unconstitutional, but declined to make its decision retroactive.

Aside from being unconstitutional, I believe it was bad public policy to penalize veterans of the Second World War for continuing their service to their country by enlisting in the National Guard or Reserves.

As a practical matter this bill affects a few hundred World War II and Korean veterans who subsequently served in the National Guard or Reserves and retired from State or school service between 1974 and 1984. Those veterans who retired from State service prior to 1974 or after 1984 were permitted to buy their active duty military time.

Most of the supplemental annuities would be in the \$50 to \$75 range and would not apply to survivor benefits. The benefits would not be retroactive. The State Retirement Study Commission has agreed to this language.

The age of this group now ranges between 70 and 85 years old and this is already the fourth session that this legislation is before the legislature. I cosponsored Representative Kosinski's legislation back in 1989 and reintroduced the bill when he retired.

I would like to mention the efforts of Pete Cuicci (Chew-chi) of Dauphin County who headed an informal group of State retirees with active military service who pushed for this bill for many years. Unfortunately, Pete passed on just as the bill was being reported from the State Government Committee last September.

This bill does not make this limited group of veterans whole. They would have been financially far better off if they would have been able to buy back their military time. The bill does however admit that they should not have been penalized for their service to the Commonwealth and their country.

I ask for support for HB 168. Thank you.

DEMOCRATIC CAUCUS

Mr. COHEN. Mr. Speaker, there will be a House Democratic caucus immediately upon recess. I urge attendance of all members immediately upon recess.

The SPEAKER. The Chair thanks the gentleman.

Mr. Cohen, is 3 o'clock satisfactory with your caucus to return?

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House, as guests of Representative Jim Merry, Jeff and Becky Merry and their two children, Jonathon and Jason. Jeff is Representative Merry's nephew from Gainesville, Georgia. Would the Merrys please stand up.

RECESS

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

Hearing none, the regular session stands in recess until 3 o'clock or the sooner call of the Chair.

AFTER RECESS

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, I assume everyone has noticed that the balcony appears to be completed. It is just about completed. It is the hope of the Chief Clerk's Office and the Preservation Committee that it will be available for use by the public when we return at the end of April or the beginning of May, but a great deal of progress has been made. It, of course, looks very beautiful from here, and up close it is very beautiful.

CONDOLENCE RESOLUTION

The SPEAKER. We are about to take up a condolence resolution. The Sergeants at Arms will close the doors of the House. Members will take their seats. We are about to take up a memorial resolution with respect to the death of United States Commerce Secretary Ronald Harmon Brown.

The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA
THE HOUSE OF REPRESENTATIVES

RESOLUTION

WHEREAS, United States Commerce Secretary Ronald Harmon Brown died suddenly and tragically April 3, 1996 at the age of fifty-four; and

WHEREAS, Mr. Brown assumed the position of United States Commerce Secretary in 1993 and since that time he put the creation of jobs for Americans at the center of the country's foreign policy. Prior to that position he had served as head of the Democratic National Committee for four years and was head of President Bill Clinton's successful presidential campaign. In earlier years, he was spokesman and then vice president for Washington operations at the National Urban League. He had served as deputy head of Senator Edward Kennedy's 1980 presidential campaign and was a partner in the Washington law firm of Patton, Boggs and Blow; and

WHEREAS, Mr. Brown served with compassion, with a public-spirited focus, and with a broad commitment to the common good. He demonstrated himself to be adept at transforming ideas into successful programs, and with his heart and mind well tuned to the dictates and precepts of our modern society, he was able to function as an effective agent on behalf of all the citizens of the United States; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania note with great sadness the passing of Ronald Harmon Brown, beloved family member and esteemed governmental leader, whose noble actions manifested the highest traditions of public service; extend heartfelt condolences to his wife, Alma Brown; son Michael; and daughter Tracey; and be it further

RESOLVED, That a copy of this resolution, sponsored by the Honorable Dwight Evans and unanimously adopted by the House of Representatives, be transmitted to Mrs. Alma Brown.

..... Matthew Ryan
Speaker of the House
ATTEST:
Ted Mazia
Chief Clerk of the House

On the question,
Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will rise and remain standing as a mark of respect for this deceased member of the United States Government Cabinet of the President of the United States; remain standing as a mark of respect for this gentleman. Guests will also please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the United States Commerce Secretary, the Honorable Ronald Harmon Brown.)

The SPEAKER. The resolution has been unanimously adopted. The Sergeants at Arms will open the doors of the House.

BILLS REREPORTED FROM COMMITTEE

HB 2261, PN 2910 By Rep. FLEAGLE

An Act designating a certain bridge on S.R. 0010 in Parkesburg Borough, Chester County, as the William E. Wilson Memorial Bridge.

APPROPRIATIONS.

HB 2295, PN 3212 By Rep. FLEAGLE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for copying and recording devices; and providing for unlawful operation of a recording device in a motion picture theater.

APPROPRIATIONS.

HB 2401, PN 3213 By Rep. FLEAGLE

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

APPROPRIATIONS.

HB 2446, PN 3297 By Rep. FLEAGLE

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, affirming the opportunity for an electric public utility to restructure, buy down or buy out a nonutility generation contract from which such utility has an obligation to purchase electricity and affirming rate recovery of certain electric utility payments for such purposes.

APPROPRIATIONS.

SB 638, PN 1862 By Rep. FLEAGLE

An Act amending the act of July 6, 1989 (P. L. 169, No. 32), entitled "Storage Tank and Spill Prevention Act," further providing for definitions and for aboveground storage tank requirements; and providing for a feasibility study.

APPROPRIATIONS.

SB 1083, PN 1766 By Rep. FLEAGLE

An Act authorizing Commonwealth entities, political subdivisions and authorities organized by the Commonwealth or one or more political subdivisions to enter into guaranteed energy savings contracts.

APPROPRIATIONS.

SB 1171, PN 1368 By Rep. FLEAGLE

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

APPROPRIATIONS.

SB 1172, PN 1369 By Rep. FLEAGLE

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

APPROPRIATIONS.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2521 By Representatives MARSICO, BUXTON, S. H. SMITH, CALTAGIRONE, FICHTER, RUBLEY, TRUE, WAUGH, SAINATO, TIGUE, ROONEY, L. I. COHEN, BELARDI, STABACK, DiGIROLAMO, READSHAW, GIGLIOTTI, SHANER, STISH, MERRY, McCALL, BOSCOLA, FAJT, GEIST, DeLUCA, TRELLO, HASTE, MILLER, PRESTON, EGOLF, E. Z. TAYLOR, NAILOR, LEH, MASLAND, DEMPSEY, GRUPPO, O'BRIEN, HESS, VANCE, McGEEHAN, CLARK, CORNELL, BUNT, HASAY, FAIRCHILD, ZUG, CONTI, ARMSTRONG, STRITTMATTER, SAYLOR, CHADWICK, ADOLPH, B. SMITH, GLADECK, REINARD and FEESE

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

Referred to Committee on JUDICIARY, April 1, 1996.

No. 2522 By Representatives MARSICO, SCHULER, BELARDI, COY, STISH, SATHER, SAYLOR, FARGO, MELIO, FICHTER, TRUE, CLARK, PHILLIPS, LYNCH, SCHRODER, MERRY, HERSHEY, WALKO, LEDERER, GEIST, CORRIGAN, MILLER, STABACK, ROHRER, J. TAYLOR, ALLEN, DiGIROLAMO, TRELLO, HENNESSEY, BROWNE, WAUGH, E. Z. TAYLOR, YOUNGBLOOD, ROONEY, EGOLF, FAJT, RAMOS, CORNELL and CORPORA

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the provision of certain stimulants to minors; and providing penalties.

Referred to Committee on JUDICIARY, April 1, 1996.

No. 2523 By Representatives LLOYD, GORDNER, FAIRCHILD, READSHAW, BELARDI, KUKOVICH, MERRY, McCALL, HALUSKA, HERSHEY, SEMMEL, STETLER, BOSCOLA, SHANER, CAPPABIANCA, GIGLIOTTI, THOMAS, MELIO, SATHER, ROONEY, VAN HORNE, SAYLOR, GODSHALL, DeLUCA, WALKO, MIHALICH, TRAVAGLIO, TANGRETTI, RAMOS and CORPORA

An Act amending the act of May 5, 1921 (P.L.389, No.187), entitled "An act to regulate and control the manufacture, sale, offering for sale, giving away, and use of weights and measures and of weighing and measuring devices in the Commonwealth of Pennsylvania; providing for the approval and disapproval of such weights, measures, and devices by the Bureau of Standards; and prescribing penalties," further defining certain terms; providing for the approval of weights, measures and devices; imposing fees; prescribing penalties; and making editorial changes.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 1, 1996.

No. 2524 By Representatives LLOYD, GORDNER, FAIRCHILD, READSHAW, BELARDI, KUKOVICH, MERRY, McCALL, HALUSKA, HERSHEY, SEMMEL, STETLER, BOSCOLA, SHANER, CAPPABIANCA, GIGLIOTTI, THOMAS, MELIO, SATHER, ROONEY, VAN HORNE,

SAYLOR, GODSHALL, DeLUCA, WALKO, MIHALICH, TRAVAGLIO, TANGRETTI, RAMOS and CORPORA

An Act amending the act of December 1, 1965 (P.L.988, No.368), known as the Weights and Measures Act of 1965, further providing for the types of weights and measures governed by the act; imposing duties and conferring powers upon the Department of Agriculture and city and county sealers of weights and measures; authorizing the regulation of persons engaged in selling, installing and repairing of commercial weighing and measuring devices; providing for the registration of weighing and measuring devices used for commercial purposes; providing for county and city sealers of weights and measures and for training; providing for division of responsibilities; further providing for certain standards, for testing, for reporting and for the sale and packaging of certain commodities; providing for disposition of funds; and imposing criminal and civil penalties.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 1, 1996.

No. 2525 By Representatives LLOYD, BELARDI, READSHAW, KUKOVICH, MERRY, McCALL, HALUSKA, CURRY, BOSCOLA, SHANER, CAPPABIANCA, NICKOL, GIGLIOTTI, THOMAS, MELIO, NAILOR, ROONEY, VAN HORNE, SAYLOR, GODSHALL, TIGUE, DeLUCA, WALKO, MIHALICH, TRAVAGLIO, TANGRETTI and EGOLF

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for appeals from minor judiciary.

Referred to Committee on JUDICIARY, April 1, 1996.

No. 2526 By Representatives LEVDANSKY, MICOZZIE, KUKOVICH, BAKER, McCALL, TIGUE, L. I. COHEN, CURRY, LUCYK, CLARK, BELARDI, JOSEPHS, LAUGHLIN, LYNCH, ROBERTS, CAWLEY, WALKO, READSHAW, TRELLO, TRAVAGLIO, BEBKO-JONES and MUNDY

An Act creating the Disaster Assistance Relief Fund in the Department of Economic and Community Development; prescribing powers and duties of the Department of Economic and Community Development; and making an appropriation.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, April 1, 1996.

No. 2527 By Representatives LEVDANSKY, MERRY, DeLUCA, BELARDI, PISTELLA, JOSEPHS and RAMOS

An Act providing for certain standards for applicants for commercial or industrial development financial assistance from the Commonwealth or its development agencies.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, April 1, 1996.

No. 2528 By Representatives WALKO, DERMODY, ITKIN, READSHAW, LEVDANSKY, PRESTON, MARKOSEK, COWELL, PISTELLA, GIGLIOTTI, KAISER and OLASZ

An Act amending the act of May 21, 1931 (P.L.149, No.105), known as The Liquid Fuels Tax Act, changing the formula for distribution of part of the tax to the counties.

Referred to Committee on TRANSPORTATION, April 1, 1996.

No. 2529 By Representatives HALUSKA, READSHAW, KING, D. W. SNYDER, CAPPABIANCA, MUNDY, CURRY, BOSCOLA, CORPORA, JOSEPHS, SHANER, STABACK, MANDERINO, COLAFELLA, OLASZ, DALEY, DeLUCA, MELIO, KUKOVICH, MASLAND, SAINATO, ROBINSON, WALKO, DERMODY, PETRARCA, BLAUM, McGEEHAN, BELFANTI, COLAIZZO, FEESE, SATHER, TIGUE, STETLER, STURLA, HORSEY, MICHLOVIC, PETRONE, MARKOSEK, TRAVAGLIO, M. COHEN, TRICH, JAROLIN, ROBERTS, LAUGHLIN, McCALL and CAWLEY

An Act requiring managed-care organizations to provide information to covered persons relating to health care practitioner payment and reimbursement; conferring powers and duties on the Department of Health; and imposing civil penalties.

Referred to Committee on HEALTH AND HUMAN SERVICES, April 1, 1996.

No. 2530 By Representatives REBER, PESCI, BUNT, BAKER, LYNCH, STERN, PETTIT, COLAIZZO, LAUGHLIN, RUBLEY, TIGUE, CAWLEY, STEIL, RAYMOND, L. I. COHEN, DEMPSEY, BELARDI, COY, STABACK, READSHAW, MARSICO, GIGLIOTTI, KUKOVICH, MERRY, BELFANTI, GEIST, DeLUCA, JAROLIN, TRELLO, SEMMEL, YOUNGBLOOD, HALUSKA, FLICK and PRESTON

An Act amending the act of July 2, 1984 (P.L.527, No.106), known as the Recreational Improvement and Rehabilitation Act, establishing priority funding for certain facilities damaged by the January 1996 flood.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 8, 1996.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 341 By Representatives GEIST, GAMBLE, LEH, ROBERTS, HESS, McCALL, FAIRCHILD, SANTONI, DRUCE, MARKOSEK, ZUG, PETTIT, ARGALL, BARD, BROWN, MARSICO, S. H. SMITH, STRITTMATTER, MIHALICH, DERMODY, STAIRS, MELIO and PETRARCA

A Resolution memorializing the Congress of the United States to remove the Transportation Trust Funds from the Unified Federal Budget and to release those revenues for transportation improvements.

Referred to Committee on RULES, April 9, 1996.

COMMUNICATIONS FROM GOVERNOR

APPROVAL OF HOUSE BILLS

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

HB 47, HB 270, HB 1100, HB 1578, HB 1897, HB 1927, HB 1973, HB 2004, and HB 2033.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 2239 and SB 1251 be removed from the table.

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 HB 2239 and SB 1251 be recommitted to the Committee on Appropriations.

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1977, PN 3327**, entitled:

An Act providing for certain health insurance benefits to aid the health and well-being of mother and child following the birth of a child.

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

Mr. CURRY offered the following amendment No. **A1590**:

Amend Title, page 1, line 3, by removing the period after "child" and inserting

; and prohibiting certain practices by insurers.

Amend Sec. 1, page 1, lines 7 and 8, by striking out "Mother and Infant"

Amend Sec. 2, page 2, by inserting between lines 17 and 18 "Insurer." Any entity that issues an individual or group health insurance policy, contract or plan described under the definition of "health insurance policy" in this section.

Amend Bill, page 3, by inserting between lines 23 and 24

Section 4. Refusal to contract or compensate.

An insurer shall not refuse to contract with or compensate for covered services an otherwise eligible provider or nonparticipating provider solely because the provider has in good faith communicated with one or more of his current, former or prospective patients regarding the

provisions, terms or requirements of the insurer's products as they relate to the needs of the provider's patients.

Amend Sec. 4, page 3, line 24, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendment?

The SPEAKER. On that question, the gentleman from Montgomery County, Mr. Curry, is recognized.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment to a very important bill on mother and infant care prohibits an insurer from contractually gagging a provider by limiting a provider's ability to communicate certain contractual provisions relating to the needs of the provider's patients. This amendment has the support of the Pennsylvania Medical Society, and I urge its adoption.

The SPEAKER. The gentleman, Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

This amendment is referred to as the "gag rule."

The amendment provides that an insurance company is forbidden to refuse to contract with a doctor who has communicated with a patient regarding the provisions of the insurance policy as they relate to the doctor's care of the patient.

We do not oppose this amendment, since in my speaking to the insurance companies and the HMO's (health maintenance organizations), I am advised that they do not currently refuse to contract with a doctor nor do they cancel a doctor's contract for this reason. So I support the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

On the question,

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Curry. It is the Chair's understanding that the gentleman has a technical amendment.

Mr. CURRY. That is correct.

The SPEAKER. Your amendment, as I understand it, did not make the 24-hour rule, but it is designed to correct a mistake, and therefore, the 24-hour rule is waived.

Mr. CURRY. That is my understanding.

The SPEAKER. Because of a mistake in an amendment that was filed on time, not that it is a technical amendment. I apologize to the House.

On the question recurring,

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

Mr. CURRY offered the following amendment No. A1793:

Amend Title, page 1, line 3, by removing the period after "child" and inserting

; and prohibiting certain practices by insurers.

Amend Sec. 2, page 2, by inserting between lines 17 and 18

"Insurer." Any entity that issues an individual or group health insurance policy, contract or plan described under the definition of "health insurance policy" in this section.

Amend Bill, page 3, by inserting between lines 23 and 24

Section 4. Prohibited practices.

No insurer may deselect, terminate the services of, require additional documentation from, require additional utilization review for, reduce payments or provide financial disincentives to or otherwise penalize any attending provider who orders care consistent with the provisions of this act.

Amend Sec. 4, page 3, line 24, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman, Mr. Curry, on the amendment.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment prohibits insurers from penalizing providers who order care consistent with the provisions of this bill. Prohibited acts include terminating the provider's services, requiring additional documentation or utilization review, reducing payments, or providing financial disincentives.

Mr. Speaker, the American College of Obstetricians and Gynecologists urges the passage of this amendment, the Pennsylvania Catholic Health Association urges the passage of this amendment, and the Pennsylvania Catholic Conference supports this amendment. The president of the Pittsburgh Pediatric Society, Dr. Jeanne Hanchett, of the Rehabilitation Institute, urges passage of this amendment. She says, on behalf of the pediatricians in Allegheny County, "We pediatricians feel that it is important that insurance companies not be allowed to offer incentives or disincentives to mother and babies in order to shorten hospital stays in the antepartum period. It is important not to diminish follow-up care for mothers and babies. It is equally important that mothers not be encouraged to accept shorter hospital stays by the promise of enhanced follow-up care."

Dr. Gerald Fendrick, president of the Philadelphia Pediatric Society, writes on behalf of this amendment, "There are occasions when early discharge is appropriate but the decision for this has to be made by physicians and patients rather than insurance companies who are making such decisions based on financial matters. Even without early discharge there are many families who would benefit from home nursing visits before they are seen for follow-up care in a physician's office.

"The Pediatric Society strongly feels that financial incentives directed at physicians and patients for early discharge needs to be eliminated. Such incentives frequently preclude sound medical judgment and such incentives—"

Mr. MICOZZIE. Mr. Speaker?

Mr. CURRY. "—should not be the basis for considering early discharge."

The SPEAKER. Will the gentleman yield.

For what purpose does the gentleman, Mr. Micozzie, seek recognition?

Mr. MICOZZIE. Mr. Speaker, I think the gentleman should stick to the amendment. I think he is talking to the bill and not to the amendment.

Mr. CURRY. Mr. Speaker, this amendment was reviewed by pediatricians and gynecologists and obstetricians across the State. What I am reading from is their endorsement of this amendment and their reasons why this amendment must be added to HB 1977. Many of these letters conclude that the bill is of no value without that amendment. I think the members ought to hear that.

The SPEAKER. I am relying on the gentleman sticking to the amendment. Not being familiar with the amendment, I just do not know what to say. You are limited in your debate to the content of the amendment.

Mr. CURRY. I understand that, sir.

Mr. MICOZZIE. I never thought I would find the day that you did not have words to say.

The SPEAKER. I do have words to say. I just said them.

Mr. CURRY. The Pennsylvania Medical Society argues also on behalf of this amendment, saying that if it is adopted, "It will allow physicians to conduct their clinical practice of medicine at least within the consistent framework of a state law.... When confronted with the myriad provisions and restrictions of widely differing contracts they must be content with the protection from inappropriate intrusion into their medical practice that would be afforded under..." amendment A1793.

Lastly, from the American Academy of Pediatrics, "Health care providers and patients must be allowed the flexibility to choose optimal paths of care which assure positive birth outcomes." In addition, "Legislation should emphasize the importance of follow up services for families after newborn discharge.... The Academy feels that the current language of HB 1977" without amendment "does not address the problems which prevent health care providers and patients from making appropriate choices regarding discharge and follow up care for newborns. Many of these problems stem from the fact that both health care providers and patients, while technically having the ability to prolong a hospital stay or provide home follow up visits, are often discouraged from this through incentives or disincentives provided through the insurance company. Health care providers now live in fear that if they allow a longer hospital stay than that 'recommended' by the insurance company, they may well be either financially held accountable for this practice or even be dropped from the list of participating providers for that insurance company. Likewise, families are sometimes given blatant rewards for accepting shorter hospital stays or diminished follow up care than that which may be recommended by the health care provider. Passing legislation which does not address this issue will have little impact upon the health problems we have seen in our state as the result of shorter newborn hospital stays."

Mr. Speaker, I do not believe that government should dictate medical practice to physicians. If I thought this bill or this amendment were doing that, I would be opposed to it.

What this amendment does is it allows the patient to receive the full benefit of the doctor's knowledge, who is the expert in this case, and cannot be guided or directed or have decisions made for him by a contract with an insurance company. Thank you.

The SPEAKER. The gentleman, Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

First of all, the health and safety of the mother and their newborns are already protected by the provisions of my bill.

Second, of course, what the Representative has said, the amendment says that no doctor who orders care consistent with the act may be penalized by the insurance company. The insurance company is prohibited from actions such as requiring additional documentation from the doctor, requesting a reduction in payments to the doctor, or making financial disincentives to the doctor.

The question comes up, if this amendment passes, the insurance company cannot request additional documentation from a doctor who complies with the act, but sometimes additional information is needed, additional documentation is needed from a doctor so that

the claim may be properly reviewed and paid and any followup treatment can be done. To take that away from the insurance company or the HMO, I think is detrimental to the health care of the patient. Therefore, I oppose this amendment.

The SPEAKER. Will the gentleman yield.

FILMING PERMISSION

The SPEAKER. The Chair would advise the members that permission has been granted to KDKA to take video for a period of time in accordance with our rules.

CONSIDERATION OF HB 1977 CONTINUED

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

Mr. GANNON. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. GANNON. Mr. Speaker, I think the idea behind this amendment is very worthy and can be supported. The problem that I have with this amendment is, there is really no enforcement mechanism or no teeth if an insurer would fail or would require this overreaching, if you will, of the additional stay that is required under the Micozzie bill, and I am very concerned that what we are doing here is much ado about nothing in respect that it is a lot of smoke but very little substance.

I think when you have something like this, where you want to prohibit specific action by an insurer, prohibit them from demanding additional documentation, prohibit them from overreaching and looking over the doctor's shoulder and dictating patients' care, there has to be a penalty in there, and that penalty, if you will, could be some type — I do not know; I am not going to suggest — but there should be a penalty provision so that an insurer would know very, very specifically that if they did something that was prohibited, that there was going to be some consequence. The way this amendment reads now, if an insurer went forward and demanded what was prohibited, it is simply prohibited. There is no enforcement mechanism contained in the amendment.

Therefore, I would urge a "no" vote. I think we have got to go back to the drawing boards on this particular issue of peer review and utilization review and demands for additional documentation, go back to the drawing boards and see how we can put some tough enforcement mechanism in this law so that when an insurer does abuse the patient and the doctor privilege, that we have the tools to enforce that prohibition, and I would urge a "no" vote on the amendment.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, would the maker of the amendment stand for interrogation, please?

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

Mr. DeLUCA. Mr. Speaker, line 10 to line 14, can you explain that to me?

When we are talking about disincentives and reduced payments, are we talking about a physician being able to get an incentive for keeping health-care costs down?

Mr. CURRY. Yes.

Mr. DeLUCA. Or a hospital getting an incentive for keeping health-care costs down?

So it is like a bonus that we are giving them to ration this care?

Mr. CURRY. That is correct.

Mr. DeLUCA. Is that what we are saying here?

Mr. CURRY. Yes.

Mr. DeLUCA. Thank you.

That concludes my interrogation. I would like to make a statement, Mr. Speaker.

The SPEAKER. The gentleman is in order. You may begin.

Mr. DeLUCA. Mr. Speaker, I support this amendment.

I think that this is the type of an amendment that we need. I personally do not believe that we should be giving incentives to health-care practitioners or to hospital facilities for doing their jobs, especially since we are worldwide known for our medical practices for the health care we have in this country; why we are giving incentives to the medical profession and to the health-care providers to do their jobs. That is their job — to take care of the sick. It is not their job to ration care, to have a bonus at the end of the year. And I am not saying every one of these health-care physicians would probably look at that bottom line at the end of the year, but by the AMA's (American Medical Association) own admission, 10 percent — 10 percent — of the health-care practitioners in the medical profession are incompetent or should not be practicing. There are 24,000 physicians in Pennsylvania — 2,400 in Pennsylvania should not be practicing; 2,400 might take advantage of the incentives to keep health-care costs down.

We are not dealing with an insurance policy or doing taxes. We are talking about a person's health. When you make a mistake, it stands there. You either harm the patient or the patient dies. You cannot use an eraser to correct the mistake.

I think this is the type of amendment we need, and therefore, I ask my colleagues to support it. Thank you, Mr. Speaker.

The SPEAKER. The lady from Cumberland, Mrs. Vance.

Mrs. VANCE. Thank you, Mr. Speaker.

I think we have before us today a piece of legislation that will ensure women and newborn infants that they get the appropriate level of care, and I think it is a good piece of legislation.

I think the amendment before us steps over the bounds and goes into the relationship between the insurers and the providers. We are now talking about a contractual relationship that has no direct relationship to the mothers and children.

I would urge you to pass the legislation and oppose this amendment. This will not help the bill. It will impede its passage. I think we need to attend to the mothers and children, and any kind of dealings with contractual relationships between the insurers and providers should be dealt with on another day in another bill. I urge you to oppose this amendment. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Chester, Mr. Schroder.

Mr. SCHRODER. Thank you, Mr. Speaker.

Mr. Speaker, I commend Representative Curry for raising this issue. I believe it is an important one, and I will concede that he raises some valid questions.

However, I would point out to the members that this issue is much larger than just the maternity-care issue. This is an overall managed-care issue. I believe it needs to be addressed, but I would rather see it addressed in a more global level, if you will, and see us study this particular issue of incentives and disincentives in committee and so that we can hopefully pass a more comprehensive approach to dealing with this issue.

I would point out that also the Insurance Committee had three hearings across the State over the past 6 months on this very important issue. Many doctors of all stripes — gynecologists, pediatricians, et cetera — testified at those hearings, and to my recollection, they were unanimous in their unqualified support for HB 1977, and no mention, to my recollection, was really made of this incentives or disincentives issue.

I would also point out that the Medical Society does support HB 1977 even if this amendment does not go in.

So while I commend the gentleman for the issues and the questions that he is raising, for those reasons I would ask for a “no” vote on the amendment. Thank you.

The SPEAKER. The gentleman from Mercer, Dr. King.

Mr. KING. Thank you, Mr. Speaker.

I do not want to chide a fellow Republican, but I would say that in reference to the lady’s remarks concerning this as being a contractual relationship and has no bearing upon the actual carrying out of medical treatment, I would suffer to say that it is the very contractual arrangement which we are dealing with which is causing the problems that we are talking about on this issue. So if one would think that you have no measure of opportunity to interject yourself as a legislature into HMO’s contractual relationships with the doctors, I would suggest that possibly you are looking at the wrong issue.

And as far as saying that this particular issue will be addressed on a global basis, in this particular body I think that we all are very much a part of recent history in which the issue of managed care has been dealt with summarily and dismissed from this chamber and dismissed from the committee. There is such an iron fist on that committee that there are not going to be any other splitted statements made as far as your ability to deal with HMO and contractual relationships.

Again, these are only the mothers and babies of Pennsylvania we are talking about. Now, whether or not that is of importance to you or not, it certainly is to me.

So I suggest that we may want to support the gentleman, Mr. Curry’s amendment. Thank you.

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

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, this is a very important amendment. Payment bonus schemes for physicians to possibly withhold treatment in this country is wrong; it is wrong, so much that the Federal Government has recently promulgated a regulation to protect medicare and medicaid patients. This new Federal regulation prohibits HMO’s from making payments to doctors to limit or reduce medically necessary services. To quote Donna Shalala, Secretary of Health and Human Services, who issued the Federal regulation, “No patient in this country should have to wonder if their doctor’s decision is based on sound medicine or financial incentives.”

Mr. Speaker, it is wrong for doctors today to be given bonuses because they will limit stays in a hospital. It is wrong for doctors to be given bonuses so they limit the amount of emergency visits. These decisions are going to be based on financial reasons. It is wrong. We have the greatest medical delivery system in the world because it was made based on medical decisions and not financial decisions.

For all those reasons I ask you to support Representative Curry’s amendment.

The SPEAKER. The gentleman, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

I would like to echo the comments made by Representative King in regard to the comments made by Representative Vance.

I, too, feel that the whole reason for this bill and the whole reason for our discussion today is that there has been a problem that the doctors have not been able to make the final decision, that they have been swayed by the coverage or lack of coverage that would be paid by the insurance companies. That is the reason why we are here today; that is the reason for the bill — that they would not, on their own, agree to provide for these minimum periods of care.

So unlike what Representative Vance is saying, I believe that we should support the Curry amendment and that it is necessary.

My wife and I are expecting our second child in August. Whether my wife goes by natural delivery or by c-section, I would like to believe that the doctor would be able to say to my wife and to me, you need this amount of stay and care in the hospital and your baby needs this amount of stay and care in the hospital so that when we discharge you and discharge that baby, we know that you both are well.

I believe that this amendment is necessary so the doctors who are trying to do what they are supposed to do, as Representative DeLuca said, can provide the care needed, can make sure that the baby is healthy — it is not going to be jaundiced or anything — that the mother is healthy, and that they can return without fear of any retribution by an HMO or an insurance company.

For those reasons I support the Curry amendment and would ask that we vote “yes.”

The SPEAKER. The gentleman, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

This bill creates the Mother and Infant Health Security Act, and it mandates that individuals or group health insurance policies that have maternity benefits must — must — provide a minimum of 48 hours of inpatient care following normal delivery and 96 hours of inpatient care following a cesarean section. This is what this bill will do. It is a bill that is needed in Pennsylvania. It is a bill that has been agreed to.

We had a series, as Representative Schroder said, of about four or five meetings and hearings on this bill. We created a delicate balance; we created a consensus. If the Curry amendment goes into this bill, we are going to destroy that balance and we are going to destroy that consensus.

If we want a bill, if we want a law that will mandate the 48-hour insurance for a normal delivery and a 96-hour for c-section deliveries, we are going to have to vote “no” on the Curry amendment or there will be no bill. Thank you.

The SPEAKER. The gentleman from Allegheny, Mr. Trello.

Mr. TRELLO. Mr. Speaker, I rise to support the amendment. I cannot believe somebody would get up and say that this amendment is not needed because of the language in the current bill.

On “60 Minutes” a few nights ago, there was a young lady that was examined by her doctor. She was in the process of contracting a fatal disease. Under the contract of HMO, he was not allowed to tell her about this new ailment that was coming up, and later on she died, and they showed a picture of her husband and the two little children that they had.

I just cannot believe that we can say we are going to do something with another bill when we are allowing insurance

companies and other health practitioners not to give the patient the information that is absolutely necessary for the health, safety, and welfare of a mother, a father, or a child. I think the Curry amendment is long overdue, and I just cannot believe that people are debating or talking against this amendment. This should be a unanimous amendment, and everybody should be for it.

I think that is what we ought to do, is support this amendment that is long overdue, so that future patients can go to their doctor with assurance that he is going to tell them that they are going to have a problem later on and we better treat it now so they can have a long, productive life.

I urge a "yes" vote on the amendment.

The SPEAKER. The gentleman, Mr. Curry, for the second time on his amendment.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker—

The SPEAKER. The gentleman will yield.

Mr. CURRY. Yes, sir.

The SPEAKER. Mr. Micozzie, did you wish to speak again on this amendment? I will recognize Mr. Micozzie; because you offered the amendment, I will give you last crack at it. Mr. Curry, is that all right?

Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

There is no question that there is a lot of concern about the present HMO system as far as it relates between the doctor and the insurance companies. The question is, is this amendment the way to do it? We have bills in the House Insurance Committee that are now scheduled for hearings throughout the State that bring up and try to analyze what the problems are. In fact, Representative Trello is a cosponsor of one of the bills, HB 2169, that addresses all the questions that have been asked in our public hearings throughout the State.

We had three public hearings on this bill. We had public hearings on "any willing provider" throughout the State, and we gathered much information about the problems with HMO's and with the insurance companies' perceived problems. The only way to handle those problems or address them is to go throughout the State and have hearings.

Now, I do not know what the good doctor says when we have an iron-fist committee. We have a committee that works hard. It is one of the hardest working committees in the House of Representatives, because we spend a lot of time analyzing this, and I do not think this is the form that this amendment should be in this bill until the committee goes throughout the State, like we went with HB 1977, which we did with "any willing provider," and of course, there is the CAT Fund (Catastrophic Loss Trust Fund) and whatever.

I say that this amendment should be defeated, and let us give the committee a chance to have its hearings and then come back with a bill, like HB 2169 or other bills, that will address the problem fully, and I oppose the amendment.

The SPEAKER. The gentleman, Mr. Curry.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is no more than a straightforward attempt to ensure that the benefits to women and children provided by HB 1977 are in fact always available to them, and most importantly, enacts stringent protections so the patients — mother and child — are always provided with the highest quality care possible. This amendment, therefore, is not about protecting

providers but is in fact about providing further protections to birth mothers and their newborns.

Mr. Speaker, we heard about checks and safeguards. In fact, I served on the Health Systems Agency a number of years ago which was concerned about escalating health costs, and we, too, wanted to be sure of a review of practices to make sure we could control health costs. I would point out that this amendment in this bill allows for utilization review. The utilization review is still there. It only says that doctors cannot be harassed, that additional utilization reviews will not be required.

I would like to point out that the pediatric and neonatal associates argued that this legislation can only be strengthened by adding language regarding the ban of incentives and disincentives and specifying that health-care providers would have the freedom to recommend up to three home health-care visits over the first 2 weeks prior to the child's first visit to the physician's office. They argue against the practice of disincentives. With a degree of urgency, they urge that we implement this today, now, that it is long overdue.

And we have heard from two speakers about the hearings held by the Insurance Committee around the State. I would like to remind those speakers in the House that the testimony of one such person at a hearing said, and I quote:

"We believe House Bill 1977 should also be amended to include a statement that would ban incentives or disincentives to providers or recipients of perinatal services. In many areas patients are offered gift certificates, cash grants or other gifts if a package of benefits which reduces the overall cost to the insurers is chosen.

"Hospitals may be forced to encourage shortened length of stay if there is no reimbursement mechanism for 48-hour postpartum hospital stays by insurers. These practices compromise the decision-making process and simply interfere with the ability to make appropriate choices in follow-up care between the patient and the physician."

That statement was given before the Insurance Committee at the hearing in Beaver County.

So we have had on the record physicians arguing of the need to stop the practice of incentives and disincentives. The health of mothers and newborns is at stake, and I urge the adoption of this amendment. Thank you, Mr. Speaker.

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—97

Battisto	DeLuca	Laughlin	Roberts
Bebko-Jones	Dent	Lescovitz	Robinson
Belardi	Dermody	Lloyd	Roebuck
Belfanti	DeWeese	Lucyk	Rohrer
Birmelin	Evans	Lynch	Rubley
Bishop	Fajt	Manderino	Rudy
Blaum	Geist	Markosek	Sainato
Boscola	George	Masland	Santoni
Boyes	Gigliotti	Mayernik	Serafini
Browne	Gordner	McCall	Shaner
Buxton	Gruitza	Melio	Smith, S. H.
Caltagirone	Habay	Merry	Staback
Cappabianca	Haluska	Michlovic	Steelman
Carn	Herman	Mihalich	Surra

Carone	Hutchinson	Mundy	Tigue
Cawley	Itkin	Myers	Travaglio
Clark	James	Nailor	Trello
Cohen, M.	Jarolin	Nyce	Veon
Colafella	Josephs	Oliver	Vitali
Colaizzo	King	Petrarca	Walko
Corpora	Kirkland	Petrone	Washington
Corrigan	Krebs	Platts	Williams
Cowell	Kukovich	Preston	Wozniak
Coy	LaGrotta	Ramos	Yewcic
Curry			

NAYS—96

Adolph	Fichter	McGill	Steil
Allen	Fleagle	Micozzie	Stern
Argall	Flick	Miller	Stetler
Armstrong	Gannon	Nickol	Stish
Baker	Gladeck	O'Brien	Strittmatter
Bard	Godshall	Perzel	Sturla
Barley	Gruppo	Pesci	Taylor, E. Z.
Brown	Harhart	Pettit	Taylor, J.
Bunt	Haste	Phillips	Thomas
Butkovitz	Hennessey	Pistella	Trich
Chadwick	Hershey	Raymond	True
Civera	Hess	Readshaw	Tulli
Clymer	Horsey	Reber	Vance
Cohen, L. I.	Jadlowiec	Rieger	Van Horne
Conti	Kaiser	Rooney	Waugh
Cornell	Keller	Sather	Wogan
Dempsey	Kenney	Saylor	Wright, D. R.
DiGirolamo	Lawless	Schroder	Wright, M. N.
Donatucci	Lederer	Schuler	Youngblood
Druce	Leh	Semmel	Zimmerman
Durham	Levdansky	Sheehan	Zug
Egolf	Maitland	Smith, B.	
Fairchild	Major	Snyder, D. W.	Ryan,
Fargo	Marsico	Stairs	Speaker
Feese	McGeehan		

NOT VOTING—1

Hasay

EXCUSED—9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

On the question recurring,

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

Mr. COLAFELLA offered the following amendment No. A1591:

Amend Sec. 3, page 3, line 23, by inserting after "provider."

The health insurance policy shall not include any copayment, coinsurance or deductible amount for any post partum home health care visits.

On the question,

Will the House agree to the amendment?

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

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, my amendment would not allow an insurance company or an HMO to include a copayment, coinsurance, or a deductible amount to be used in the home health-care benefits contained in HB 1977.

Specifically in this bill, if a woman is released from the hospital in less than 48 hours following delivery, as is allowed, she must be provided with a home health-care visit. There is a danger that if a copayment or a deductible amount is required, the woman might not be able to afford to pay that amount, or the amount of the copayment or deductible will be so high that the woman would refuse the visit.

This amendment is simply about fairness, and I ask for your vote on this particular amendment.

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

Mr. MICOZZIE. Thank you, Mr. Speaker.

Although I do not oppose the amendment, the necessity of the amendment is questionable since the majority of policies which have a deductible clause apply this deductible annually to the first claims processed. Also, a copayment or coinsurance amount is usually a nominal amount.

In addition, the policy restrictions such as these are applied to all claims as they are processed, not just to specific types of claims such as the home health-care visit.

So I do not oppose this, and it is an agreeable amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—193

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

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

NAYS-0

NOT VOTING-1

Petrarca

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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?

Ms. JOSEPHS offered the following amendment No. A1619:

Amend Sec. 3, page 3, line 1, by striking out "SUCH AS" and inserting

including

Amend Sec. 3, page 3, line 13, by striking out "AT LEAST ONE"

Amend Sec. 3, page 3, lines 15 through 17, by striking out "VISIT WITHIN 48 HOURS AFTER DISCHARGE WHEN DISCHARGE" in line 15, all of line 16 and "VISITS SHALL BE MADE" and inserting

visits, in accordance with the recommendations of the treating physician,

Amend Sec. 3, page 3, line 19, by inserting after "include" , at a minimum,

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the lady.

Ms. JOSEPHS. Thank you, Mr. Speaker.

The amendment I am proposing has two parts. The first strengthens standards.

I think if you have read what is on the floor for us here, the little summaries that some of us receive here and some of us read,

I would like to say it is not quite accurate. To explain it a little bit more accurately, the bill as it now stands—

Mr. Speaker, I know that my chairman is trying to hear me and I can see he is having trouble hearing me, so I am wondering if you could ask for a little lower level of conversation.

The SPEAKER. Who is your chairman—

Ms. JOSEPHS. Mr. Micozzie cannot hear me, because I can see him trying—

Mr. GODSHALL. Mr. Speaker?

The SPEAKER. The gentleman will yield.

Conferences on the floor, please break up. Members of staff not involved in this debate or other matters that are going to be considered today should be seated someplace other than on the floor or milling around the floor. Members will take their seats, please.

Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

As the bill stands now, when the discharge—

The SPEAKER. The lady will yield. I am sorry.

For what purpose did the gentleman rise?

Mr. GODSHALL. Mr. Speaker, I wanted to make an inquiry as to, do we have a fiscal note on this amendment?

The SPEAKER. It is the information of the Chair that a fiscal note has been provided the gentleman.

Mr. GODSHALL. Thank you, Mr. Speaker.

The SPEAKER. The lady may continue.

Ms. JOSEPHS. Thank you, Mr. Speaker.

As the bill stands now, when the discharge decision is being made by the physician concerning a mother and a newborn child, the physician is directed to consider standards such as those promoted and developed by the College of Obstetricians and Gynecologists and the Academy of Pediatrics.

My amendment removes those two words, "SUCH AS," and requires that standards promulgated by those two groups – physician groups, specialty groups – be considered and consulted. I think this strengthens the bill, and I do not really understand what is wrong with requiring physicians, and insurance companies, of course, to comply or consider with standards that are basically developed by other physicians and are held in good repute across the medical profession.

The second part of my amendment leaves the decision of home health-care visits and how many entirely in the hands of the physician. I believe, again, where we are talking about health of an individual, two individuals really, one being a very vulnerable newborn baby with all kinds of future implications based on what medical decisions are made about that newborn baby, that those decisions ought to be in the hands of the physician and the patient and not in the insurance company.

I think our acceptance of the other amendment shows that we believe that basically, and so I rise to ask for a favorable vote on my amendment 1619. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question, the gentleman, Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

This amendment would no longer tie health-care visits to early discharge, and the number of home health-care visits would be unlimited.

Data which we received from the American College of Obstetricians and Gynecologists shows as of March 30, of the 11 States which have passed maternity legislation, Indiana, Kentucky, Maryland, Minnesota, and South Dakota provide that

only one health-care visit need be provided when there is an early discharge. North Carolina and Tennessee make no provisions for home health-care visits. Massachusetts regulates the minimum outpatient services but does not explicitly require coverage for outpatient postpartum care. New Mexico provides for three home health-care visits unless the physician determines that one or two are sufficient.

Now let us talk about the fiscal note, and I will read it, and it is from, of course, Joe Pitts: "This amendment requires that health insurance policies also provide coverage for home health care visits, in accordance with the recommendations of the treating physician, by a licensed health care provider whose scope of practice includes post partum care.

"The provision for home health care visits as written is open-ended. Costs to the Commonwealth and its political subdivisions as purchasers of fee-for-service health plans (employees and medical assistance recipients) are not anticipated to increase in order to provide home health visits. However, costs to managed care insurers could increase depending on the number of home health care visits a woman receives. These costs would be passed on to employers and individual subscribers of managed care health plans. Thus, using one home health visit as a basis, this amendment could result in increased costs to the Commonwealth of approximately \$308,000." Let me repeat that: "Thus, using one home health visit as a basis, this amendment could result in increased costs to the Commonwealth of approximately \$308,000.

"In order to comply with the rules of the House, you should provide a copy of..." whatever.

So not only am I opposed to it because of the statements I made before, but it is going to cost us \$360,000 in our budget. So I ask for a negative vote. Thank you.

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

Ms. STEELMAN. Thank you, Mr. Speaker.

In supporting this amendment, I would like to call to my colleagues' attention what I think is a good general principle, and that is that C.P.A.'s (certified public accountants) are not qualified to practice medicine, and M.B.A.'s (masters of business administration) are not qualified to practice medicine, and generally speaking, politicians are also not qualified to practice medicine.

Chairman Micozzie informs us that those States that have passed similar legislation to that which we are today considering have not included home health visits at the level that this amendment suggests we consider requiring, but Chairman Micozzie has introduced no evidence to suggest that the legislatures in these States include a majority, a plurality, or indeed any practitioners of medicine who might have had an opinion on whether medicine should be practiced by physicians or by politicians. I think that because the Josephs amendment returns the practice of medicine to the province of physicians, that we should consider it very seriously and we should support it.

And when we are talking about whether it might cost the Commonwealth \$360,000, I would suggest that what we are talking about here is money that is spent on preventative care, on home health visits that could prevent hospitalization of children who otherwise could and very likely would wind up in hospitals at potentially much greater expense. Everybody here who has had to look at the bills for a hospital stay know how rapidly a child with a serious illness or a few children with serious illnesses that could have been prevented by the visit of a home nurse will far exceed the cost of providing that preventative care.

Indeed, it would be hard to demonstrate more clearly the adage that an ounce of prevention is worth a pound of cure both financially and, if I may say so, morally, because if we can prevent infants from having to be hospitalized by permitting the mother's treating physician to decide whether that mother and infant need home health care, we will be doing the right thing as well as the fiscally responsible thing. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the lady, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

The SPEAKER. Will the lady yield?

Ms. JOSEPHS. Certainly.

The SPEAKER. Rather than use your second crack at the subject, let me first recognize the gentleman, Mr. Lescovitz. I will come back to you.

PARLIAMENTARY INQUIRY

AMENDMENT DIVIDED

Mr. LESCOVITZ. Thank you, Mr. Speaker.

Mr. Speaker, I would like to have the opportunity to be able to split this amendment after the third line, "including," to be one vote, and the second part of the amendment, line 4 down through line 11 as the second section. Is that amendment divisible?

The SPEAKER. The amendment is divisible and is now divided.

Do you understand what the gentleman has done, Ms. Josephs? All right.

The amendment offered by the lady from Philadelphia is now divided. It is in two parts, the first part being lines 1, 2, and 3 of the amendment, the second part being lines 4 through 11.

Does the gentleman care to debate this? The first three lines will be the first amendment called for a vote.

On the question,

Will the House agree to part 1 of the amendment?

PARLIAMENTARY INQUIRY

The SPEAKER. On the question, the Chair recognizes the lady.

Ms. JOSEPHS. A parliamentary question.

Is this my second or my first, since it has been split?

The SPEAKER. I was afraid of that.

Ms. JOSEPHS. Sorry.

The SPEAKER. Would you settle for one more turn on each of the divided? That gives you a total of three.

Ms. JOSEPHS. I would be happy to, because I am not a long speaker. I am a short politician and a short speaker, but—

The SPEAKER. We will do that without prejudice, by agreement. You are recognized to speak on the first three lines, which we will call part A.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I just want to bring to the attention of my colleagues that this part of the amendment, I think the least controversial part, simply requires that guidelines by obstetricians and gynecologists on one hand and pediatricians on the other hand be considered, be considered, when the discharge decision is being made by the physician and by the insurance company.

It strengthens the bill. I think it protects women and newborns, and I hope that the majority of my colleagues will vote for amendment 1. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question, the gentleman, Mr. Micozzie, on the first three lines.

Mr. MICOZZIE. Thank you, Mr. Speaker.

I have no objections for the change in the first three lines.

The SPEAKER. On the question of the divided amendment, which we will call section A, lines 1, 2, and 3, those in favor will vote "aye"; opposed, "no."

On the question recurring,
Will the House agree to part I of the amendment ?

The following roll call was recorded:

YEAS—191

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

NAYS—1

Trich

NOT VOTING—2

Mihalich

Ramos

EXCUSED—9

Daley
Farmer
Gamble

Hanna
Olasz

Pitts
Reinard

Scrimenti
Tangretti

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

The SPEAKER. The majority having voted in favor of the first portion, that portion is agreed to.

The second portion, being lines 4 through 11 of amendment A1619, is now before the House.

On the question,
Will the House agree to part 2 of the amendment ?

The SPEAKER. The Chair recognizes the lady, Ms. Josephs, for the second time on the amendment. She waives off.

The gentleman, Mr. Micozzie.

Mr. MICOZZIE. For all the reasons I stated before, I oppose the second part of the amendment.

The SPEAKER. The lady, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I listened with great interest to what Mr. Micozzie said about other States, and it occurred to me while he was speaking that perhaps it is time for Pennsylvania to be a leader in protecting women and children, newborns. I think that part of what we are talking about here is the fact that for a woman to be in the hospital having a baby I think is the only medical event in which the participants are not necessarily sick. As a matter of fact, they are, in the most part, both the mother and the newborn, healthy and well, and so we do not know exactly how to deal with it in the context of the insurance question issue which is always or almost always directed at people who have a sickness or an injury.

I think that also it is important for us to remember that, as had been brought up, we are talking about prevention. We have a healthy, for the most part, woman and a newborn. I think it is really important to keep those two individuals that way. I think that in spite of what other States have done, in almost all other countries which consider themselves industrialized and civilized countries, say like Great Britain, the home health visit is unlimited and it is ordered until it appears to the visiting nurse usually and the physician who is in control or supervising this activity that the mother and the infant really are doing well at home, that there is nothing in the home environment which is going to change the status of the mother and infant, which usually, as I have said, is two healthy individuals.

I also, as my colleague, Representative Steelman, said, take issue with some of the assumptions made by the Appropriations Committee when they set out the fiscal analysis. I think that to encourage home health care is to discourage

emergency room situations. We are helping people to use the most low-impact, the least costly, and in many ways the most effective medical modality and discouraging the most expensive, least effective, and least medically sensible medical modality. I think that we will save money in the long run, and I think that we will have healthier women and healthier babies.

I also would like to say that this problem came to us because families complained, and at that time the insurance industry said to us, it is not a problem; it is not a problem, and we kept hearing over and over and over again from families who had bad experiences with early discharge and with limited home health care. I think we need to set public policy that is broader than what the experts in the field are telling us and listen to our constituents.

I thank you, Mr. Speaker. Please vote "yes" for this part of my amendment.

The SPEAKER. The Chair thanks the lady.

On the question of the adoption of the second portion of the amendment as divided, those in favor will vote "aye"; opposed, "no."

On the question recurring,
Will the House agree to part 2 of the amendment?

The following roll call was recorded:

YEAS-88

Table with 4 columns of names: Battisto, George, Markosek, Santoni; Bebko-Jones, Gigliotti, Mayernik, Schroder; Belardi, Gordner, McCall, Shaner; Belfanti, Gruitza, McGeehan, Staback; Bishop, Gruppo, Melio, Stairs; Blaum, Haluska, Michlovic, Steelman; Boscola, Horsey, Mihalich, Stetler; Boyes, Itkin, Mundy, Sturla; Browne, James, Myers, Surra; Butkovitz, Jarolin, Oliver, Thomas; Caltagirone, Josephs, Pesci, Tigue; Carn, Keller, Petrarca, Travaglio; Cohen, M., Kirkland, Petrone, Trello; Corpora, Kukovich, Pistella, Van Horne; Cowell, LaGrotta, Preston, Veon; Coy, Laughlin, Ramos, Vitali; Curry, Lawless, Readshaw, Walko; DeLuca, Lederer, Rieger, Washington; Dent, Levdansky, Robinson, Williams; Dermody, Lloyd, Roebuck, Wozniak; DeWeese, Lucyk, Rooney, Yewcic; Evans, Manderino, Sainato, Youngblood

NAYS-104

Table with 4 columns of names: Adolph, Durham, Leh, Schuler; Allen, Egolf, Lescovitz, Semmel; Argall, Fairchild, Lynch, Serafini; Armstrong, Fajt, Maitland, Sheehan; Baker, Fargo, Major, Smith, B.; Bard, Feese, Marsico, Smith, S. H.; Barley, Fichter, Masland, Snyder, D. W.; Brown, Fleagle, McGill, Steil; Bunt, Flick, Merry, Stern; Buxton, Gannon, Micozzie, Stish; Cappabianca, Geist, Miller, Strittmatter; Carone, Gladeck, Nailor, Taylor, E. Z.; Cawley, Godshall, Nickol, Taylor, J.; Chadwick, Habay, Nyce, Trich; Civera, Harhart, O'Brien, True; Clark, Hasay, Perzel, Tulli

Table with 4 columns of names: Clymer, Haste, Pettit, Vance; Cohen, L. I., Hennessey, Phillips, Waugh; Colafella, Herman, Platts, Wogan; Colaizzo, Hershey, Raymond, Wright, D. R.; Conti, Hess, Reber, Wright, M. N.; Cornell, Hutchinson, Rohrer, Zimmerman; Corrigan, Jadlowiec, Rubley, Zug; Dempsey, Kaiser, Rudy; DiGirolamo, Kenney, Sather, Ryan, Speaker; Donatucci, King, Saylor; Druce, Krebs

NOT VOTING-2

Table with 2 columns: Birmelin, Roberts

EXCUSED-9

Table with 4 columns of names: Daley, Hanna, Pitts, Scrimenti; Farmer, Olasz, Reinard, Tangretti; Gamble

Less than the majority having voted in the affirmative, the question was determined in the negative and part 2 of the amendment was not agreed to.

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

AMENDMENT A1793 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Nickol, who moves that the vote by which amendment 1793 to HB 1977 passed on the 9th day of April be reconsidered.

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

The following roll call was recorded:

YEAS-190

Table with 4 columns of names: Adolph, Egolf, Lloyd, Sather; Allen, Evans, Lucyk, Saylor; Argall, Fairchild, Lynch, Schroder; Armstrong, Fajt, Maitland, Schuler; Baker, Fargo, Major, Semmel; Bard, Feese, Manderino, Serafini; Barley, Fichter, Markosek, Shaner; Battisto, Fleagle, Marsico, Sheehan; Bebko-Jones, Flick, Masland, Smith, B.; Belardi, Gannon, Mayernik, Smith, S. H.; Belfanti, Geist, McCall, Snyder, D. W.; Birmelin, George, McGeehan, Staback; Bishop, Gigliotti, McGill, Stairs; Blaum, Gladeck, Melio, Steelman; Boscola, Godshall, Merry, Steil; Boyes, Gordner, Michlovic, Stern; Brown, Gruitza, Micozzie, Stetler; Browne, Gruppo, Mihalich, Stish; Bunt, Habay, Miller, Strittmatter; Butkovitz, Haluska, Mundy, Sturla; Buxton, Harhart, Myers, Surra; Caltagirone, Hasay, Nailor, Taylor, E. Z.; Cappabianca, Haste, Nickol, Taylor, J.; Carn, Hennessey, Nyce, Thomas

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

NAYS-4

Cawley	DeWeese	Petrarca	Trello
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NOT VOTING-0

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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. **A1793**:

Amend Title, page 1, line 3, by removing the period after "child" and inserting

; and prohibiting certain practices by insurers.

Amend Sec. 2, page 2, by inserting between lines 17 and 18

"Insurer." Any entity that issues an individual or group health insurance policy, contract or plan described under the definition of "health insurance policy" in this section.

Amend Bill, page 3, by inserting between lines 23 and 24

Section 4. Prohibited practices.

No insurer may deselect, terminate the services of, require additional documentation from, require additional utilization review for, reduce payments or provide financial disincentives to or otherwise penalize any attending provider who orders care consistent with the provisions of this act.

Amend Sec. 4, page 3, line 24, by striking out "4" and inserting

5

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

The SPEAKER. Briefly, this is the amendment that was offered by the gentleman, Mr. Curry; just to remind everyone so we do not have to go through the whole thing.

The Chair recognizes the gentleman, Mr. Curry.

Mr. CURRY. Thank you, Mr. Speaker.

I was able to review for you the position of the professional organizations that deal with mothers and infants on this critical matter. I do not need to repeat that.

I would just point out that the safeguards that we all want to control health costs are still in the bill. The utilization review is not altered. It is simply a kind of harassment that is taken out of this bill, an additional utilization.

Secondly, I read to you testimony before the Insurance Committee urging that the bill be amended to prevent this practice of incentives/disincentives. You heard in the course of the debate that that is not a bad idea, that there is separate legislation waiting to be passed because this needs to be done. What the pediatricians and obstetricians and gynecologists are urging you to do today is to do this now and not wait for another risky moment like the young Schroder infant or like other infants around this State. We simply must act now to protect them.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

As I stated before, there is no question, there are perceived problems with the HMO's and the insurance companies and how they handle the doctors, the providers. I have no problem with that. During our discussions, whether it be in the discussions at our committee meetings or discussions across the State as far as our hearings - and we have had many of them - the problem has come to fore.

There are bills now in the hopper. There are bills that are being looked at, and already there are scheduled hearings on, I think it is HB 2169, which addresses this problem. What I am saying to you is, let the committee continue its work as far as going across the State, having public hearings, and come back after the hearings and make amendments or have bills. And the bill then will be brought up, and I promise to bring it up as soon as we conduct our hearings, and we will then address that part of the problem.

To attach this amendment to this HB 1977, and those of you who have been up here long enough, you know when it goes over to the Senate, there is going to be a problem in the Senate with the bill. So I am asking you to defeat the amendment, and I promise to come back with a bill that will address all the problems that Mr. Curry has laid out and the problems that we have seen across the State as far as talking to the providers and the insurance companies and HMO's.

So I once again ask for your negative vote on this amendment.

The SPEAKER. The gentleman, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, it hurts me to go against a great man, Representative Micozzie, who has been an outstanding Insurance chairman, but this particular amendment is one that I feel very strongly about.

What I am worried about in this country more than anything is that medical decisions are not based on financial considerations, and that is what is beginning to happen in this country. Whenever physicians are being given bonuses because they are being evaluated on how many people they are referring to specialists and so on, that is wrong; that is wrong. We did not become the greatest

nation in the world as far as medical delivery because of financial decisions, and it is wrong.

So I ask you to vote for the Curry amendment. It is the right amendment. It is good for the doctors, it is good for the patients, and it is good for this country. Thank you.

The SPEAKER. The lady from Cumberland, Mrs. Vance.

Mrs. VANCE. Thank you, Mr. Speaker.

This bill is called the Mother and Infant Health Care Act, and this bill does exactly that. It protects the rights of the mother and the newborn in the hospital.

The first Curry amendment said that the physician would be able to pass along information on any kind of treatment that he chose. There is no gag rule in place.

There has been a lot of talk about providers, and much of the debate on the floor has centered around physicians. Providers are also hospitals. Let us step back and look at this. If the hospital has a contract with an insurance company and they have agreed with the rates and the way they are going to handle things, we are now saying, hey, wait a minute; we as a legislature are going to come in here and tell you that you cannot have that contract between these two entities.

I think this is wrong. We are protecting the lives of the mothers and children, and I urge you to oppose the Curry amendment. You will still be protecting the lives of mothers and newborns. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Bucks County, Mr. Druce.

Mr. DRUCE. Thank you, Mr. Speaker.

I was not going to speak on this bill, but I have been working on some legislation and at one point, I think, felt very much like Mr. Curry that we need to do something about the fact that the playing field is so tilted in favor of the insurance industry, but, Mr. Speaker, what I have learned by working on the legislation is that if we really want to correct the problem and set good public policy in this Commonwealth and create a level playing field between providers and insurers, we need a strong utilization review process in this State.

The SPEAKER. Will the gentleman yield.

I was distracted and not listening to the debate, but that is way, way off of this particular amendment. Restrict the remarks to the contents of the amendment. I am sorry. You are talking, Mr. Druce, about legislation you are thinking of introducing.

Mr. DRUCE. No. Mr. Speaker, I am talking about legislation that gets right to the heart of the matter of what Mr. Curry is suggesting. If we adopt his amendment today, we will go back to a time, as it relates to birth, where doctors made all the decisions and there was no accountability within the financial system of health care. What has happened recently is we have gone the other way, too far, where now the insurers dictate everything, and what I am suggesting is what Mr. Micozzie has been arguing to the House — let us have a strong utilization review bill in this House that puts a level playing field.

We are going to go from bad to bad with what Mr. Curry is doing. I appreciate what he is trying to offer, and as I said, I felt the same way, but I got some education and found out that it would not solve the problem, and I believe that the chairman of the committee has offered to look at this in a way that we really ought to address it from a good public policy standpoint.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. James, from the county of Philadelphia.

Mr. JAMES. Thank you, Mr. Speaker.

Mr. Speaker, may I make a question to the maker of the amendment?

The SPEAKER. The gentleman will stand for interrogation. You may begin.

Mr. JAMES. I think I heard that one of the problems is that we have been moving legislation real fast, have not given the opportunity to have hearings and input from the people. What I would like to know is, does this impact on the service to the clients as it relates to them getting out of the hospital or forcing them out of the hospital earlier? Would this have an adverse impact on that?

Mr. MICOZZIE. Are you speaking to me?

The SPEAKER. Would the gentleman, Mr. James, advise us who it is you wish to interrogate.

Mr. JAMES. This would be the maker of the amendment.

The SPEAKER. The gentleman, Mr. Curry.

Mr. JAMES. Right.

Mr. CURRY. Would you repeat the question.

Mr. JAMES. Yes.

Does this have an adverse impact on the ladies that are coming out of the hospital? Do they have to come out quicker? I just want to know, does this amendment have an adverse impact on them or how it relates to that?

Mr. CURRY. I believe the bill without this amendment does have that adverse impact, and every physician and every professional association that deals with this issue thinks it does.

Mr. JAMES. Okay.

Now, my next question would be to Mr. Micozzie.

I think, Mr. Speaker, you had said that you are willing to address the concerns as expressed by Representative Curry and that you would have hearings, put impact in it, and get some impact and bring it back. What is your timeframe on that?

Mr. MICOZZIE. Yes. Mr. Speaker, of course, if anybody has tracked the history of my tenure as majority chairman — and my good friend, Representative Colafella, could attest to it — we have responded with hearings throughout the State, and I can name numerous hearings on the CAT Fund, whether it be on HB 1977, and when I made a promise on the floor to “any willing provider,” to Dr. King, we had more hearings on it and we had a vote in the House and long discussions about it. We had the Insurance Federation come in to testify and the HMO’s and his doctors come in to testify.

Yes, I am willing to go across the State again, three or four hearings if necessary, and come back with a bill. There are bills in the hopper right now, and for the life of me, I cannot understand why Representative Curry is not willing to join me and come up with a bill that will address all these problems.

Mr. JAMES. Okay. I just wanted to know, do you have a timeframe as to probably when you would be able to have the hearings and then bring something back?

Mr. MICOZZIE. Before the end of this session.

Mr. JAMES. All right. Thank you.

Thank you, Mr. Speaker.

The SPEAKER. On the question, Mr. Curry.

Mr. CURRY. Thank you, Mr. Speaker.

Just one more time, this amendment is straightforward. It is an attempt to protect the lives of mothers and infants. This is a very critical period, this 24-, 48-, 96-hour time, in the life of that infant and the subsequent development of that into a child and human being. We are still protecting the lives of mothers and infants.

The doctors say that this bill is inadequate without the amendment that I am supporting. This amendment will say to hospitals that the child must stay when the infant is at risk. That is when we want to keep that child. We ought to get away from the hours argument and mandating hours. What we ought to do is look to the criteria of the Ob-Gyn Academy and adhere to that. That is not a question of hours; it is a question of quality. And that delivering of quality service ought not to be interfered with by considerations of incentives and disincentives to get home early.

Thank you, Mr. Speaker.

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-80

Battisto	Dent	Lescovitz	Roberts
Bebko-Jones	Dermody	Levdansky	Robinson
Belardi	DeWeese	Lloyd	Roebuck
Belfanti	Evans	Lucyk	Rohrer
Bishop	Fajt	Manderino	Rublely
Blaum	George	Markosek	Sainato
Boscola	Gigliotti	Masland	Santoni
Browne	Gordner	Mayermik	Shaner
Caltagirone	Gruitza	McCall	Staback
Cappabianca	Haluska	Melio	Steelman
Carone	Herman	Michlovic	Stetler
Cohen, M.	Horsely	Mihalich	Surra
Colaella	Itkin	Mundy	Tigue
Colaizzo	Jarolin	Nailor	Travaglio
Corpora	Josephs	Nyce	Trello
Corrigan	King	Petrarca	Veon
Cowell	Krebs	Petrone	Vitali
Coy	Kukovich	Platts	Walko
Curry	LaGrotta	Preston	Wogan
DeLuca	Laughlin	Ramos	Yewcic

NAYS-111

Adolph	Fichter	McGeehan	Smith, S. H.
Allen	Fleagle	McGill	Snyder, D. W.
Argall	Flick	Merry	Stairs
Armstrong	Gannon	Micozzie	Steil
Baker	Geist	Miller	Stern
Bard	Gladeck	Myers	Stish
Barley	Godshall	Nickol	Strittmatter
Boyes	Gruppo	O'Brien	Sturla
Brown	Habay	Oliver	Taylor, E. Z.
Bunt	Harhart	Perzel	Taylor, J.
Butkovitz	Hasay	Pesci	Thomas
Buxton	Haste	Pettit	Trich
Cawley	Hennessey	Phillips	True
Chadwick	Hess	Pistella	Tulli
Civera	Hutchinson	Raymond	Vance
Clark	Jadlowiec	Readshaw	Van Horne
Clymer	James	Reber	Washington
Cohen, L. I.	Kaiser	Rieger	Waugh
Conti	Keller	Rooney	Williams
Cornell	Kenny	Rudy	Wozniak
Dempsey	Kirkland	Sather	Wright, D. R.
DiGirolamo	Lawless	Saylor	Wright, M. N.
Donatucci	Lederer	Schroder	Youngblood
Druce	Leh	Schuler	Zimmerman
Durham	Lynch	Semmel	Zug
Egolf	Maitland	Serafini	

Fairchild	Major	Sheehan	Ryan,
Fargo	Marsico	Smith, B.	Speaker
Feese			

NOT VOTING-3

Birmelin	Carn	Hershey
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EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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 gentleman, Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.

I had a long speech about this, but since we have been here for about an hour, all I ask for is your positive vote on this wonderful bill. Thank you.

The SPEAKER. The lady, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I also rise to ask for an affirmative vote but with a little caveat. I really want us to look at the effects that this bill has over the next 2 years or so, and without the amendment by my esteemed colleague, Mr. Curry, and without the other half of my amendment, if there is some problem, I would ask everybody's cooperation in revisiting this issue.

I know we all want to help women and newborn children. I may be wrong. I hope I am; I hope this works. And I ask for an affirmative vote. 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-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. TAYLOR called up **HR 321, PN 3330**, entitled:

A Resolution designating April 1996 as "Pennsylvania Organ and Tissue Donor Awareness Month."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-193

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

NAYS-0

NOT VOTING-1

Trello

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

* * *

Mr. GEIST called up **HR 322, PN 3331**, entitled:

A Resolution commemorating April 13, 1996, as the 150th anniversary of the charter establishing the Pennsylvania Railroad.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-193

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

NAYS-0

NOT VOTING-1

Myers

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

* * *

Ms. JOSEPHS called up **HR 323, PN 3332**, entitled:

A Resolution memorializing the Governor to proclaim the eight days of April 14 through April 21, 1996, as "Days of Remembrance of the Victims of the Holocaust."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

* * *

Mr. TRELLO called up **HR 324, PN 3333**, entitled:

A Resolution proclaiming the week of April 22, 1996, as "Leonard C. Staisey Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-192

Adolph	Evans	Lynch	Saylor
Allen	Fairchild	Maitland	Schroder
Argall	Fajt	Major	Schuler
Armstrong	Fargo	Manderino	Semmel
Baker	Feese	Markosek	Serafini
Bard	Fichter	Marsico	Shaner
Barley	Fleagle	Masland	Sheehan
Battisto	Flick	Mayernik	Smith, B.
Bebko-Jones	Gannon	McCall	Smith, S. H.
Belardi	Geist	McGeehan	Snyder, D. W.
Belfanti	George	McGill	Staback
Birmelin	Gigliotti	Melio	Stairs
Bishop	Gladeck	Merry	Steelman
Boscola	Godshall	Michlovic	Steil
Boyes	Gordner	Micozzie	Stern
Brown	Gruitza	Mihalich	Stetler
Browne	Gruppo	Miller	Stish
Bunt	Habay	Mundy	Strittmatter
Butkovitz	Haluska	Myers	Sturla
Buxton	Harhart	Nailor	Surra
Caltagirone	Hasay	Nickol	Taylor, E. Z.
Cappabianca	Haste	Nyce	Taylor, J.
Carn	Hennessey	O'Brien	Thomas
Carone	Herman	Oliver	Tigue
Cawley	Hershey	Perzel	Travaglio
Chadwick	Hess	Pesci	Trello
Civera	Horsey	Petrarca	Trich
Clark	Hutchinson	Petrone	True
Cohen, L. I.	Itkin	Pettit	Tulli
Cohen, M.	Jadlowiec	Phillips	Vance
Colafigliola	James	Pistella	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	Rieger	Wogan
Curry	Krebs	Roberts	Wozniak
DeLuca	Kukovich	Robinson	Wright, D. R.
Dempsey	LaGrotta	Roebuck	Wright, M. N.
Dent	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
Egolf	Lucyk		

NAYS-0

NOT VOTING-2

EXCUSED-9

Blaum	Clymer		
Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

* * *

Mrs. COHEN called up **HR 326, PN 3349**, entitled:

A Resolution declaring April 10, 1996, as "Osteoporosis Prevention and Treatment Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-192

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

Buxton	Hasay	Nickol	Taylor, E. Z.
Caltagirone	Haste	Nyce	Taylor, J.
Cappabianca	Hennessey	O'Brien	Thomas
Carn	Herman	Oliver	Tigue
Carone	Hershey	Perzel	Travaglio
Cawley	Hess	Pesci	Trello
Chadwick	Horsey	Petrarca	Trich
Civera	Hutchinson	Petrone	True
Clark	Itkin	Pettit	Tulli
Clymer	Jadlowiec	Phillips	Vance
Cohen, L. I.	James	Pistella	Van Horne
Cohen, M.	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	Rieger	Wogan
Curry	Krebs	Roberts	Wozniak
DeLuca	Kukovich	Robinson	Wright, D. R.
Dempsey	LaGrotta	Roebuck	Wright, M. N.
Dent	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
Egolf	Lucyk		

NAYS-0

NOT VOTING-2

Colaifella	Colaizzo
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EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

* * *

Mr. NAILOR called up **HR 327, PN 3350**, entitled:

A Resolution memorializing the Governor to proclaim the week of May 4 through 11, 1996, as "Pennsylvania Safe Kids Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

Adolph	Durham	Lloyd	Sather
Allen	Egolf	Lucyk	Saylor
Argall	Evans	Lynch	Schroder
Armstrong	Fairchild	Maitland	Schuler
Baker	Fajt	Major	Semmel
Bard	Fargo	Manderino	Serafini
Barley	Feese	Markosek	Shaner
Battisto	Fichter	Marsico	Sheehan
Bebko-Jones	Fleagle	Masland	Smith, B.

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

* * *

Mr. MERRY called up **HR 331, PN 3353**, entitled:

A Resolution honoring Foster F. Diebold, president of Edinboro University, for his service as its president.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-192

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

NAYS-1

Lawless

NOT VOTING-1

Krebs

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

RESOLUTIONS

RESOLUTIONS PASSED OVER

The SPEAKER. The balance of the resolutions on today's calendar are over.

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. VEON called up HR 332, PN 3357, entitled:

A Resolution congratulating the Blackhawk High School Cougars for winning the Pennsylvania Interscholastic Athletic Association Class AAA Boys' Basketball Championship.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-194

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

DeWeese	Lederer	Rubley	Zug
DiGirolamo	Leh	Rudy	
Donatucci	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

* * *

Mr. GANNON called up **HR 333, PN 3368**, entitled:

A Resolution designating the week of April 29 through May 3, 1996, as "Law Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

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

NAYS-0

NOT VOTING-0

EXCUSED-9

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

SUPPLEMENTAL CALENDAR B

RESOLUTION

Mr. O'BRIEN called up **HR 284, PN 3119**, entitled:

A Resolution recognizing and commending the Veterans of Underage Military Service.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

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

NAYS—0**NOT VOTING—0****EXCUSED—9**

Daley	Hanna	Pitts	Scrimenti
Farmer	Olasz	Reinard	Tangretti
Gamble			

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

The SPEAKER. Does the majority leader have any further business? Any announcements? Do any committee chairmen have announcements of committee meetings in regular session? Do the Democratic floor leaders have any announcements?

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen is recognized.

Mr. COHEN. Mr. Speaker, for the benefit of the Democratic members on the floor and in the sound of my voice, I would like to remind you that there will be a Democratic caucus dealing with the budget at 10 a.m. tomorrow. I would urge the attendance of as many members as possible.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Roberts.

Mr. ROBERTS. Mr. Speaker, I would like to make a correction to the record.

The SPEAKER. The gentleman is in order.

Mr. ROBERTS. For amendment A1619-2 to HB 1977, my vote was not recorded, and I would like to be shown as voting in the affirmative.

The SPEAKER. The gentleman, Mr. Ramos.

Mr. RAMOS. Mr. Speaker, I would like to correct the record. On amendment A1591; I was not recorded as voting. I would like to be recorded in the affirmative.

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

Any further corrections of the record? Any reports of committee?

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 2422 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 2422 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

SUPPLEMENTAL CALENDAR C**BILLS ON SECOND CONSIDERATION**

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

HB 2261, PN 2910; HB 2446, PN 3297; SB 638, PN 1862; SB 1083, PN 1766; HB 2295, PN 3212; HB 2401, PN 3213; SB 1171, PN 1368; and SB 1172, PN 1369.

CALENDAR CONTINUED**BILL PASSED OVER**

The SPEAKER. Without objection, the remaining bill on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. Does the majority leader or Democratic leader have any further business? Do the committee chairmen have any announcements? Do members have corrections to the record?

Hearing none, the Chair recognizes the gentleman from Lehigh County, Mr. Browne.

Mr. BROWNE. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 10, 1996, at 11:05 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:35 p.m., e.d.t., the House adjourned.