

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, APRIL 10, 1996

SESSION OF 1996

180TH OF THE GENERAL ASSEMBLY

No. 24

### HOUSE OF REPRESENTATIVES

The House convened at 11:05 a.m., e.d.t.

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

#### PRAYER

The SPEAKER pro tempore. Without objection, the prayer from today's special session will be printed in today's regular session Journal.

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:

Our Father and our God, we assemble again, the second day this month, for Your business and the business of our Commonwealth, the State of Pennsylvania.

We want to thank Thee, our Father, for Your overseership, for Your divine guidance, and we confess to Thee, Father, we truly need Your help and guidance in making all the decisions that must be made. We know that there are diversified opinions on many items, and yet at the same time there can only be one answer. Therefore, we do look to Thee to grant wisdom and understanding and direction in all the proceedings that take place here this day.

We thank You again and we can count on You to work in our midst, and we just pray that this will be a day of great accomplishment, and we will be eternally grateful for what You will do.

We ask this in the most holy name of our Eternal Father with thanksgiving. Amen.

#### PLEDGE OF ALLEGIANCE DISPENSED WITH

The SPEAKER pro tempore. Without objection, the Pledge of Allegiance will be dispensed with. The Chair hears no objection.

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, April 9, 1996, will be postponed until printed. The Chair hears no objection.

### SENATE MESSAGE

HOUSE BILLS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 166, PN 140**; and **HB 2048, PN 2547**, with information that the Senate has passed the same without amendment.

### SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 2066, PN 3348**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### SENATE MESSAGE

ADJOURNMENT RESOLUTION  
FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate  
April 9, 1996

RESOLVED, (the House of Representatives concurring), That when the Regular Session of the Senate adjourns this week it reconvene on Monday, April 29, 1996, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the Regular Session of the House of Representatives adjourns this week it reconvene on Monday, April 29, 1996, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

**COMMUNICATION FROM SPEAKER****SPEAKER PRO TEMPORE APPOINTED**

The SPEAKER pro tempore. The clerk will read the following communication from the Speaker of the House.

The following communication was read:

House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg

April 10, 1996

To the Honorable House of Representatives:

Pursuant to House Rule 1, this is to advise that I have appointed J. Scot Chadwick as Speaker Pro Tempore for the period April 10, 1996, through April 19, 1996.

Very truly yours,  
Matthew J. Ryan  
The Speaker

MJR/smm

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 2531** By Representatives SURRA, MARKOSEK, COY, THOMAS, SHANER, WALKO, MELIO, RUBLEY, TRELLO, BELARDI, S. H. SMITH, STEELMAN, ROONEY, OLASZ and HALUSKA

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for support guidelines.

Referred to Committee on JUDICIARY, April 10, 1996.

**No. 2532** By Representatives NICKOL, ARGALL, WALKO, FARGO, STABACK, CARONE, RUBLEY and HENNESSEY

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for appeals.

Referred to Committee on LOCAL GOVERNMENT, April 10, 1996.

**No. 2533** By Representatives NICKOL, VANCE, E. Z. TAYLOR, S. H. SMITH, BELARDI, MAITLAND, BOSCOLA, MILLER and MERRY

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, further providing for use of foreign fire insurance tax moneys.

Referred to Committee on LOCAL GOVERNMENT, April 10, 1996.

**No. 2534** By Representatives HERMAN, McGEEHAN, DALEY, PETTIT, GEIST, WALKO, TRELLO, L. I. COHEN, BAKER, MICOZZIE, STISH, E. Z. TAYLOR, FAIRCHILD, SERAFINI, RUBLEY, MERRY, SATHER, BELARDI, CURRY, COY, GODSHALL, OLASZ, HENNESSEY, LEDERER and FLICK

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for special tax provisions relating to certain nursing home expenses.

Referred to Committee on FINANCE, April 10, 1996.

**No. 2535** By Representatives HERMAN, McGEEHAN, DALEY, PETTIT, GEIST, WALKO, TRELLO, L. I. COHEN, BAKER, MICOZZIE, STISH, E. Z. TAYLOR, FAIRCHILD, SERAFINI, RUBLEY, MERRY, SATHER, BELARDI, CURRY, COY, GODSHALL, OLASZ, HENNESSEY, LEDERER and FLICK

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a deduction for nursing home expenses from the calculation of taxable compensation.

Referred to Committee on FINANCE, April 10, 1996.

**No. 2536** By Representatives HASAY, LESCOVITZ, BARLEY, GODSHALL, COY, BAKER, STISH, FAIRCHILD, GEIST, TRELLO, STERN, WALKO, M. N. WRIGHT, STABACK, HENNESSEY and BELFANTI

An Act amending the act of September 2, 1965 (P.L.490, No.249), referred to as the Money Transmission Business Licensing Law, providing for accelerated mortgage payment providers, for exemptions, for release of reports and for examinations.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, April 10, 1996.

**No. 2537** By Representatives TULLI, D. R. WRIGHT, HASAY, MARSICO, ROONEY, GRUPPO, COLAIZZO, SATHER and SERAFINI

An Act providing for customer choice of suppliers of electric generation services, for powers and duties of the Pennsylvania Public Utility Commission; establishing the Universal Service Fund; and making repeals.

Referred to Committee on CONSUMER AFFAIRS, April 10, 1996.

**No. 2538** By Representatives PHILLIPS, BELFANTI, FAIRCHILD, LYNCH, OLASZ, TRAVAGLIO, TRELLO, HENNESSEY, COLAFELLA, PETTIT, E. Z. TAYLOR and MICOZZIE

An Act authorizing certain persons to receive certification as a respiratory care practitioner by the State Board of Medicine or the State Board of Osteopathic Medicine under certain conditions.

Referred to Committee on PROFESSIONAL LICENSURE, April 10, 1996.

**No. 2539** By Representatives L. I. COHEN, BELARDI, KAISER, MERRY, JOSEPHS, BATTISTO, RUBLEY, TRELLO, ITKIN, McGEEHAN, NAILOR, PETTIT, STEELMAN, YOUNGBLOOD, E. Z. TAYLOR and RAMOS

An Act providing for the replacement of certain outdoor items with items made of recycled materials.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 10, 1996.

**No. 2540** By Representatives L. I. COHEN, CAPPABIANCA, LEDERER, WALKO, LAUGHLIN, TRELLO, BELARDI, DERMODY, YOUNGBLOOD, HORSEY and HENNESSEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for child-care facilities at county judicial centers or courthouses.

Referred to Committee on JUDICIARY, April 10, 1996.

**No. 2541** By Representatives L. I. COHEN, RUBLEY, BATTISTO, BELARDI, B. SMITH, KUKOVICH, HERSHEY, HANNA, HASTE, E. Z. TAYLOR, MANDERINO, FEESE, TRAVAGLIO and MUNDY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for speed timing devices.

Referred to Committee on TRANSPORTATION, April 10, 1996.

**No. 2542** By Representatives L. I. COHEN, WOGAN, LAUGHLIN, ROBINSON, TRELLO, BELARDI, YOUNGBLOOD, BOSCOLA, THOMAS, ITKIN, LEDERER, STABACK, STEELMAN, HORSEY, HENNESSEY and MYERS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting mutilation of female genitalia.

Referred to Committee on JUDICIARY, April 10, 1996.

**No. 2543** By Representatives L. I. COHEN, LAUGHLIN, ROBINSON, TRELLO, ROEBUCK, YOUNGBLOOD, THOMAS, LEDERER, SAYLOR, E. Z. TAYLOR, JAROLIN, WAUGH, STERN and MYERS

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further restricting the location of Pennsylvania liquor stores.

Referred to Committee on LIQUOR CONTROL, April 10, 1996.

**No. 2544** By Representatives LLOYD, BELARDI, HALUSKA, BOSCOLA, GEORGE, SHANER, CAPPABIANCA, GIGLIOTTI, THOMAS, SATHER, ROONEY, VAN HORNE, GODSHALL, WALKO, MIHALICH, TRAVAGLIO, RAMOS, FAIRCHILD, KUKOVICH, McCALL, RUDY and CURRY

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for alternative form of regulation of telecommunications services.

Referred to Committee on CONSUMER AFFAIRS, April 10, 1996.

**No. 2545** By Representatives SEMMEL, BUNT, BELFANTI, HERSHEY, GEIST, KREBS, B. SMITH, COY, BAKER, BARLEY, TRELLO, GRUPPO, STERN, CLYMER, WAUGH, SATHER, MILLER, STISH, YOUNGBLOOD, FARGO, HENNESSEY and MERRY

An Act amending the act of July 6, 1984 (P.L.652, No.136), known as the Milk Producers' Security Act, further providing for certain bonding.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, April 10, 1996.

**No. 2546** By Representatives MASLAND, RUDY, MILLER, LYNCH, STURLA, MUNDY, PLATTS, LAUGHLIN, GORDNER, VANCE, CAPPABIANCA, SERAFINI, L. I. COHEN, BELARDI, BAKER, STABACK, NICKOL, EVANS, FAJT, E. Z. TAYLOR, DeWEESE, ITKIN, TIGUE, FICHTER, WALKO, HORSEY, BOSCOLA, NAILOR, RUBLEY, BUXTON, ROONEY, LLOYD, TRAVAGLIO, HERMAN, COY, SANTONI, McCALL, PHILLIPS, MANDERINO, M. COHEN, SHANER, KUKOVICH, ROBERTS and BATTISTO

An Act establishing a legislative bipartisan commission for women and the Women's Commission Fund.

Referred to Committee on STATE GOVERNMENT, April 10, 1996.

**No. 2547** By Representatives MASLAND, FARGO, PETTIT, WAUGH, HALUSKA, WALKO, RUBLEY, TRELLO, PLATTS, L. I. COHEN, McGILL, GODSHALL, CLARK, COLAFELLA, EGOLF and FICHTER

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the taxation of "transient business."

Referred to Committee on FINANCE, April 10, 1996.

**No. 2548** By Representatives MASLAND, FARGO, E. Z. TAYLOR, L. I. COHEN, GEIST, STISH, BAKER, PETTIT, SHEEHAN, HALUSKA, SERAFINI, WALKO, GODSHALL, ARMSTRONG, RUBLEY, SATHER, BELARDI, FLICK, PLATTS, McGILL, CLARK, TRAVAGLIO, COLAFELLA, ITKIN, SAINATO, EGOLF, STABACK, EVANS and ROONEY

An Act amending the act of August 14, 1991 (P.L.342, No.36), known as the Lottery Fund Preservation Act, further defining "income" for purposes of pharmaceutical assistance for the elderly.

Referred to Committee on FINANCE, April 10, 1996.

**No. 2549** By Representatives DEMPSEY, STURLA, BUXTON, MICHLOVIC, VAN HORNE and TRAVAGLIO

An Act providing for regional asset districts and establishing the Regional Asset District Sales and Use Tax Fund; for their powers and duties; and making repeals.

Referred to Committee on FINANCE, April 10, 1996.

**No. 2550** By Representatives ROHRER, THOMAS, LYNCH, BAKER, HALUSKA, STISH, ARGALL, BOSCOLA, STERN, DiGIROLAMO, GEIST, STABACK, BUNT, EGOLF, SERAFINI, FARGO, HENNESSEY, LEH, MERRY, SHANER and MYERS

An Act amending the act of November 29, 1990 (P.L.585, No.148), known as the Confidentiality of HIV-Related Information Act, further providing for definitions.

Referred to Committee on HEALTH AND HUMAN SERVICES, April 10, 1996.

**No. 2551** By Representatives GANNON, ADOLPH, NYCE, HARHART, BOYES, WOGAN, MAYERNIK, DERMODY and WAUGH

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, making the appearance in public while under the influence of a controlled substance an offense.

Referred to Committee on JUDICIARY, April 10, 1996.

**No. 2552** By Representatives CALTAGIRONE, GANNON, SANTONI, CLARK, RUDY, HENNESSEY, LEH, ROHRER, DERMODY, MANDERINO, MILLER, JAMES, L. I. COHEN, SEMMEL, MAYERNIK and WOGAN

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

Referred to Committee on JUDICIARY, April 10, 1996.

**No. 2553** By Representatives FAJT, THOMAS, ROBERTS, BELARDI, NAILOR, COWELL, WALKO, COY, GEORGE, READSHAW, GIGLIOTTI, STISH, MELIO, KUKOVICH, LYNCH, STURLA, BEBKO-JONES, MERRY, MYERS, LAUGHLIN, MARKOSEK, BELFANTI, BISHOP, ROEBUCK, TIGUE, SHANER, DeLUCA, JAROLIN, ITKIN, TRELLO, PISTELLA, LEVDANSKY, CURRY, YOUNGBLOOD, PRESTON, OLASZ, LEDERER, PETRARCA, TRAVAGLIO, E. Z. TAYLOR, SURRA, HALUSKA, DERMODY, HENNESSEY, ALLEN, HORSEY and BOSCOLA

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for reimbursement for diabetic supplies.

Referred to Committee on INSURANCE, April 10, 1996.

**No. 2554** By Representatives FAJT, BELARDI, NAILOR, WALKO, COY, DALEY, GIGLIOTTI, MELIO, MERRY, SAYLOR, VAN HORNE, ITKIN, DRUCE, MILLER, MUNDY and STEELMAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for emissions testing for diesel-powered vehicles.

Referred to Committee on TRANSPORTATION, April 10, 1996.

## HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 334** By Representatives STURLA, STRITTMATTER, ARMSTRONG, RUBLEY, HERSHEY, CORRIGAN, CURRY, BELARDI, BAKER, LAUGHLIN, GEIST, BROWNE, McGEEHAN, KENNEY, FLICK, BOSCOLA, SCHULER, THOMAS, BEBKO-JONES, DONATUCCI, NAILOR, SCHRODER, LYNCH, TRUE, CAPPABIANCA, MARSICO, COY, SANTONI, PESCI, SAYLOR, ROONEY, ZIMMERMAN, SHANER, KAISER, WALKO, SATHER, DEMPSEY, HARHART, GIGLIOTTI and JAROLIN

A Resolution congratulating the Lancaster Catholic High School Girls Basketball Team on winning the PIAA Class AAA State Basketball Championship.

Referred to Committee on RULES, April 10, 1996.

**No. 342** By Representatives CAPPABIANCA, BELARDI, HERSHEY, COY, COLAFELLA, TIGUE, LAUGHLIN, HALUSKA, OLASZ, ROONEY and TRAVAGLIO

A Resolution directing the Consumer Affairs Committee to hold hearings on the use of local natural gas supplies and coal by Pennsylvania public utilities.

Referred to Committee on RULES, April 10, 1996.

## JUNIATA VALLEY HIGH SCHOOL BASKETBALL TEAM PRESENTED

The SPEAKER pro tempore. The Chair would like to invite the gentleman from Huntingdon County, Mr. Sather, to come to the podium for the purpose of presenting a citation.

The Chair recognizes the gentleman, Mr. Sather.

Mr. SATHER. Thank you, Mr. Speaker.

Members of the House of Representatives, I have a distinct pleasure and honor today to recognize the endeavors of some young people from my district, the 81st, in Huntingdon County in this case.

The Juniata Valley High School Green Hornets are the winners of the PIAA Class A boys basketball State championship. They won this title on March 22 in Hershey by defeating Dunmore's Bishop O'Hara by a score of 60 to 43.

The Hornets brought the first PIAA basketball gold to the area. They were 28 and 2 on the season.

After losing this title 1 year ago to Scotland School, the team came back to win in true dedicated winner fashion under the able direction of Head Coach Mike Fields.

There are three young men here with me, and the balance of the squad and friends are in the rear of the House. Pete Rogowski, Travis Wisor, and Matt Broadbent helped to lead the team to victory with 42 points and 17 rebounds collectively.

We are proud to have you here today. I am very proud to have you here today and present you with a citation and heartiest congratulations from the House of Representatives.

Now, before I do that, my colleagues, I wanted to make a comment to the team that they would carry back to a friend of mine who may not remain that when we get back, but express to Herb Kann, who was a classmate of mine, the fact that he lost a bet that if in fact the team won the State championship – I think he was actually challenging them – that he would have his hair cut quite close to the hairline, and that occurred. I am sure if Herb were here he would be more appreciative if someone like Representative DeWeese were presenting this citation, being that he is from the other side of the aisle.

My colleagues, it is a distinct pleasure and honor to recognize these people. I recognize anyone who enters into the field of combat, if you will, who ventures forth and becomes a competitor in athletic or scholastic endeavors.

So at this time I would like to present this citation.

### GUESTS INTRODUCED

The SPEAKER pro tempore. The House of Representatives would like to welcome to the hall of the House the three fourth grade classes of the Wyoming Seminary Lower School from Kingston, Pennsylvania. They are here as the guests of Representative Kevin Blaum from Luzerne County. The students are accompanied by their teachers, Ms. Kristen Sparks, Mrs. Patty Summerhill, and Mrs. Susan Trynoski. Welcome to the hall of the House.

The Chair would also like to welcome Mr. Peter Clement and a group of students from Spring Valley in Fayette County. They are here as the guests of Representative Larry Roberts, and they are seated at the back of the House. Welcome to the hall of the House.

### REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the majority caucus chairman, Representative Fargo, for the purpose of making a caucus announcement.

Mr. FARGO. Thank you, Mr. Speaker.

There will be a Republican caucus immediately upon the call of recess. We plan to come back at 12:30 for voting. This will be a short caucus but an important caucus. Thank you.

The SPEAKER pro tempore. Does the gentleman, Mr. Itkin, wish to make any kind of caucus announcement?

Mr. ITKIN. Mr. Speaker, I do not think we have a need for a further caucus, but it may change with time.

### RECESS

The SPEAKER pro tempore. This House will stand in recess until 12:30 p.m.

### AFTER RECESS

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

### ACTUARIAL NOTE

The SPEAKER pro tempore. The Chair acknowledges receipt of an actuarial note for amendment 1637 to SB 633, PN 1831.

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

### BILLS SIGNED BY SPEAKER PRO TEMPORE

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

#### HB 166, PN 140

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

#### HB 2048, PN 2547

An Act designating a section of SR 28 in Armstrong County and Allegheny County, Pennsylvania, as Alexander H. Lindsay Highway.

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

### CALENDAR

#### BILLS ON THIRD CONSIDERATION

##### BILL PASSED OVER

The SPEAKER pro tempore. Page 1 of today's calendar. SB 1047 will be over for the day.

\* \* \*

##### BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. HB 2446, PN 3297, will be over temporarily.

\* \* \*

The House proceeded to third consideration of **SB 638, PN 1862**, entitled:

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.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. Without objection, SB 638 will be over temporarily.

LEAVES OF ABSENCE

The SPEAKER pro tempore. Are there requests for leaves of absence?

The Chair recognizes the majority whip, Mr. Barley, who requests a leave for the day for the gentleman from Delaware County, Mr. RYAN. The Chair hears no objection. The leave is granted.

The Chair recognizes the Democratic whip, Mr. Itkin, who requests leave for the day for Representative SCRIMENTI, Representative OLASZ, Representative TANGRETTI, Representative HANNA, and Representative LAUGHLIN. The Chair hears no objection. The leaves are granted.

VOTE CORRECTION

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

Mr. TRICH. Thank you, Mr. Speaker.

To correct the record from yesterday, sir.

The SPEAKER pro tempore. The gentleman is in order.

Mr. TRICH. Mr. Speaker, I would like to correct the record concerning amendment A1619 on HB 1977, part A. If you recall, we actually divided that particular amendment. On the part A aspect of that amendment, I inadvertently pressed the button in the negative. It should have been in the positive. Thank you, Mr. Speaker.

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT-195

Table listing names of present members: Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Battisto, Bebko-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Druce, Durham, Egolf, Evans, Fairchild, Fajt, Fargo, Feese, Fichter, Fleagle, Flick, Gambler, Gannon, Geist, George, Levdansky, Lloyd, Lucyk, Lynch, Maitland, Major, Manderino, Markosek, Marsico, Masland, Mayermik, McCall, McGeehan, McGill, Melio, Sainato, Santoni, Sather, Saylor, Schroder, Schuler, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs.

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

ADDITIONS-0

NOT VOTING-0

EXCUSED-8

Table listing names of excused members: Farmer, Hanna, Laughlin, Olasz, Reinard, Scrimenti, Tangretti, Ryan, Speaker.

CONSIDERATION OF SB 638 CONTINUED

On the question recurring, Shall the bill pass finally?

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

YEAS-195

Table listing names of yeas: Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Battisto, Bebko-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Druce, Durham, Egolf, Evans, Fairchild, Fajt, Fargo, Feese, Fichter, Fleagle, Flick, Gambler, Gannon, Geist, Levdansky, Lloyd, Lucyk, Lynch, Maitland, Major, Manderino, Markosek, Marsico, Masland, Mayermik, McCall, McGeehan, McGill, Sainato, Santoni, Sather, Saylor, Schroder, Schuler, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback.

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

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

\* \* \*

The House proceeded to third consideration of **SB 1083, PN 1766**, entitled:

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.

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

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

The question is, shall the bill pass finally?

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

YEAS-194

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

NAYS-0

NOT VOTING-1

Daley

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

\* \* \*

The House proceeded to third consideration of **HB 2446, PN 3297**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing incentives 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 providing for rate recovery of certain electric utility payments for such purposes.

On the question,

Will the House agree to the bill on third consideration?

Mr. **STABACK** offered the following amendment No. **A1751**:

Amend Title, page 1, line 2, by striking out "providing incentives" and inserting

affirming the opportunity

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

and affirming

Amend Preamble, page 2, by inserting between lines 7 and 8

(2) Some nonutility generation projects have provided benefits to utilities, consumers and the economy.

Amend Preamble, page 2, line 8, by striking out "(2)" and inserting (3)

Amend Preamble, page 2, lines 9 and 10, by striking out "in the public interest" and inserting

needed or justified based on present cost estimates

Amend Preamble, page 2, lines 15 through 19, by striking out all of lines 15 through 18 and "encouraged to negotiate reasonable" in line 19 and inserting

(4) From time to time it may be in the mutual interest of a nonutility project developer, or owner of an operating nonutility project, and a public utility to voluntarily negotiate reasonable arrangements to buy down, buy out and terminate, or otherwise restructure, existing contracts.

(5) Negotiated

Amend Preamble, page 2, line 20, by striking out "high cost"

Amend Preamble, page 2, line 22, by striking out "that are no longer" and inserting

may be

Amend Preamble, page 2, lines 23 through 27, by striking out "Such arrangements would be in the public interest," in line 23, all of lines 24 through 26 and "(4)" in line 27 and inserting

(6)

Amend Preamble, page 2, line 28, by striking out "arrangements" and inserting

arrangement

Amend Sec. 1, page 3, line 2, by striking out "520" and inserting 527

Amend Sec. 1, page 3, line 3, by striking out "by adding a subsection"

Amend Sec. 1 (Sec. 520), page 3, lines 4 through 7, by striking out all of said lines and inserting

§ 527. Cogeneration rules and regulations.

(a) Availability.—The commission shall promulgate rules and regulations concerning the rates, terms, conditions and availability of cogeneration in this Commonwealth. The commission shall require that utility rates to the public reflect the costs and savings to the utility from cogeneration[.], including, but not limited to, the costs incurred by utilities under contracts with nonutility generating unit project developers for the purchase of electric capacity or energy, or both; the costs recoverable under subsection (b) to buy out and cancel unfinished nonutility generating unit projects by mutual agreement of the project developer and the public utility; and the costs prudently incurred by utilities under a voluntary buy out, buy down or other restructured arrangement which are just and reasonable and which reduce the cost to customers of nonutility generating unit projects.

Amend Sec. 1 (Sec. 520), page 3, line 8, by striking out "(d)" and inserting

(b)

Amend Sec. 2, page 4, lines 2 through 22, by striking out all of said lines and inserting

Section 2. Nothing in this act shall be construed as:

(1) requiring an electric utility or a nonutility generating unit project to enter into an arrangement to buy down, buy out and terminate or otherwise restructure a contract; or

(2) authorizing the Pennsylvania Public Utility Commission to require regulated utility to pursue such an arrangement with a nonutility generating unit project.

Amend Sec. 3, page 4, line 23, by striking out "in 60 days" and inserting

immediately

On the question,

Will the House agree to the amendment?

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

Mr. **STABACK**. Thank you, Mr. Speaker.

Mr. Speaker, amendment A1751 is an agreed-to amendment and simply modifies some of the language in the preamble portion of the bill. In addition, it also adds a section to further clarify that buy-outs, buy-downs, or restructures of contracts are strictly voluntary in nature on the part of both the independent power producers and the public utilities. The amendment is supported by both the utilities and the independent power producers. In addition, we sent copies of the document to both the PUC (Public Utility Commission) and the Consumer Advocate. Both have responded that they have no objection to it.

With that being said, Mr. Speaker, I would ask for an affirmative vote on the measure.

The **SPEAKER** pro tempore. The Chair recognizes the gentleman from Berks County, Mr. Semmel, on the amendment.

Mr. **SEMME**L. Thank you, Mr. Speaker.

This is an agreed-to amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:



YEAS-194

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

NAYS-0

NOT VOTING-1

Daley

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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 pro tempore. The Chair understands that the gentleman, Mr. Veon, intends to withdraw his amendments. Is that correct?

Mr. VEON. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Does the gentleman, Mr. George, have amendments which he intends to offer?

Mr. GEORGE. Mr. Speaker, with your permission?

The SPEAKER pro tempore. The Chair recognizes the gentleman.

Mr. GEORGE. Mr. Speaker, I would like to address the purpose of the amendment and the reason that I—

The SPEAKER pro tempore. Let us let the clerk read the amendment first.

On the question recurring,

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

Mr. GEORGE offered the following amendment No. **A1823**:

Amend Sec. 1 (Sec. 520), page 4, by inserting between lines 1 and 2

(3) The commission shall, at a minimum, conduct at least three public hearings in the service territory of the public utility requesting the claim.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. The gentleman, Mr. George, is recognized on the amendment.

Mr. GEORGE. I thank you, Mr. Speaker.

Mr. Speaker, this legislation has a tremendous capacity of providing relief in regard to what ratepayers will expect, but by the same token, it has the capacity of inflating.

The amendment that I had prepared was prepared to specify that the public should be made aware and given an opportunity for input to understand if in fact there are ramifications to a bill such as this receiving support. I had talked to many legislators, and I believe that this amendment would pass with a resounding number of votes. But just this morning I was given, Mr. Speaker, a letter from the utility, Penelec (Pennsylvania Electric Company), insisting that they would support this legislator or any other legislator who asked the PUC for a public hearing so that this matter could be explained in detail to the ratepayers who have or will have some concern.

AMENDMENT WITHDRAWN

Mr. GEORGE. Because they were willing to provide that, and equally because the Staback amendment has been inserted into this bill, I am now withdrawing the amendment in that I feel assured that we will now have a bill much safer than what we had before the Staback amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman withdraws his amendment. The Chair thanks the gentleman.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Does the gentleman, Mr. Semmel, seek recognition? The Chair recognizes the gentleman from Berks County, Mr. Semmel.

Mr. SEMMEL. Very simply, Mr. Speaker, I introduced HB 2446 to encourage public utilities and nonutility generators and developers to negotiate buy-downs, buy-outs, or restructuring of contracts that have become uneconomic under today's market conditions. While these contracts for energy/capacity may have made sense 10 or even 5 years ago, they were based on projections that just have not come true. Technology is more efficient today than it ever has been; fuel is cheaper than anyone could have ever expected it to be; and there is just not the need for capacity that everyone predicted there would be.

This combination of events has resulted in contracts for energy at avoided cost rates as high as 8 cents a kilowatt-hour. The market price for energy now is about 2.4 cents per kilowatt-hour. The difference in these prices means billions of dollars for ratepayers in Pennsylvania.

HB 2446 does not mandate the reopening of existing contracts, and it does not give the PUC authority to require the reopening of existing contracts. But it does allow a public utility and nonutility generator or developer to voluntarily agree, and I stress the word "voluntarily," to look at their contracts and negotiate an agreement that is beneficial to all parties given today's conditions. If this is done, the PUC would have the authority only to approve costs that it determines to be prudently incurred.

Mr. Speaker, this bill is supported by the public utilities, by the nonutility generators and developers, and is supported by the Consumer Advocate. I believe this bill is in the best interests of ratepayers, our constituents, and I am asking for an affirmative vote on HB 2446. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Beaver County, Mr. Veon, on final passage.

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

Mr. Speaker, I just want to commend the gentleman, Mr. Semmel, for working on this, what I think is a very important issue.

As members here in the House know, there will be, over the next few years, very significant changes in the electric utility industry. I think the gentleman, Mr. Semmel, has done a very good job in putting this bill together in a way that really should make sense for the members of this House, and I look forward to working with him, the gentleman, Mr. Tulli, and the chair of the Consumer Affairs Committee, Kathy Durham, and certainly the ranking Democratic member, Bud George, as well as Dave Wright in Consumer Affairs, as we work on this whole change in the electric industry. It is coming, and I think the gentleman, Mr. Semmel, has done a great job in this bill, and I would ask for an affirmative vote.

On the question recurring,  
Shall the bill pass finally?

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

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

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

### GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome Christian Trich, David Segen, and Jon Chambers, who are serving today as guest pages. They are here as the guests of Representative Leo Trich. Would they please rise? Welcome to the hall of the House.

For what purpose does the gentleman, Mr. Clymer, from Bucks County rise?

Mr. CLYMER. Mr. Speaker, I wonder if I can introduce some special guests that are here today?

The SPEAKER pro tempore. The gentleman is in order.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, in the hall of the House to my left are members of the Bucks County Boroughs Association. They are here as guests of the Bucks County delegation, and we welcome them to the hall of the House. Thank you, Mr. Speaker.

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 633, PN 1831**, entitled:

An Act amending the act of May 29, 1956 (1955 P. L. 1804, No. 600), entitled "Municipal Police Pension Law," providing for the establishment of police pension funds or pension annuities by regional police departments; further providing for employment of an actuary and for payments by the State Treasurer; and making editorial changes.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

### DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that the bill has been agreed to for the third time.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. **ZIMMERMAN** offered the following amendment No. **A1067**:

Amend Title, page 1, line 13, by inserting after "departments;" providing for the transfer of service credits and certain pension assets in the case of disbanded police forces;

On the question,

Will the House agree to the amendment?

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

Mr. ZIMMERMAN. Mr. Speaker, this amendment is a purely technical amendment. It does not modify or change the contents of the bill in any way whatsoever.

This amendment merely adds language to the title of the bill in order to describe a portion of the bill that deals with the disbanding of local police forces. Except for the title description, the amendment does not make any changes in the language of the bill whatsoever.

I ask for your support.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

### YEAS—195

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

DiGirolamo	Leh	Rubley	Zug
Donatucci	Lescovitz	Rudy	

NAYS-0

NOT VOTING-0

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

On the question,

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

Mr. McCALL offered the following amendment No. A1171:

Amend Sec. 6 (Sec. 5), page 10, line 4, by striking out “IF” and inserting

(i) Subject to the limitations in clause (ii), if

Amend Sec. 6 (Sec. 5), page 10, by inserting between lines 12 and 13

(ii) If the total benefits to be paid to a retired member from the police pension fund exceed ten thousand dollars (\$10,000) a year, then the police pension fund shall not pay benefits to a retired member in excess of one hundred per centum of the retired member’s average compensation as defined in section 415 of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 415) or in any successor statute.

On the question,

Will the House agree to the amendment?

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

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, this amendment addresses the concerns raised by local governments and simply inserts language in the bill that ensures the plan or the COLA (cost-of-living adjustment) provisions contained in SB 633 conform with IRS (Internal Revenue Service) rules and regulations.

I would ask for an affirmative vote on the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-195

Adolph	Druce	Levdansky	Sainato
Allen	Durham	Lloyd	Santoni
Argall	Egolf	Lucyk	Sather
Armstrong	Evans	Lynch	Saylor
Baker	Fairchild	Maitland	Schroder
Bard	Fajt	Major	Schuler
Barley	Fargo	Manderino	Semmel
Battisto	Feese	Markosek	Serafini
Bebko-Jones	Fichter	Marsico	Shaner

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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. McCALL offered the following amendment No. A1637:

Amend Title, page 1, line 13, by inserting after “departments” and the transfer and retransfer of service credits and certain pension assets

Amend Sec. 2 (Sec. 1), page 2, line 14, by inserting before “Each”

(a)

Amend Sec. 2 (Sec. 1), page 2, lines 16 through 20, by striking out “organized and” in line 16, all of lines 17 through 19 and “Cooperation Law,” in line 20

Amend Sec. 2 (Sec. 1), page 3, by inserting between lines 23 and 24  
(b) For purposes of this act, the term "regional police department" shall mean a municipal police force organized and operated in combination by two or more municipalities through an intermunicipal agreement under the act of July 12, 1972 (P.L.762, No.180), referred to as the Intergovernmental Cooperation Law.

Amend Sec. 5 (Sec. 4), page 6, line 7, by striking out "any" where it appears the first time and inserting

the participating boroughs, cities, towns or townships shall individually adopt ordinances establishing the regional police pension fund which shall have a uniform benefit structure consistent with this act. Any

Amend Sec. 5 (Sec. 4), page 7, by inserting between lines 14 and 15

(f) If a borough, town or township: (1) executes an intermunicipal agreement to provide police services under subsection (e); (2) subsequently re-establishes a police force; and (3) re-employs one or more members of the police force of the other borough, town or township signing the intermunicipal agreement, that borough, town or township shall be entitled to receive from the police pension fund of the other borough, town or township the assets transferred under subsection (e) to the police pension fund of the other borough, town or township for each re-employed member. The borough, town or township may provide for the transfer of service credits for each re-employed member equal to the time spent as a full-time member of the police force of the other borough, town or township.

On the question,

Will the House agree to the amendment?

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

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, the second amendment, again, is a technical amendment. It simply defines the term of "regional police department" in the bill. It requires participating municipalities to individually adopt ordinances establishing regional police departments, and it also allows for the transfer of assets back to a municipality that opts out of a regional police department.

It is purely a technical amendment. I would ask for an affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

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

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—194

Adolph	Druce	Levdansky	Sainato
Allen	Durham	Lloyd	Santoni
Argall	Egolf	Lucyk	Sather
Armstrong	Evans	Lynch	Saylor
Baker	Fairchild	Maitland	Schroder
Bard	Fajt	Major	Schuler
Barley	Fargo	Manderino	Semmel
Battisto	Feese	Markosek	Serafini

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

NAYS-0

NOT VOTING-1

Melio

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome Neftali Ramos, who is a guest page today and is the son of Representative Ben Ramos. Would he please rise. Welcome to the hall of the House.

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER pro tempore. HB 2295, PN 3212, will be over for the day.

Page 3 of today's calendar. HB 2401, SB 1171, and SB 1172 will be over for the day.

\* \* \*

The House proceeded to third consideration of **HB 2240, PN 3328**, entitled:

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for tax determination upon abandonment.

On the question,

Will the House agree to the bill on third consideration ?

Mr. **MAITLAND** offered the following amendment No. **A1815**:

Amend Sec. 1, page 1, line 15, by striking out "a subsection" and inserting

subsections

Amend Sec. 1 (Sec. 8), page 3, line 13, by striking out "included as" and inserting

in addition to other

Amend Sec. 1 (Sec. 8), page 3, by inserting between lines 20 and 21 (b.2) Interest on roll-back taxes distributed, in accordance with subsection (b.1), to the county commissioners and the county comptroller, as the case may be, for use by the county board of the eligible county, under the "Agricultural Area Security Law" shall be segregated into a special roll-back account; and, notwithstanding any other provisions of the "Agricultural Area Security Law," the eligible county board in distributing moneys from the special roll-back account shall, in its discretion, give priority to the purchase of agricultural conservation easements from agricultural security areas located within the municipal corporation in which the land subject to the roll-back taxes is situate.

On the question,

Will the House agree to the amendment ?

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

Mr. MAITLAND. Thank you, Mr. Speaker.

The amendment comes at the request of the Township Supervisors Association and gives guidance to counties how to allocate the interest money that the bill is concerned with, and I would appreciate your support on the amendment.

On the question recurring,

Will the House agree to the amendment ?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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.

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The House proceeded to third consideration of **HB 220, PN 1797**, entitled:

An Act providing for the observance of the first Thursday in May of each year as "Commonwealth Day of Prayer."

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

Mr. **LYNCH** offered the following amendment No. **A1787**:

Amend Sec. 1, page 1, line 10, by striking out "IN PLACES OF WORSHIP, in groups and as individuals"

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

The **SPEAKER** pro tempore. On that question, the Chair recognizes the gentleman from Warren County, Mr. Lynch.  
Mr. **LYNCH**. Thank you, Mr. Speaker.

Because of the concerns of some of the members of the House, this amendment has been introduced to eliminate the last line of the bill, in essence, remove the words "IN PLACES OF WORSHIP, in groups and as individuals," and hopefully this will take care of the concerns of some of the members of the House. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-192

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

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

NAYS-2

DeWeese	Itkin
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NOT VOTING-1

Bebko-Jones

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the lady from Philadelphia, Representative Josephs.

Ms. **JOSEPHS**. Thank you, Mr. Speaker.

I rise to urge a "no" vote on HB 220. I admit that my perspective is perhaps influenced. Maybe if I were in the Republican Party I would feel differently, considering that the Republicans have proposed to chop, cut, or cap programs like the Women's Commission, the Health Care Cost Containment Council, the Children's Health Initiative Program, the University of Pennsylvania, Hahnemann University, Jefferson University, sewage treatment grants, Vietnam veterans—

The **SPEAKER** pro tempore. Will the lady suspend.

... For what purpose does the gentleman from Bucks County, Mr. Druce, rise?



Mr. DRUCE. Mr. Speaker, I would respectfully ask that the debate be contained to the merits of HB 220, please.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair will continue to monitor the lady's remarks carefully and will allow her to proceed at this time.

Ms. JOSEPHS. Cut, chop, or cap the AIDS (acquired immune deficiency syndrome) special pharmaceutical services, the Homeowner's Energy Mortgage Assistance Program—

The SPEAKER pro tempore. Will the lady suspend.

The lady is moving a little bit astray from the question before the House. If the lady would please contain her remarks to the issue before the House.

Ms. JOSEPHS. Thank you, Mr. Speaker.

And many, many other programs. I think if I were a Republican I would vote "yes" for this because all I would have to offer to the citizens of Pennsylvania is prayer.

I say vote "no." Let us get on with the real business of State government, helping our people. Thank you, Mr. Speaker.

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

Mr. ITKIN. Mr. Speaker, I believe that the author of the bill is very well intentioned, and I do not disagree with him that we should put aside a time for reflection and for prayer. I am going to vote in the negative because I think for many, many years we have had such a day and I do not want to diminish its importance. We have annually every year established a day of thanksgiving, a day of prayer and reflection and giving thanks. In my mind, that is the day of prayer and reflection. It is multid denominational. It is irrespective of what religion you possess or how you pray or meditate, but it really is giving thanks; to many of us it is giving thanks to the Almighty and for prayer and reflection.

Mr. Speaker, I would think that by the State endorsing another day would diminish the day that I think we ought to concentrate on and focus on, the day of Thanksgiving, where all of us assembled throughout the Commonwealth give of our time to make that kind of devotion.

This legislation does not provide a holiday; it does not provide a day of rest. We have provided for that in our day of Thanksgiving. We consider it a State holiday as well as a national holiday. I think that we should keep that tradition; we should keep that as the day of prayer and reflection and not diminish it by having another day in which it might become confusing upon our constituents which is the appropriate day.

Thank you very much for the attention of the House. I want to make clear that I am a person who does believe in prayer. I am a person who does believe in a divinity, but I think that this diminishes it from the day that we ought to be commending, and that is the day of Thanksgiving. Thank you, Mr. Speaker.

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

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support HB 220, and I certainly want to commend the prime sponsor for making this a day of every year that we should be observing a day of prayer, and regardless of your party affiliations, whether you are Republican or Democrat, we should be endorsing this HB 220.

We certainly all need prayers in this Commonwealth — throughout this country, not only in this State but throughout this country — and it certainly would be beneficial to us if we would do a little bit more, have a little bit more religion in our society and

morals, and maybe we could change some of the things that are happening in our society today.

But regardless of what your party is, this is a good bill and I certainly support it, and I would ask all the members in this chamber to support it. Thank you.

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

Mr. DiGIROLAMO. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 220, and at this time I would like to recall words of one of our truly great Americans, Abraham Lincoln, who said that "In times of disappointments and times of troubles and at times of tragedy, I often found myself on my knees in prayer because of the simple realization that there was nowhere else to go."

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

The SPEAKER pro tempore. The Chair recognizes the gentleman from Wayne County, Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

I will make my remarks brief as well. In the flurry of press releases that were attendant to this piece of legislation, it was said by some that government ought to be in the business of saving lives, not saving souls, and I agree with that, because if we saved souls like we save lives, heaven would be a rather lonely place.

I believe that the twofold function of government is to promote good and to punish evil, and this certainly is one of the ways in which we can promote good.

For those who say that this diminishes some other day like Thanksgiving or whatever, I would disagree and say that the promotion of prayer and one's reflection on his relationship to a greater being than himself is a healthy exercise and ought to be done much more than 1 day a year, but 1 day a year is a good start for some people. And for those that say we only offer to the constituents of Pennsylvania prayer, I would suggest to you that that is the greatest thing that we can offer to them, and I, along with many of our other legislators, I am sure, pray for all those who are here today, including the esteemed Ms. Josephs from Philadelphia, who I think needs a little extra prayer, and so I would encourage us all to do that. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Warren County, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

I was not going to read the speech I had prepared, but I think I am going to now, particularly in light of the fun that — I have got to do this — particularly in light of the fun that the press has had with this bill for the past few weeks and also hoping to get an 80-percent rating from the Democrat floor leader, Mr. DeWeese.

I would appreciate it if the House would bear with me for a few minutes while I do this.

I would like to start out with a letter to the editor that was sent across the State. It certainly made it into the Warren Times Observer and I am sure some of you saw it in your local papers, and it is from a group called Freedom from Religion, and I would like to read the bulk of it relating to this bill. It says: "State Rep. James Lynch wants to pass a statute not only ordering the citizens of Pennsylvania to pray on May 1, but giving state workers a paid holiday so they can go home and fast!

"Lynch excuses his attempt to invade private matters of conscience by pointing out that Congress has recognized a 'national day of prayer.' It is instructive to know that this action, which has never been tested in court, stemmed from the McCarthyesque 1950s, and became a fixed date only with

President Reagan. The temerity of using government to mandate worship would have appalled such Founding Fathers as President Thomas Jefferson. Jefferson steadfastly refused to issue any days of prayer or thanksgiving during his eight years in office, because 'civil powers alone have been given to the President of the United States, and no authority to direct the religious exercises of his constituents.'

"What President Jefferson had no authority to do, Rep. Lynch clearly lacks. In fact, Lynch is duty-bound to uphold a strict separation of church and state, as provided for in the Pennsylvania Constitution, which he took an oath to uphold.... Lynch's proposal is blatantly unconstitutional."

I now would like to read the letter to the editor I wrote in response to that, which was printed in the Warren Times Observer on April 8, and it says: "Responding to the recent letter from the 'Freedom from Religion, Inc.,' following is the actual wording of H.B. 220," which I then read.

It says, "As anyone can see, H.B. 220 does not issue any mandate; does not give state workers a paid holiday; does not create any religion, and it does not require anyone to go to a place of worship or to pray. All this bill would do would be to simply designate a date certain to commemorate prayer, which is so important to so many people. It is no different, really, than recognizing St. Valentine's Day, or Secretary's Day.

"A recent survey conducted by a Wilkes-Barre television station showed that 86% of the responders said there should be a Commonwealth Day of Prayer. As for those who feel this is unconstitutional, let me quote John Adams, second President of the United States, when he said 'Our Constitution was made only for a moral and religious people. It is wholly inadequate for the government of any other.' Apparently the 'Freedom from Religion, Inc.' fails to see this and is truly attempting to live up to its name: FREEDOM FROM RELIGION.

"Which reminds me of the story of the visitor from another country saying to an American, 'I understand you have freedom of religion in your country,' whereupon the American responded, 'Yes, and if the hot shots in the black robes have their way, we'll soon be free of it altogether.'"

HB 220 requests that 1 day per year be set aside so that we, as Pennsylvanians and Americans, reflect on prayer and our relationship to God – that relationship which has made us, as a people, as great as we are. This bill simply mirrors what President Ronald Reagan executed in 1988 – simply that the first Thursday in May of each year be set aside for this remembrance. However, it should be noted that the National Day of Prayer law does not require the individual States to recognize it. Therefore, the ultimate determining factor as to whether or not the States will honor it is left to the States. Indeed, I believe that we at the State level have the responsibility to encourage these types of positive influences.

How does the ACLU (American Civil Liberties Union) feel about the outcome of this bill? Let me read from the Harrisburg Patriot of 3/23/96, and I quote: "Larry Frankel of the ACLU expects the legislation to pass easily, especially in a year in which all 203 House seats are up for re-election."

Why does Mr. Frankel, a strong opponent of this bill, say that? Because he knows that the people of this great Commonwealth want this bill to become law, and is that not what we are sitting here today for, but to represent those very people.

Let me give you a few quotes from some leaders in our government – past, recently past, and present. Ronald Reagan, on

the execution of the 1988 National Day of Prayer proclamation, said, "Let us, young and old, join together, as did the First Continental Congress, in the first step – humble, heartfelt prayer. Let us do so for the love of God and His great goodness, in search of His guidance, and the grace of repentance, in seeking His blessings, His peace, and the resting of His kind and holy hands on ourselves, our Nation, our friends in the defense of freedom, and all mankind, now and always."

Is it not interesting how now some of us today claim to know better than our Founding Fathers what their intentions were concerning religion and government, at the time when they were impacting the very papers that formed our great country.

I would like to read some of their quotes and some more recent ones, as I said, in an attempt to dispel any notion that religion and government do not mix.

The SPEAKER pro tempore. The gentleman is requesting some order in the House. Members will please take their seats. The House will come to order.

Mr. LYNCH. Dwight D. Eisenhower, from his second Inaugural Address: "Before all else, we seek, upon our common labor as a nation, the favor of Almighty God. And the hopes in our hearts fashion the deepest prayers of our people. May we pursue the right – without self-righteousness. May we know unity – without conformity. May we grow in strength – without pride of self. May we, in our dealings with all peoples of the earth, ever speak truth and serve justice."

A few quotes from George Washington – bear with me, please – "It is impossible to govern the world without God and the Bible." "The fundamental principle of our Constitution...enjoins that the will of the majority shall prevail." "True religion affords to government its surest support."

From Fisher Ames: "Government...is a firm compact sanctified from violation by all the ties of personal honor, morality, and religion."

Jonathan Trumbull: "And I do hereby call upon the people...to offer to our Almighty and all-gracious God, through our Great Mediator, our sincere and solemn prayers for his Divine assistance...."

Benjamin Franklin: "And have we forgotten that powerful Friend? Or do we imagine that we no longer need His assistance? I have lived, sir, a long time, and the longer I live, the more convincing proofs I see of this truth: that God governs the affairs of men. And if a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We have been assured, sir, in the sacred writings that 'Except the Lord builds the house, they labor in vain who build it.' I firmly believe this; and I also believe that without His concurring aid, we shall succeed in this political building no better than the builders of Babel...I therefore beg leave that, henceforth, prayers imploring the assistance of heaven and its blessings on our deliberation be held in this assembly every morning before we proceed to business." From 1787, Constitutional Convention.

Now, I am going to cut the quotes out. I will give you one more quote so we can roll this bill.

The last quote from John Jay, original Chief Justice of the U.S. Supreme Court, when he said, "It is the duty of all wise, free, and virtuous governments to countenance and encourage virtue and religion."

I would now like to say to the ACLU since they have been saying to me for the past few weeks, to the ACLU and all of its splinter groups who have for too many years to remember tried to

remove God and religion out of every aspect of our lives except our worship services – whether it is removing a religious scene from the front of a public building or attempting to remove God from the Boy Scout pledge – this I say to you: You do nothing. If you do not like our Boy Scouts and our Girl Scouts, then start your own. If you do not like our boys clubs and our girls clubs, then build your own. If you do not like the positive effects of our religious heritage on this great country, then create your own. You do nothing but attempt to destroy what God-fearing people have spent 200 years building. Our religious heritage is the backbone that has created this country and made us what we are. It is every bit as important as our jobs, our families, this legislature, and yes, even St. Valentine's Day and Secretaries Day. Prayer to our God is today, just as it has been for the past 200 years, the constant, firm foundation through which we, as our forefathers, have sought to mold the clay from which we drank our life.

For all that is good and decent, I urge passage of this bill. Thank you, Mr. Speaker, and thank you to the House for your patience.

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

Mr. DeWEESE. The gentleman, Mr. Lynch, referred directly to our religious heritage. The undergirding of his speech was transfixed upon the Judeo-Christian aspect of our religious heritage. In this multinational, polyglot Pennsylvania of the 1990's and the next millennia, people from all over the globe are among our citizenry, Jews and Gentiles and Muslims and Buddhists all. Yet let the record stand clearly, or stand clear I should say, that most of the gentleman's pronouncements were from the Judeo-Christian perspective. That is probably the overwhelming perspective of our religious background, but I would contest the gentleman's observations that we have a heritage based upon one religion or a predominance of Judeo-Christian perspective. I would say to the gentleman and to the members of the chamber that we have a background, a heritage, a history, of religious freedom. The two words that should resonate in this hall today and in this debate are "religious freedom." Religious freedom; religious freedom, Mr. Speaker.

The SPEAKER pro tempore. Will the gentleman suspend.

The noise level is increasing here. The House will come to order. Members will please take their seats.

The gentleman may proceed.

Mr. DeWEESE. If I might reiterate that phrase, religious freedom, Mr. Speaker, is the nub of our religious background in these United States and in our Pennsylvania. As the distinguished gentleman from Pittsburgh, Mr. Itkin, asserted, we do already have a day of prayer in Pennsylvania. That day of prayer is Thanksgiving, and this is not the first time something was repeated on this floor, but Mr. Itkin's pronouncement is crystal clear. This action which will pass overwhelmingly today – 5, 10, 15, 20 negative votes – this action today will in some small way diminish from Thanksgiving. If we were going to do what the gentleman wants to do, if we were going to proselytize – with a small "p" – for some religious perspective that he has enunciated, the gentleman, Mr. Coy, from Franklin County last year had a resolution. A resolution is different, obviously, than a statute. You are putting into law – you are putting into law – a day of prayer, and there is someone out there amongst your Republican constituency and amongst our Democratic constituency who is going to be disaffected. This is going to countervail against religious freedom, religious freedom.

The very foundation of the United States of America in 1787 was freedom. Was it at that time, was it at that time supported by Franklin and Jefferson and Madison and innumerable luminaries relative to prayer? Yes, it was, but prayer should be voluntary. Prayer is a matter of will. Prayer should never be ensconced in statute. The gentleman is trying to put in statute religious heritage, religious principle, religious background. The gentleman is wrongheaded, although he is well motivated. There is nothing wrong conceptually with what he is trying to do. It should be a resolution, a House resolution. By putting this in statute, the gentleman is going – to use one of my favorite Irish expressions – he is going beyond the pale.

It is not necessary, Mr. Lynch, coincidentally an Irishman or of Irish background, to go beyond the pale. A resolution was all you needed, sir, and as you momentarily luxuriate in the aftermath of what will be an overwhelming vote, I think the record should stand clear that religious freedom in Pennsylvania, religious freedom in Pennsylvania was buffeted just a tiny bit by this absurd and shortsighted and wrongheaded action of yours today.

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

Mr. BIRMELIN. Thank you, Mr. Speaker.

First I want to apologize to Ms. Josephs for the use of her name in my previous remarks, and I hope she accepts that apology with which it is intended. I did not mean to embarrass or in any way criticize her, but got caught away in the spur of the moment, I suppose.

But I did want to respond to the Democratic leader's remarks in that he believes that to do what we are doing today negates somehow or does away with religious freedom. I would disagree and make the point that what we are doing today promotes religious freedom. It does not take away from those who do not believe in prayer, it does not try to condemn those who do not believe in prayer, but it recognizes fundamentally that prayer is a good and a worthwhile activity for human behavior and human endeavor and it encourages it. I go back to my statement earlier, we try to do one of two things with every law that we pass: we try to promote good or we try to restrict evil. This is legislation that promotes good, just as we try to promote good in the requirements in our school systems, in the requirements in our welfare system and in other branches of government.

This is a good and a wholesome thing for government to do. I encourage the members to support Representative Lynch in this effort. Thank you.

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

Mr. GAMBLE. Mr. Speaker, I rise to support HB 220.

I would just like to read the paragraph: "The first Thursday in May of each year shall be designated 'Commonwealth Day of Prayer.'"

I have to give my leaders credit on this side – they are consistent, they are against prayer in the Commonwealth, and they use the excuse of Thanksgiving, which has nothing to do with it. And if somebody on that side of the aisle comes up with a motherhood bill today, I am sure they will be consistent and be against that, and tomorrow if you come up with an apple pie bill, I am sure they will be consistent and be against that. Let us vote for this bill and get on with some other matters for the day.

The SPEAKER pro tempore. Does the Democratic leader request recognition for the second time?

Mr. DeWEESE. Thank you, Mr. Speaker.

Only to correct the record in 30 seconds, and that is, contrary to the amicability and harmony that I always share with the gentleman from Allegheny who spoke previously, I am not against prayer. I am only against the statutory authorization of prayer. I think that we should do almost everything that was said here today, but we should do it by resolution, not by statute.

But, Mr. Speaker, I would quickly and irrevocably aver that there are very few more sublime moments for any amongst us than a moment of prayer. I can say that with some degree of objectivity. I am not going to be overweening, I am not going to roll myself in the religiosity of some of the previous speakers, but nevertheless, I want to be unequivocal. I am not, sir, against prayer, and for you to superarrogate unto yourself some superknowledge that I am against prayer is an amazing phenomenon, and it parallels other phenomena I have noticed in your public service, with all due respect.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. Not seeing anyone else at the microphone, the Chair recognizes the prime sponsor of the bill, the gentleman, Mr. Lynch, for the second time.

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

I just want to say that I appreciate the Democrat floor leader's comments, misadvised that they are. But I would appreciate a positive vote on this bill, which will simply commemorate something that is so important in all of our lives. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally?

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

YEAS-175

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

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

NAYS-16

Bishop	Dent	Itkin	Oliver
Butkovitz	DeWeese	Josephs	Ramos
Cohen, L. I.	Evans	Manderino	Trich
Curry	Horsey	Mihalich	Youngblood

NOT VOTING-4

Carone	Dermody	Pistella	Veon
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EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

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

\* \* \*

The SPEAKER pro tempore. Turn to page 4 of today's calendar. The Chair understands that the gentleman, Mr. Barley, intends to make a motion regarding HB 2261, and for that purpose the Chair recognizes the gentleman.

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to move that we suspend the rules—

The SPEAKER pro tempore. Would the gentleman suspend.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. For what purpose does the lady, Ms. Josephs, from Philadelphia rise?

Ms. JOSEPHS. Since my name was mentioned in the debate, I would like an opportunity – I guess it is a point of personal privilege – just to say a couple of sentences.

The SPEAKER pro tempore. The lady is in order.

Ms. JOSEPHS. Thank you, Mr. Speaker, and I want to thank Mr. Birmelin also for his apology.

I remain adamantly, staunchly opposed to any kind of State-encouraged prayer, but I want to say to those of you individuals who have said that you would pray for me, I accept your offer with graciousness and gratitude. I have no doubt that I need people to pray for me, and I thank you very much.

The SPEAKER pro tempore. The Chair thanks the lady and apologizes to the lady for forgetting that we had intended to recognize her as soon as the vote was taken.

**RULES SUSPENDED**

The SPEAKER pro tempore. Now the Chair recognizes the gentleman from Lancaster County, Mr. Barley, for the purpose of making a motion.

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to move that we temporarily suspend the rules to consider HB 2261, PN 2910.

The SPEAKER pro tempore. The gentleman moves that the rules of the House be suspended so that we can immediately consider HB 2261, PN 2910.

On the question,

Will the House agree to the motion?

**POINT OF ORDER**

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

Mr. ITKIN. Mr. Speaker, a point of order.

One of the members on our side of the aisle has complied with rule 21 and submitted a certification for an amendment to be offered, with the understanding that this bill was going to be considered when we return. By considering the bill immediately, we are preventing him from exercising his rights under the rules to offer an amendment.

I would hope that we would be able to resolve this issue.

The SPEAKER pro tempore. The House will temporarily be at ease.

The Chair recognizes the gentleman, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, we have resolved the issue. The gentleman who was going to propose the amendment will withdraw the amendment and will seek another remedy to get his issue before the House. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS-182**

Adolph	Druce	Lescovitz	Sainato
Allen	Durham	Lloyd	Santoni
Argall	Egolf	Lucyk	Sather
Armstrong	Evans	Major	Saylor
Baker	Fairchild	Manderino	Schroder
Bard	Fajt	Markosek	Schuler
Barley	Fargo	Marsico	Semmel
Battisto	Feese	Masland	Serafini
Bebko-Jones	Fichter	Mayermik	Shaner
Belardi	Fleagle	McCall	Sheehan
Belfanti	Flick	McGeehan	Smith, B.
Birmelin	Gamble	McGill	Smith, S. H.
Blaum	Gannon	Melio	Snyder, D. W.
Boscola	Geist	Merry	Staback
Boyes	George	Michlovic	Stairs

Brown	Gladeck	Micozzie	Stern
Browne	Godshall	Mihalich	Stetler
Bunt	Gordner	Miller	Stish
Butkovitz	Gruitza	Mundy	Strittmatter
Buxton	Gruppo	Myers	Sturla
Caltagirone	Habay	Nailor	Surra
Cappabianca	Haluska	Nickol	Taylor, E. Z.
Carn	Harhart	Nyce	Taylor, J.
Cawley	Hasay	O'Brien	Thomas
Chadwick	Haste	Oliver	Travaglio
Civera	Hennessey	Perzel	Trello
Clark	Herman	Pesci	Trich
Clymer	Hershey	Petrarca	True
Cohen, L. I.	Hess	Petrone	Tulli
Cohen, M.	Horshey	Pettit	Vance
Colafella	Hutchinson	Phillips	Van Horne
Colaizzo	Itkin	Pitts	Veon
Conti	Jadlowiec	Preston	Vitali
Cornell	James	Ramos	Walko
Corpora	Jarolin	Raymond	Washington
Corrigan	Josephs	Readshaw	Waugh
Cowell	Kaiser	Reber	Williams
Coy	Keller	Rieger	Wogan
Curry	Kenney	Roberts	Wozniak
Daley	King	Robinson	Wright, D. R.
DeLuca	Kirkland	Roebuck	Wright, M. N.
Dempsey	Kukovich	Rohrer	Yewcic
Dent	LaGrotta	Rooney	Youngblood
DeWeese	Lawless	Rubley	Zimmerman
DiGirolamo	Lederer	Rudy	Zug
Donatucci	Leh		

**NAYS-9**

Carone	Lynch	Platts	Steil
Krebs	Maitland	Steelman	Tigue
Levdansky			

**NOT VOTING-4**

Bishop	Dermody	Gigliotti	Pistella
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**EXCUSED-8**

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2261, PN 2910**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.



Civera	Hershey	Perzel	Travaglio
Clark	Hess	Pesci	Trello
Clymer	Horsey	Petrarca	Trich
Cohen, L. I.	Hutchinson	Petrone	True
Cohen, M.	Itkin	Pettit	Tulli
Colaella	Jadlowiec	Phillips	Vance
Colaizzo	James	Pitts	Van Horne
Conti	Jarolin	Platts	Veon
Cornell	Josephs	Ramos	Vitali
Corpora	Kaiser	Raymond	Walko
Corrigan	Keller	Readshaw	Washington
Cowell	Kenney	Reber	Waugh
Coy	King	Rieger	Williams
Curry	Kirkland	Roberts	Wogan
Daley	Krebs	Robinson	Wozniak
DeLuca	Kukovich	Roebuck	Wright, D. R.
Dempsey	LaGrotta	Rohrer	Wright, M. N.
Dent	Lawless	Rooney	Youngblood
DeWeese	Lederer	Rubley	Zimmerman
DiGirolamo	Leh	Rudy	Zug
Donatucci	Lescovitz		

NAYS-1

Yewcic

NOT VOTING-4

Dermody	Gigliotti	Pistella	Preston
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EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

\* \* \*

Ms. SHEEHAN called up **HR 336, PN 3376**, entitled:

A Resolution congratulating the Lower Merion Aces on being named the PIAA Class AAAA State Basketball Champions.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-192

Adolph	Druce	Levdansky	Sainato
Allen	Durham	Lloyd	Santoni
Argall	Egolf	Lucyk	Sather
Armstrong	Evans	Lynch	Saylor
Baker	Fairchild	Maitland	Schroder
Bard	Fajt	Major	Schuler
Barley	Fargo	Manderino	Semmel
Battisto	Feese	Markosek	Serafini
Bebko-Jones	Fichter	Marsico	Shaner
Belardi	Fleagle	Masland	Sheehan
Belfanti	Flick	Mayernik	Smith, B.
Birmelin	Gamble	McCall	Smith, S. H.
Bishop	Gannon	McGeehan	Snyder, D. W.
Blaum	Geist	McGill	Staback

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

NAYS-0

NOT VOTING-3

Dermody	Gigliotti	Pistella
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EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

\* \* \*

Ms. SHEEHAN called up **HR 337, PN 3377**, entitled:

A Resolution congratulating the Lower Merion High School Academic Decathlon Team on winning the State Academic Decathlon Competition for the fifth consecutive year.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-191

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

NAYS-0

NOT VOTING-4

Dermody	Gigliotti	Pistella	Travaglio
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EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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Mr. READSHAW called up **HR 338, PN 3378**, entitled:

A Resolution proclaiming April 15, 1996, as "Green Neighborhood Development Day," as established by the Carrick Works Planning Forum, Carrick 2000 Task Force and Conservation Consultants, Inc.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-191

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

NAYS-0

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



NOT VOTING-4

Dermody	Gigliotti	Pistella	Preston
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EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

\* \* \*

Mr. WALKO called up **HR 339, PN 3379**, entitled:

A Resolution recognizing the Allegheny Lodge No. 339 of the Benevolent and Protective Order of Elks on the celebration of their 100th Anniversary.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-194

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

Coy	Kenney	Reber	Williams
Curry	King	Rieger	Wogan
Daley	Kirkland	Roberts	Wozniak
DeLuca	Krebs	Robinson	Wright, D. R.
Dempsey	Kukovich	Roebuck	Wright, M. N.
Dent	LaGrotta	Rohrer	Yewcic
Dermody	Lawless	Rooney	Youngblood
DeWeese	Lederer	Rublely	Zimmerman
DiGirolamo	Leh	Rudy	Zug
Donatucci	Lescovitz		

NAYS-0

NOT VOTING-1

Pistella

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

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

**HB 1605, PN 1906**

By Rep. WOGAN

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for service increments to pensions of police and firefighters.

URBAN AFFAIRS.

**HB 2374, PN 3412 (Amended)**

By Rep. WOGAN

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, providing for amendment of annual budget in counties of the second class.

URBAN AFFAIRS.

**HB 2383, PN 3414 (Amended)**

By Rep. SERAFINI

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

LIQUOR CONTROL.

**BILL REREPORTED FROM COMMITTEE**

**HB 2257, PN 3415** (Amended) By Rep. SERAFINI

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for an investigative unit; and further providing for advertising of prices of alcoholic beverages, for distributors' and importing distributors' restrictions on sales of malt or brewed beverages, for prices of malt or brewed beverages, for Sunday sales of alcoholic beverages, for distribution of malt and brewed beverages, for forfeiture of property illegally possessed or used, for minimum quantities sellable and for motor vehicle licenses to be revoked.

LIQUOR CONTROL.

**BILL ON SECOND CONSIDERATION**

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

**HB 2257, PN 3415.**

**BILL RECOMMITTED**

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

Mr. PERZEL. Mr. Speaker, I move that HB 2257 be recommitted to the Committee on Appropriations.

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

**SUPPLEMENTAL CALENDAR A**

**RESOLUTION PURSUANT TO RULE 35**

Mr. FAJT called up **HR 343, PN 3383**, entitled:

A Resolution declaring Friday, April 26, 1996, as "Freedom Friday."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-193

Adolph	Durham	Levdansky	Sainato
Allen	Egolf	Lloyd	Santoni
Argall	Evans	Lucyk	Sather
Armstrong	Fairchild	Lynch	Saylor
Baker	Fajt	Maitland	Schroder
Bard	Fargo	Major	Schuler
Barley	Feese	Manderino	Semmel
Battisto	Fichter	Markosek	Serafini
Bebko-Jones	Fleagle	Marsico	Shaner
Belardi	Flick	Masland	Sheehan
Belfanti	Gamble	Mayernik	Smith, B.
Birmelin	Gannon	McCall	Smith, S. H.
Bishop	Geist	McGeehan	Snyder, D. W.
Blaum	George	McGill	Staback
Boscota	Gigliotti	Melio	Stairs

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

NAYS-0

NOT VOTING-2

Daley Pistella

EXCUSED-8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

**SENATE MESSAGE**

HOUSE RESOLUTION  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in **HR 311, PN 3291**.

**SENATE MESSAGE**

HOUSE AMENDMENTS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 808, PN 1802**.

**BILL SIGNED BY  
SPEAKER PRO TEMPORE**

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

**SB 808, PN 1802**

An Act amending the act of December 22, 1983 (P. L. 306, No. 84), entitled "Board of Vehicles Act," further providing for definitions, for composition and powers of board, for licensing, for franchises and for administration.

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

**SUPPLEMENTAL CALENDAR B**

**RESOLUTION PURSUANT TO RULE 35**

Mr. PERZEL called up **HR 345, PN 3416**, entitled:

A Resolution proclaiming the week of April 14 through 20, 1996, as "Lab Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS-193**

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

Conti	Jarolin	Platts	Veon
Cornell	Josephs	Preston	Vitali
Corpora	Kaiser	Ramos	Walko
Corrigan	Keller	Raymond	Washington
Cowell	Kenney	Readshaw	Waugh
Coy	King	Reber	Williams
Curry	Kirkland	Rieger	Wogan
DeLuca	Krebs	Roberts	Wozniak
Dempsey	Kukovich	Robinson	Wright, D. R.
Dent	LaGrotta	Roebuck	Wright, M. N.
Dermody	Lawless	Rohrer	Yewcic
DeWeese	Lederer	Rooney	Youngblood
DiGirolamo	Leh	Rubley	Zimmerman
Donatucci	Lescovitz	Rudy	Zug
Druce			

**NAYS-0**

**NOT VOTING-2**

Daley	Pistella
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**EXCUSED-8**

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

**RULES COMMITTEE MEETING**

The SPEAKER pro tempore. The majority leader calls for an immediate meeting of the Rules Committee at the majority leader's desk.

**REMARKS SUBMITTED FOR THE RECORD**

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

Mr. TRICH. For the purpose of submitting remarks for the record, Mr. Speaker.

The SPEAKER pro tempore. The gentleman will submit the remarks to the page.

Mr. TRICH. Thank you.

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

As a Roman Catholic, my faith and my belief in the Almighty are clear and strong. Perhaps for that reason alone, I should do the current politically correct thing - and vote "yes" on this measure.

HB 220 is an attempt to mandate, if you will, prayer for all, on a specific date, as determined by State government. That is not, in my estimation, the role of this legislature. As pointed out very well by Representative Itkin, as a nation we have a day of prayer that has been set aside to pray and to give thanks. That special date is known as Thanksgiving Day. If this matter was dealt with as a resolution, then I would support it. It should not, however, be in statute.

I believe in God, but I do not believe it necessary to legislate a reminder for me and other Pennsylvanians to pray. For that reason I will not vote for HB 220's passage.

RESOLUTION REPORTED FROM COMMITTEE

HR 341, PN 3380

By Rep. PERZEL

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.

RULES.

VOTE CORRECTIONS

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Myers, seek recognition?

Mr. MYERS. Point of personal privilege.

Mr. Speaker, my vote was not recorded yesterday on HR 322. I would like to be recorded in the affirmative.

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

For what purpose does the gentleman from Allegheny County, Mr. Gigliotti, rise?

Mr. GIGLIOTTI. Mr. Speaker, could I correct the record?

The SPEAKER pro tempore. Now is a good time.

Mr. GIGLIOTTI. Mr. Speaker, I would like to correct the record on HR's 335, 336, 337, and 338. I was not on the floor, and if I would have been on the floor, I would have voted in the affirmative. Thank you.

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

RULES SUSPENDED

The SPEAKER pro tempore. Does the gentleman, Mr. Geist, seek recognition?

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

I would like to make a motion that we suspend the rules to immediately run HR 341.

The SPEAKER pro tempore. The gentleman, Mr. Geist, moves that the rules of the House be suspended so that we can immediately consider HR 341, PN 3380.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-189

Table listing names of members who voted in the affirmative (Yeas-189).

Table listing names of members who were present or absent during the roll call.

NAYS-5

Table listing names of members who voted in the negative (Nays-5).

NOT VOTING-1

Rohrer

EXCUSED-8

Table listing names of members who were excused (Excused-8).

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

SUPPLEMENTAL CALENDAR C

RESOLUTION

Mr. GEIST called up HR 341, PN 3380, entitled:

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.

On the question,  
Will the House adopt the resolution?

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

Mr. GEIST. Thank you, Mr. Speaker.

The Federal Government has been holding hostage millions and millions and millions of dollars that Pennsylvania taxpayers have paid in liquid fuels moneys into liquid fuels funds. This has been going on for a few years, and that fund has grown to be very, very large, and all they are using it for is a balance against the deficit.

This resolution memorializes Congress, and the bill has been cosponsored in Congress by both Republicans and Democrats, congressional members from Pennsylvania, and I would urge that all the members, Republicans and Democrats here, vote to release those trust fund moneys so we can get those liquid fuels moneys back into the State of Pennsylvania.

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

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

Mr. ITKIN. Mr. Speaker, I just would like to make the House aware of the implications of HR 341. I do not want to prejudice the resolution; I just want to tell people clearly what the impact of this resolution is.

On the one hand, this is a good resolution in the sense that it does free up highway money and allows us to build roads and bridges. On the other hand, what it will do is it then takes money away from the balance that the Federal Treasury says it has, and therefore, if this goes through and sufficient amounts of moneys are spent in behalf of this resolution, then social programs and other programs that the Federal Government is allowed to deal with will be cut.

So I just want to make it clear to the membership that you are basically trading highway projects probably for social programs.

Mr. GEIST. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Geist, for the second time.

Mr. GEIST. Mr. Speaker, Representative Itkin is right in one way and in another way completely off base. The liquid fuels moneys are dedicated moneys and can only be spent for highway projects; they cannot be spent for anything else. They do not take money away from other projects. They are only used as a balance so that to the public it looks like the deficit really is not as big as it is. They do not affect social programs in any way, shape, or form other than that those moneys come back to Pennsylvania and provide jobs for Pennsylvanians, for people who design, build, supply that highway industry, and I would just ask that we make this vote so that we can get liquid fuels moneys that we have paid in Pennsylvania back to the State of Pennsylvania so we can work on our highway system and not use it as a false, false billboard for actually making the deficit look smaller than what it really is. Those moneys cannot be touched for deficit reduction, and I would ask for a "yes" vote.

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

Mr. ITKIN. Thank you, Mr. Speaker.

I just want you to realize the direct impact. I mean, what Representative Geist has said is true, the moneys that are in the highway trust fund can only be used for highway purposes, but the Federal Government uses the moneys that are there as a balance, allowing the Federal Government to spend money on social

programs. If you eliminate the balance in the trust fund or significantly reduce the balance in the trust fund, that means in effect that the government has to cut other programs, particularly social programs, in order to live within a balanced budget. I mean, that is all I am trying to tell you, is that that is what is going to happen. The effect of this will be money spent on highways now and then less moneys to be spent on social programs. The reality will be, we will be burdened with it and we will have to pay and come up with the difference in the social programs.

Personally, you know, I am going to vote "no" on the resolution, but I think you have to make that decision for yourself.

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

The following roll call was recorded:

YEAS—187

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

## NAYS—6

Cohen, M. Curry	DeWeese Itkin	James	Robinson
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## NOT VOTING—2

Daley	Rudy
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## EXCUSED—8

Farmer	Olasz	Tangretti
Hanna	Reinard	
Laughlin	Scrimenti	Ryan, Speaker

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

The SPEAKER pro tempore. There will be no further votes in today's session.

## VOTE CORRECTIONS

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

Mr. PISTELLA. Mr. Speaker, for the purpose of correcting the record, if I may be in order.

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

Mr. PISTELLA. Thank you.

Mr. Speaker, my vote was not recorded on the following votes. I would wish to have it recorded as follows: On HB 220, final passage, I wish to be recorded in the affirmative; on the motion to suspend the rules for HB 2261, I wish to be recorded in the affirmative; on the final passage of HB 2261, I wish to be recorded in the affirmative; on HR's 335, 336, 337, 338, 339, 343, and 345, I wish to be recorded in the affirmative.

Thank you.

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

The Chair recognizes the gentleman from Butler County, Mr. Travaglio.

Mr. TRAVAGLIO. Mr. Speaker, on HR 337, I was daydreaming and I missed the vote. I would like to make that an affirmative vote. Thank you.

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

## RESOLUTIONS PASSED OVER

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

## ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the lady from Northampton County, Representative Boscola.

Ms. BOSCOLA. Mr. Speaker, I move that this House do now adjourn until Monday, April 29, 1996, at 1:05 p.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 2:21 p.m., e.d.t., the House adjourned.