

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, MAY 13, 1996

SESSION OF 1996

180TH OF THE GENERAL ASSEMBLY

No. 31

### HOUSE OF REPRESENTATIVES

The House convened at 1:05 p.m., e.d.t.

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

#### PRAYER

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

REV. WILLARD L. STRUNK, Chaplain of the House of Representatives and pastor of Grover Church of Christ, Grover, Pennsylvania, offered the following prayer:

Shall we pray:

Gracious God in Heaven, we come today thanking You for the safety of our travels to be in this place. O God, You are great and You are greatly to be praised. Your provisions to us are far beyond measure, and yet too often we take them for granted, and so we would seek Your forgiveness, Lord.

This day we would ask for protection for the families of those who serve in this great House of Representatives, and as this body convenes this day, we would seek wisdom in their behalf as they deal with the decisions to be made.

O Father, You have given us such a great State and a wonderful Nation, and so we pray, by Your guidance, that we may be good stewards of all that You have entrusted to our care, and may we continually bring our praise and adoration to You. We find great comfort and strength knowing that You are on Your throne and all is well, for You alone, gracious Father, control all things.

And so now we raise to You our prayers and petitions, trusting that You will do what is best for us, for we ask it in the name of the one who has loved us so. Amen.

#### PLEDGE OF ALLEGIANCE DISPENSED WITH

The SPEAKER. The Pledge of Allegiance will be dispensed with in the regular session.

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, May 8, 1996, will be postponed until printed. The Chair hears no objection.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2607** By Representatives DENT, McGEEHAN, MELIO, FEESE, SEMMEL, HALUSKA, BELFANTI, SATHER, WOGAN, MERRY, FARGO, GODSHALL, SAYLOR, BOSCOLA, TRELLO, BROWNE, D. W. SNYDER, E. Z. TAYLOR, BARD and PISTELLA

An Act amending the act of July 9, 1976 (P.L.817, No.143), known as the Mental Health Procedures Act, providing for certain involuntary treatment.

Referred to Committee on JUDICIARY, May 13, 1996.

**No. 2608** By Representatives YOUNGBLOOD, L. I. COHEN, GORDNER, THOMAS, READSHAW, SERAFINI, BELFANTI, TRELLO, LEH, HORSEY, BISHOP, CLARK and HENNESSEY

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for educational guardianship.

Referred to Committee on JUDICIARY, May 13, 1996.

**No. 2609** By Representatives YOUNGBLOOD, L. I. COHEN, GORDNER, THOMAS, READSHAW, SERAFINI, BELFANTI, TRELLO, LEH, HORSEY, BISHOP, CLARK and HENNESSEY

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for medical consent for a minor by an adult caregiver.

Referred to Committee on JUDICIARY, May 13, 1996.

**No. 2610** By Representatives BARD, SCHRODER, HERSHEY, HENNESSEY, L. I. COHEN, CLYMER, CORNELL, E. Z. TAYLOR, STEELMAN, BUNT, ALLEN, GLADECK, CURRY, MERRY, RUBLEY and RYAN

An Act establishing the State Tax Collectors' Commission; and providing for the certification of State tax collectors and for continuing education.

Referred to Committee on LOCAL GOVERNMENT, May 13, 1996.

**No. 2611** By Representatives COLAFELLA, SCHRODER, HENNESSEY, GEORGE, MARKOSEK, LYNCH, BATTISTO, THOMAS, GIGLIOTTI, BELARDI, STURLA, MELIO, CURRY, SHANER, SCRIMENTI, SANTONI, COLAIZZO, SATHER, DALEY, TIGUE, MYERS, E. Z. TAYLOR, TRELLO, MANDERINO, BOSCOLA, PISTELLA, ROEBUCK, STABACK, LEDERER, BELFANTI, WALKO, YOUNGBLOOD, JOSEPHS and ROONEY

An Act requiring certain banks, savings and loan associations and credit unions to post transaction fees for each automated teller machine transaction; and restricting transaction fees for automated teller machines.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, May 13, 1996.

**No. 2612** By Representatives MICOZZIE, ARMSTRONG, TIGUE, DeLUCA, FEESE, WAUGH, GODSHALL, BROWN, E. Z. TAYLOR, CLARK, MELIO, SATHER, SCHRODER, HANNA, EGOLF, TRELLO, RAYMOND, MILLER, STERN and BARD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the discontinuance of programs and courses not fully funded by the Commonwealth.

Referred to Committee on EDUCATION, May 13, 1996.

**No. 2613** By Representatives COY, MARKOSEK, L. I. COHEN, ROONEY, CURRY, STETLER, BROWNE, SHANER, TRAVAGLIO, DeLUCA, WALKO, YOUNGBLOOD, JOSEPHS, STEELMAN, COWELL, McGEEHAN, RAMOS, TRICH, TRELLO, BELARDI, VAN HORNE, HERMAN, GORDNER, READSHAW, SANTONI, BEBKO-JONES, CAPPABIANCA, MELIO, McCALL, LAUGHLIN, RUBLEY, BOSCOLA, SCRIMENTI, TIGUE, OLASZ, BAKER, ITKIN, MUNDY, BATTISTO, STURLA, GEIST, CORRIGAN, STABACK, EVANS, SURRA and DeWEESE

An Act establishing the Small Business Advocacy Council within the Department of Commerce; and prescribing certain powers and duties.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, May 13, 1996.

**No. 2614** By Representatives KENNEY, TRUE, FAJT, O'BRIEN, KING, BAKER, MELIO, MUNDY, GEIST, BEBKO-JONES, STRITTMATTER, WASHINGTON, CAPPABIANCA, OLASZ, OLIVER and BUXTON

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for duties of the Office of Drug and Alcohol Programs; and making repeals.

Referred to Committee on HEALTH AND HUMAN SERVICES, May 13, 1996.

**No. 2615** By Representatives MICOZZIE, CIVERA, SAYLOR, ADOLPH, DeLUCA, GANNON, DURHAM, COLAFELLA, COLAIZZO, GIGLIOTTI, TRELLO, WALKO and LESCOVITZ

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for general requirements for school buses.

Referred to Committee on TRANSPORTATION, May 13, 1996.

**No. 2616** By Representatives BROWNE, MARKOSEK, BAKER, FEESE, DENT, RUBLEY, ARGALL, GEIST, FAJT, STURLA, HARHART, WOGAN, FAIRCHILD, FICHTER, ADOLPH, SERAFINI, ARMSTRONG, BELFANTI, TRELLO, SEMMEL, YOUNGBLOOD, FARGO, E. Z. TAYLOR, PISTELLA, NYCE, HABAY, SHEEHAN, TRUE, STISH, DiGIROLAMO, CLARK, HENNESSEY, HASTE, RAMOS and DeLUCA

An Act providing for drug nuisance abatement; providing for the nature of action, jurisdiction, parties, notice, the issuance of orders, injunction and other relief, for civil and criminal penalties, settlements, liens, costs, contempt, the release of premises, evidence, liability and for civil actions and immunities; and establishing the Treatment for Displaced Residents Fund.

Referred to Committee on URBAN AFFAIRS, May 13, 1996.

**No. 2617** By Representatives FARGO, GEIST and FLICK

An Act amending the act of October 28, 1966 (1st Sp.Sess., P.L.55, No.7), known as the Goods and Services Installment Sales Act, further providing for the minimum service charge.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, May 13, 1996.

**No. 2618** By Representatives ROHRER, GEORGE, BELARDI, HERSHEY, SERAFINI and DALEY

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, providing for payment for certain sewer pumping equipment.

Referred to Committee on LOCAL GOVERNMENT, May 13, 1996.

**No. 2619** By Representatives HASAY, LESCOVITZ, PRESTON, OLASZ, CORNELL, GEIST, KENNEY, GODSHALL, MARKOSEK, ROONEY, CORRIGAN, COLAFELLA and HABAY

An Act amending the act of April 8, 1937 (P.L.262, No.66), known as the Consumer Discount Company Act, further providing for use of licensee name, for dishonored checks, for larger loan limit, for annual fee and for delinquent payments.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, May 13, 1996.

**HOUSE RESOLUTIONS  
INTRODUCED AND REFERRED**

**No. 367** By Representatives KREBS, ZUG, LYNCH, CAPPABIANCA, BATTISTO, GEIST, BELARDI, MELIO, GEORGE, KUKOVICH, ARMSTRONG, SHANER, CURRY, SANTONI, NYCE, COLAIZZO, STABACK, DeLUCA, BEBKO-JONES, HENNESSEY, RUBLEY, DALEY, HERSHEY, MYERS, SURRA, NAILOR, YOUNGBLOOD, ITKIN, GRUPPO, E. Z. TAYLOR, JOSEPHS, CARONE, MILLER, WALKO, STEELMAN, PLATTS, PISTELLA, ROONEY, LAUGHLIN, TRELLO, BOSCOLA, MANDERINO and JAMES

A Resolution directing the Legislative Budget and Finance Committee to conduct a thorough review of the programs and services relating to lead poisoning prevention, treatment and control that exist in this Commonwealth and to make a report with recommendations to the House of Representatives.

Referred to Committee on RULES, May 13, 1996.

**No. 369** By Representatives KIRKLAND, YOUNGBLOOD, McGEEHAN, LEDERER, THOMAS, MICOZZIE, BISHOP, HORSEY, BUTKOVITZ, DONATUCCI, OLIVER, CARN, ROEBUCK, WILLIAMS, JAMES, MYERS, RAMOS and WASHINGTON

A Resolution urging the Governor and his administration to implement any and all State economic development programs under his jurisdiction to prevent the economic disaster that will occur from a permanent shutdown of the British Petroleum Oil Refinery in Delaware County.

Referred to Committee on RULES, May 13, 1996.

**No. 370** By Representatives EVANS and GEIST

A Resolution memorializing the Congress of the United States to return to the states the revenue that is collected under the 4.3 cent-per-gallon tax imposed by the Omnibus Budget Reconciliation Act of 1993.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, May 13, 1996.

**No. 371** By Representatives JOSEPHS, ITKIN, MANDERINO, STURLA, YOUNGBLOOD, LYNCH, FLEAGLE, KENNEY, SCHULER, TRAVAGLIO, FAJT, GIGLIOTTI, BEBKO-JONES, DERMODY, STABACK, E. Z. TAYLOR, COLAIZZO, CALTAGIRONE, LESCOVITZ, LUCYK, BARD, GEIST, COWELL, CORNELL, TRELLO, THOMAS, M. COHEN, GEORGE, WALKO, COY, HERMAN, ROEBUCK, GODSHALL, McGEEHAN, BATTISTO, DONATUCCI, LEH, DiGIROLAMO, BAKER, BELARDI, READSHAW, LEVDANSKY, MARKOSEK, SANTONI, ROBERTS, L. I. COHEN, PETTIT, MUNDY, CURRY, JAROLIN, MELIO, SATHER, BELFANTI, HERSHEY, BLAUM, DeLUCA, CAPPABIANCA, HALUSKA, DENT, ARMSTRONG, DEMPSEY, ARGALL, PESCI, STEELMAN, ROONEY, BOSCOLA, LAUGHLIN and CORRIGAN

A Resolution designating May 14, 1996, as "Israel Independence Day" in Pennsylvania.

Referred to Committee on RULES, May 13, 1996.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 342, PN 1974**

Referred to Committee on JUDICIARY, May 13, 1996.

**SB 742, PN 1946**

Referred to Committee on LOCAL GOVERNMENT, May 13, 1996.

**SB 1433, PN 1969**

Referred to Committee on INSURANCE, May 13, 1996.

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

**SB 284, PN 1998 (Amended)**

By Rep. BOYES

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing an exclusion from taxation of a portion of the assessed value of homestead property.

FINANCE.

**LEAVES OF ABSENCE**

The SPEAKER. The Chair recognizes the Republican whip, Mr. Barley, who requests leave of absence for the lady from Allegheny County, Mrs. FARMER, for the week.

The Chair recognizes the gentleman, Mr. Itkin, who requests leave of absence for the lady from Philadelphia, Ms. WASHINGTON, for today's session.

Without objection, the leaves are granted. The Chair hears no objection.

**BILL REMOVED FROM TABLE**

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

Mr. PERZEL. Mr. Speaker, I move that SB 284 be removed from the table.

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

**BILL RECOMMITTED**

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

Mr. PERZEL. Mr. Speaker, I move that SB 284 be recommitted to the Committee on Appropriations.

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

**CALENDAR**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 1047, PN 1418**, entitled:

An Act amending the act of December 5, 1972 (P. L. 1280, No. 284), entitled "Pennsylvania Securities Act of 1972," providing for prohibited transactions involving nonprofit organizations; and further providing for criminal penalties.

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

**BILL TABLED**

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

Mr. PERZEL. Mr. Speaker, I move that SB 1047 be tabled.

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

**BILL REMOVED FROM TABLE**

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

Mr. PERZEL. Mr. Speaker, I move that SB 1047 be removed from the table.

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

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**BILLS PASSED OVER**

The SPEAKER. HB's 2165 and 2382 are over for today. The Chair hears no objection.

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**BILL PASSED OVER TEMPORARILY**

The SPEAKER. Page 2 of today's calendar. HB 1026 is over temporarily.

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**BILLS PASSED OVER**

The SPEAKER. HB 2488, SB 790, and SB 1171 are over for today.

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**BILL PASSED OVER TEMPORARILY**

The SPEAKER. HB 2388 is over temporarily.

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**BILLS PASSED OVER**

The SPEAKER. Page 3. All the bills on page 3 are over for today.

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**BILLS PASSED OVER TEMPORARILY**

The SPEAKER. Page 4. All the bills on page 4 are over temporarily.

**BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS**

**BILLS PASSED OVER TEMPORARILY**

The SPEAKER. On page 5, HB's 814, 2022, and 2063 are over temporarily.

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**RESOLUTION**

**RESOLUTION PASSED OVER TEMPORARILY**

The SPEAKER. HR 258 is over temporarily.

**RESOLUTION PURSUANT TO RULE 35**

**RESOLUTION PASSED OVER TEMPORARILY**

The SPEAKER. HR 365 is over temporarily.

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**DISCHARGE RESOLUTIONS**

**RESOLUTIONS PASSED OVER**

The SPEAKER. Page 6. All the resolutions on page 6 are over.

**COMMUNICATIONS FROM GOVERNOR**

**APPROVAL OF HOUSE BILLS**

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

**HB 166, HB 2048, and HB 2066.**

**GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today the first grade class from St. Joan of Arc School, here in Hershey, Pennsylvania, here today with their teacher, Ms. Michelle Hoffer. The son of the Lieutenant Governor, Lieutenant Governor Schweiker, Brett, is a member of that class and is here today. One of their distinguished graduates is a member of this hall, Mr. Tulli. Where is Mr. Tulli? He is over, perhaps, tutoring the class. Mr. Tulli, are you present? There he is, the distinguished graduate. Would the class please rise.

**FORMER MEMBER WELCOMED**

The SPEAKER. It is a pleasure to welcome back to the hall of the House a good friend, a former distinguished member of this House, Mrs. Jean Wilson, a former member from Bucks County. Jean. Over here to the left of the Speaker.

**ADDITIONS AND DELETIONS OF SPONSORS**

The SPEAKER. The Chair acknowledges receipt of additions and deletions for sponsorships of bills, which the clerk will file.

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

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—201**

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

Bunt	Gruppo	Mundy	Stish
Butkovitz	Habay	Myers	Strittmatter
Buxton	Haluska	Nailor	Sturla
Caltagirone	Hanna	Nickol	Surra
Cappabianca	Harhart	Nyce	Tangretti
Cam	Hasay	O'Brien	Taylor, E. Z.
Carone	Haste	Olasz	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
Colafella	Jadlowiec	Pistella	Vance
Colaizzo	James	Pitts	Van Horne
Conti	Jarolin	Platts	Veon
Cornell	Josephs	Preston	Vitali
Corpora	Kaiser	Ramos	Walko
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham	Lloyd	Santoni	

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Farmer                      Washington

**EASTON AREA HIGH SCHOOL  
WRESTLING TEAM PRESENTED**

The SPEAKER. The Chair recognizes the gentleman, Mr. Gruppo, and the gentleman, Mr. Corpora.

Mr. GRUPPO. Thank you, Mr. Speaker.

Representative Corpora and I are pleased to have as our guests today the members of the Easton wrestling team from Easton, Pennsylvania, Northampton County, and their coaches.

The Easton wrestling team captured first place at the 1996 PIAA State wrestling championships. They were ranked number one nationally by the USA Today for January and February. The Easton Area High School wrestling team is under the leadership of head coach Steven Powell and assistant coaches Barry Snyder, Edward Ferraro, Carlos Montes, and Joseph McIntyre.

The team members are seated over to the left of me, if you would— Oh, here they are right behind me. I would like the House of Representatives to recognize the Easton Area High School wrestling team.

I should point out that we have part of the team and some of the visitors are also in the gallery observing. We are glad to have you visit us also.

**GUESTS INTRODUCED**

The SPEAKER. Members of the House, I have before me a letter from Josie Byzek, who is the regional coordinator for the Pennsylvania Coalition of Citizens with Disabilities. She advises me that today that group is present here on the floor as part of an annual Disability Budget Coalition rally and that approximately 20 persons with disabilities are seated in the rear of the hall of the House. I wonder if we could acknowledge their presence. Welcome to Harrisburg.

As the guests of Representative Thomas Stish, we have "There Ought To Be A Law" contest winners Matthew Mahalick, Valerie Gyurko, and Vicky Collins, here today accompanied by their mothers. Would these students please rise. Here to the left of the Speaker.

In Harrisburg today is a group of about 50 people from Bucks County who are part of a group from the district of Representative Tom Druce, celebrating Good Government Day. Would that group please rise.

**APPROPRIATIONS COMMITTEE MEETING**

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

Mr. PITTS. Mr. Speaker, I believe we are going to be breaking and coming back at 3 o'clock. I would like to call a meeting of the House Appropriations Committee in our conference room at 2:55, 5 minutes before we come back on the floor.

The SPEAKER. The Chair thanks the gentleman.

**RULES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel, who asks for an immediate meeting of the Rules Committee at the majority leader's desk.

**BILL REREPORTED FROM COMMITTEE****HB 970, PN 2233**

By Rep. PERZEL

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further defining "independent expenditure" and adding definitions; providing for organization of political committees, for contributions, for independent expenditures and for reports, documents, data base and public access.

RULES.

**RESOLUTION REPORTED FROM COMMITTEE****HR 368, PN 3520 (Amended)**

By Rep. PERZEL

A Resolution directing the Health and Human Services Committee to study changes in the delivery of nursing services and the resulting impact on the quality of acute care in this Commonwealth.

RULES.

**BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED****HB 2511, PN 3539 (Amended)**

By Rep. CIVERA

An Act providing for volunteer health services; limiting liability of a volunteer license holder; and requiring reports.

PROFESSIONAL LICENSURE.

**SB 564, PN 1999 (Amended)**

By Rep. CIVERA

An Act amending the act of July 10, 1990 (P. L. 404, No. 98), entitled "Real Estate Appraisers Certification Act," further providing for certification, for applications, for qualifications, for disciplinary measures and for scope of practice; and making a repeal.

PROFESSIONAL LICENSURE.

**REPUBLICAN CAUCUS**

The SPEAKER. The Chair recognizes the Republican caucus chairman, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

There will be a Republican caucus immediately upon the call of recess, and we will plan on coming back at 3 p.m. for further votes.

**DEMOCRATIC CAUCUS**

The SPEAKER. The Chair recognizes the Democratic caucus chairman, Mr. Cohen.

Mr. COHEN. Mr. Speaker, there will be a meeting of the House Democratic Caucus immediately upon the recess.

The SPEAKER. All right. All members will report immediately to the caucus rooms, and unless announcements are made to the contrary, the Chair will call the House back into session at 3 o'clock.

In the meantime, there will be no further votes. The Chair has some homework to do and will keep the floor open for that purpose.

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

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

HB 1013;  
HB 2364;  
HB 2468;  
HB 2470;  
HB 2536;  
HB 2586; and  
SB 1371.

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

**BILLS RECOMMITTED**

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

HB 1013;  
HB 2364;  
HB 2468;  
HB 2470;  
HB 2536;  
HB 2586; and  
SB 1371.

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

**TRANSPORTATION COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

At the break there will be an immediate meeting of the Transportation Committee here in the well of the House. We have one bill to move out. It will only take about a minute. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

**HB 1782, PN 3538 (Amended)** By Rep. CIVERA

An Act amending the act of May 26, 1947 (P.L.318, No.140), entitled, as amended, "An act relating to the public practice of certified public accountants; providing for the certification of persons desiring to practice, the registrations of public accountants, requiring continuing education for registrants, and for the suspension and revocation of such certificates, subject to appeal and for their reinstatement; prescribing the powers and duties of the State Board of Accountancy and the Department of State; providing for ownership of working papers; defining unlawful acts and acts not unlawful; providing penalties, and repealing existing laws," amending the title; further providing for the short title, for definitions, for the Public Accountants' Advisory Committee, for the State Board of Accountancy and its general powers, for general qualifications, for education and experience and for reciprocity; providing for foreign reciprocity; further providing for licensure, for partnership and corporate licensure and for registration of public accountants; providing for licensure of firms and for peer review; further providing for discipline, for reinstatement, for revocation and suspension, for agency, for work product, for privilege, for penalties and remedies, for construction and for audits; regulating the professional responsibility of licensees; and reenacting certain provisions.

**PROFESSIONAL LICENSURE.**

The SPEAKER. Do the Republican leaders have any further announcements? Do the Democratic leaders have any further announcements? Do any committee chairmen have announcements to make? Are there any corrections to the record?

**VOTE CORRECTION**

The SPEAKER. The gentleman, Mr. Santoni.

Mr. SANTONI. Thank you, Mr. Speaker.

To correct the record.

On SB 1441, amendment 2556, my button malfunctioned. I would like to be recorded in the affirmative.

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

**ANNOUNCEMENT BY MR. FLICK**

The SPEAKER. The gentleman, Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

The Intergovernmental Affairs meeting, which was a continuation of last week's meeting, scheduled for tomorrow at 10 o'clock is being postponed. I will be in touch with the members to reschedule that date. Intergovernmental Affairs Committee meeting tomorrow at 10 is postponed.

The SPEAKER. The Chair thanks the gentleman.

**VOTE CORRECTION**

The SPEAKER. Mr. Travaglio is recognized.

Mr. TRAVAGLIO. I would like to correct my vote on SB 1441, amendment 2440, in the affirmative, please.

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

**RECESS**

The SPEAKER. Any further corrections? Remarks? Comments?

Hearing none, this House stands in recess until 3 p.m., or the sooner recall by the Chair.

**AFTER RECESS**

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

**APPLICATION FOR FUNDS  
REFERRED**

The SPEAKER. Pursuant to the program established by the Anti-Drug Abuse Act of 1988, I am referring the Pennsylvania Commission on Crime and Delinquency's application for funds provided through the Drug Control and System Improvement Formula Grant Program to the Judiciary Committee for its review.

**REPORT SUBMITTED**

The SPEAKER. The Speaker acknowledges receipt of the annual report submitted by the Secretary of Administration in compliance with Act 225 of 1974.

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

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 May 13, 1996

RESOLVED, (the House of Representatives concurring), That when the Regular Session of the Senate adjourns this week it reconvene on Monday, May 20, 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, May 20, 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.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Ernie Andrews and Retired Maj. Gen. Charles Murray, the brother-in-law of Representative Richard Olasz. Will the guests please rise. They are presently to the left of the Chair talking to the gentleman, Mr. DeWeese.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 2374, PN 3412, entitled:

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.

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

Mr. MAYERNIK offered the following amendment No. A2215:

Amend Bill, page 3, by inserting between lines 5 and 6 Section 2. This act shall be retroactive to January 1, 1996.

Amend Sec. 2, page 3, line 6, by striking out "2" and inserting 3

Amend Sec. 2, page 3, line 6, by striking out "in 60 days" and inserting immediately

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

The SPEAKER. The gentleman, Mr. Mayernik, is recognized for the purpose of discussing the amendment at this time.

Mr. MAYERNIK. Thank you, Mr. Speaker.

This amendment would make the provision retroactive so that the budget adopted by Allegheny County commissioners would be in effect. It is my understanding from the initial drafting that that was taken care of, but to make it crystal clear, this provision has been put forth.

I ask for an affirmative vote.

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

The following roll call was recorded:

YEAS-200

Table listing names of representatives who voted 'YEAS-200'. Includes names like Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Battisto, Bebk-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Carn, Carone, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colaifella, Colaizzo, Conti, Cornell, Corpora, Corrigan, Cowell, Coy, Curry, Daley, DeLuca, Dempsey, Dent, Dermody, DeWeese, DiGirolamo, Egolf, Evans, Fairchild, Fajt, Fargo, Feese, Fichter, Fleagle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Gruitza, Gruppo, Habay, Haluska, Hanna, Harhart, Hasay, Haste, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Itkin, Jadlowiec, James, Jarolin, Josephs, Kaiser, Keller, Kenney, King, Kirkland, Krebs, Kukovich, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lucyk, Lynch, Maitland, Major, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, Melio, Merry, Michlovic, Micozzie, Mihalich, Miller, Mundy, Myers, Nailor, Nickol, Nyce, O'Brien, Olasz, Oliver, Perzel, Pesci, Petrarca, Petrone, Pettit, Phillips, Pistella, Platts, Preston, Ramos, Raymond, Readshaw, Reber, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Rubley, Santoni, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stish, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, True, Tulli, Vance, Van Horne, Veon, Walko, Waugh, Williams, Wogan, Wozniak, Wright, D. R., Wright, M. N., Yewcic, Youngblood, Zimmerman, Zug.



Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham	Lloyd		

NAYS-0

NOT VOTING-1

Vitali

EXCUSED-2

Farmer Washington

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. M. N. WRIGHT offered the following amendment No. A2273:

Amend Title, page 1, line 5, by inserting after "class" and second class A

Amend Sec. 1, page 1, line 8, by striking out "Section 1980" and inserting Sections 1980 and 1980.1

Amend Sec. 1, page 1, line 10, by inserting after "amended" or added

Amend Sec. 1, page 1, line 11, by striking out "is" and inserting are

Amend Sec. 1, page 3, by inserting between lines 5 and 6

Section 1980.1. Fiscal Year; Preparation of Annual Budget in Counties of the Second Class A; Amendment of Annual Budget.-(a) The fiscal year of the county shall begin on the first day of January and end on the thirty-first day of December of each year. The commissioners in counties of the second class A, at least thirty days prior to adopting the budget, shall begin preparation of the proposed budget for the succeeding fiscal year.

(b) The controller shall transmit to the commissioners a comparative statement of revenues for the current and the immediately preceding fiscal year and a comparative statement of expenditures, including interest due and to fall due on all lawful interest-bearing debts of the county, for the same years.

(c) The controller's statement shall also indicate the amounts of all appropriation requests, submitted to the controller or to the commissioners and supplied by them to the controller, from the several county offices and agencies, including estimates of expenditures contemplated by the commissioners as forwarded by them to the controller.

(d) Said statements, in such form and detail as the commissioners direct, shall be prepared upon a form or forms furnished, as provided in this subdivision, by the Department of Community Affairs. With this information as a guide, the commissioners shall, within a reasonable time, begin the preparation of a proposed budget for the succeeding fiscal year.

(e) During the month of January next following the municipal election at which the commissioners of any county of the second class A are elected, the commissioners may amend the budget and the levy and tax rate to conform with its amended budget. A period of ten days' public inspection at the office of the chief clerk of the proposed amended budget, after notice by the chief clerk to that effect is published once in a newspaper as provided in section 110 of this act, shall intervene between the proposed amended budget and the adoption thereof. Any amended

budget must be adopted by the county commissioners of any county of the second class A on or before the fifteenth day of March for the fiscal year 1996 and on or before the fifteenth day of February for each fiscal year thereafter.

(f) No such budget shall be revised upward in excess of ten per centum (10%) in the aggregate thereof or as to an individual item in excess of the lesser of twenty-five per centum (25%) of the amount of such individual item in the budget proposed to be amended or one million dollars (\$1,000,000).

(g) Within fifteen days after the adoption of an amended budget the chief clerk shall file a copy thereof in the office of the Department of Community Affairs or in the office of its successor in function.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Wright.

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

What my amendment does is to clarify it. Originally, there was a bit of discrepancy whether the original bill pertained to just second class or second class A. Different parts of law have different context. So what I did is, just to clarify that, I am specifying that it does pertain to 2-A counties also, just to clarify that it is 2 and 2-A. Thank you.

The SPEAKER. The gentleman, Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

I have no opposition. If the gentleman wishes to bring his county into this great piece of legislation, we welcome him.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-200

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

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

NAYS-0

NOT VOTING-1

Blaum

EXCUSED-2

Farmer Washington

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

Just briefly. This bill in its present form passes amendments on December 12 of last year that were introduced by Representative Tony P. DeLuca that would permit Allegheny County to reopen its budget statutorily. Allegheny County is the only county that is not spoken for by statute.

This bill has been cosponsored by both Republican and Democrat, every member of Allegheny County. There were provisions taken out that were originally put in by the House prior to the statutory language.

This bill is very clean. We are asking for an affirmative vote, and I would like to thank Representative Tony P. DeLuca for his help. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Farmer Washington

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

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

**BILLS ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 814, PN 3440**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for law enforcement records, for juvenile history record information, for registration and assessment of sexual offenders, for certain notifications, for immunity for good faith conduct, for duties of the Pennsylvania State Police, for duties of the Pennsylvania Board of Probation and Parole and for the composition and compensation of the State Board to Assess Sexually Violent Predators; and providing for applicability.

On the question,

Will the House concur in Senate amendments?

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

**YEAS—196**

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

DiGirolamo	Lescovitz	Sainato	Ryan,
Druce	Levdansky	Santoni	Speaker
Durham	Lloyd		

**NAYS—1**

Josephs

**NOT VOTING—4**

Donatucci	Rieger	Roebuck	Taylor, J.
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**EXCUSED—2**

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

Ordered, That the clerk inform the Senate accordingly.

\* \* \*

The House proceeded to consideration of concurrence in Senate amendments to **HB 2022, PN 3441**, entitled:

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for use of credit and debit cards and for black fly control.

On the question,

Will the House concur in Senate amendments?

**RULES SUSPENDED**

The SPEAKER. The Chair recognizes the lady, Miss Major. Miss MAJOR. Thank you, Mr. Speaker.

At the end of October of last year, HB 2022 left this chamber. It allowed for the use of credit and debit cards by the Fish and Boat Commission for the sale of their licenses and other items. The legislation has come back today from the Senate with an amendment which prohibits the Fish and Boat Commission from having any jurisdiction over or involvement in the blackfly control program in this Commonwealth.

Please understand that I am in total support of the continuation and expansion of the blackfly control program, but I oppose the precedent that is being set here today in giving sole jurisdiction to the Department of Environmental Protection. I strongly feel that the Fish and Boat Commission should continue to be allowed to be cooperative with DEP to assure that the resources for which the Fish and Boat Commission is responsible do not suffer harm.

For this reason, Mr. Speaker, I would ask to suspend the rules in order to revert to prior PN 2511. Thank you.

The SPEAKER. The question is on suspension of the rules to permit the lady to move a prior printer's number.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

## YEAS—190

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

## NAYS—10

Carone	Hutchinson	Maitland	Steil
Hanna	Krebs	Platts	Tigue
Haste	Levdansky		

## NOT VOTING—1

Carn

## EXCUSED—2

Farmer Washington

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.

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

**BILL REVERTED TO  
PRIOR PRINTER'S NUMBER**

The SPEAKER. The lady is permitted to make the following motion.

Miss MAJOR. Thank you, Mr. Speaker.

At this time I would like to revert to prior PN 2511.

The SPEAKER. The question before the House is the motion of the lady, Miss Major, that HB 2022 revert to its prior printer's number, being PN 2511.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker.

I rise to support the motion of Representative Major, prime sponsor of the bill, to revert to the prior printer's number.

There has been much discussion on this, and it is stricter because of the amendment that was put in in the Senate. What the amendment says, in the main portion of that amendment, it says that the commission is prohibited from having any jurisdiction or any involvement in the blackfly control, and I think that is wrong.

As it stands now, the Fish Commission can make comments on the program of the blackfly, and since this blackfly program is going to be increased — as a matter of fact, the largest blackfly program in the world we will see here in this area as the spraying takes place — I do not think it is proper that the Fish Commission cannot have any involvement, and any involvement means that they cannot even comment on what is taking place or what is taking place with the blackfly program.

And let me assure you, it is not any different than it is now. If this amendment is taken out by reverting back to the prior printer's number, the blackfly program will still move ahead. It will have no effect on the blackfly program. The only thing it will do, it will allow the Fish Commission to still comment on any problems that could occur if there are any that take place, such as a fishkill or something should take place while this blackfly program is taking place.

But I do not believe it is right. I do not believe anybody in this House should give the Department of Environmental Protection the full jurisdiction over this program and not allow the Fish Commission to make any comments as to what is taking place.

Therefore, I would ask for an affirmative vote on reverting to the prior printer's number. Thank you.

The SPEAKER. The gentleman, Mr. Staback, from the county of Lackawanna.

Mr. STABACK. Thank you, Mr. Speaker.

Mr. Speaker, I, too, would ask for a vote to revert to the bill's prior printer's number.

Mr. Speaker, as you have heard, HB 2022 was amended by the Senate. That amendatory language would prohibit the PA Fish and Boat Commission from having any involvement or input at all when DEP does its program dealing with the control of the

blackfly. This kind of language, Mr. Speaker, does not belong in this bill or any other bill.

Mr. Speaker, the commission never had jurisdiction over the blackfly program but was always afforded the opportunity to offer input – input that ensured that the spraying programs avoided unintentional damage to the aquatic life in Pennsylvania waters. This kind of input, Mr. Speaker, is both justified and proper. Mr. Speaker, the commission should and needs to continue to have this kind of input simply to ensure a healthy aquatic life system in all of our Pennsylvania waters.

Once again, I would ask and urge a vote to revert. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Thomas. Did you seek recognition on this subject?

Mr. THOMAS. We have it all straightened out, Mr. Speaker.

The SPEAKER. I am certainly glad to hear that.

The gentleman, Mr. Steil, from Bucks County.

Mr. STEIL. Thank you, Mr. Speaker.

I would like to correct the intent of the language that is currently contained in HB 2022. The blackfly spraying program is currently solely, from a management and a contractual standpoint, the responsibility of DEP. It has always been the responsibility of DEP.

It is very critical that this program move forward and that it be expanded to some certain new counties including this year, for the first time, Bucks County.

In a memo dated February 9, 1996, the Pennsylvania Fish and Boat Commission has requested that the Department of Environmental Protection halt the expansion of the blackfly suppression program, and further, they have asked that the department prepare a memorandum of understanding that defines how the Fish and Boat Commission and the Department of DEP will jointly make decisions about blackfly treatments.

Now, the purpose of this amendment in this bill is to state again that the legislative intent is clearly that DEP shall remain responsible for the blackfly program and that in so doing, the Fish Commission is welcome to make their responses; they are welcome to make comments as any one of us can on this program at any time. It is not, however, from a contractual and management standpoint the legislative intent that the Fish Commission shall have responsibility, and that is what this amendment is about. The amendment is to restate the intention of this body that DEP shall remain responsible for the blackfly program. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Smith.

Mr. B. SMITH. Thank you, Mr. Speaker.

I rise to support Representative Major's motion to revert to the prior printer's number.

I think it is very important that the Fish Commission does remain involved in an advisory capacity on the blackfly program. I strongly support the blackfly program. It is very important to York County. I think, however, what we must weigh is whether we want DEP to have the sole authority on the blackfly program. I think it is important that the Fish Commission be allowed to continue in an advisory capacity, and I would urge that you vote in favor of the motion to revert to the prior printer's number. Thank you, Mr. Speaker.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I have just received a copy of the same memo that Representative Steil spoke about, and we do have a blackfly problem down in southeastern Pennsylvania. It has become more and more severe over in Bucks County as we have cleaner streams and cleaner waters in the Delaware River. And what the Fish Commission is saying in this memo is they want a halt to the expansion of any program. Well, this program as it exists today may be important in York County, but it is also important, the same importance because we have the same fly problems, along the Delaware River. So if it has been used in York County, if it has been used in Cumberland County, if it has been used in Dauphin County successfully over the last number of years, why is the Fish Commission opposing its expansion to southeastern Pennsylvania where the need is just as dire as it is up here?

I ask that we defeat the motion to revert to a prior printer's number. Thank you.

The SPEAKER. The gentleman from Bucks, Mr. Steil, for the second time on the issue.

Mr. STEIL. Thank you, Mr. Speaker.

Just to clarify again that the Fish Commission has asked to halt the expansion of this program, which affects a number of counties in this State. We are simply asking that we maintain present law that DEP has sole responsibility for this program with the advice and input from the Fish Commission or any other interested parties.

We oppose the motion to revert to a prior printer's number so that we uphold the law as it is today. Thank you, Mr. Speaker.

The SPEAKER. The lady, Miss Major, for the second time on the issue.

Miss MAJOR. Thank you, Mr. Speaker.

Once again I would like to repeat that the Pennsylvania Fish Commission is charged with, among other duties, the promotion and development of our fisheries and the protection and propagation and distribution of fish.

In addition to commenting on the Department of Environmental Protection's blackfly program, the commission comments on aquatic herbicide control, State parks management, water allocation, mining permits, stream encroachment permits, sewage enforcement treatment, and the Department of Transportation's activities impacting our streams and fisheries. These comments are productive and have proved to be helpful to many agencies over the years.

So for this reason, Mr. Speaker, I would ask that this chamber revert to the prior printer's number so that the Fish and Boat Commission will not be prohibited from having any jurisdiction over and/or involvement in the blackfly program. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

Does the gentleman, Mr. Marsico, seek recognition on this subject?

Mr. MARSICO. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. MARSICO. Thank you, Mr. Speaker.

If I could have your attention, especially those from central Pennsylvania and those that live near or adjacent to rivers or streams or represent areas within your districts that have rivers and streams, you should be very concerned about this proposal. I would ask that you vote against the motion to revert to the prior printer's number for a number of reasons.

One, that without question, this could possibly jeopardize the blackfly spraying program. I say that, and I ask you again to read

the letter that the Fish Commission sent to the Department of Environmental Resources, specifically on page 1, that there is a possibility of the elimination and the halting of the program. I believe that any disruption or restriction will affect the quality of life of your constituents, and you will have a major, major disruption in your lives if this program is ended, disrupted, or restricted.

I believe that this is a very drastic move, one that will definitely affect the quality of life and will be a jeopardy to your constituents. I ask that you vote against the motion to revert to the prior printer's number. Thank you.

The SPEAKER. The gentleman, Mr. Smith, for the second time on the question.

Mr. B. SMITH. Thank you, Mr. Speaker.

Very briefly, I strongly support the blackfly program. To my knowledge and to the knowledge of my staff, the Pennsylvania Fish and Boat Commission has done nothing to interfere with expansion of the program. They have been asked to participate in studies on the Delaware River. They also, because the blackfly program does affect the waters of Pennsylvania, they would like to continue to give comment.

The Pennsylvania Fish Commission did not contact me to support this. This is a precedent, and I think it is a precedent that should continue, that the Fish Commission be able to make comments on the blackfly program.

I strongly support the motion to revert to the prior printer's number. Thank you, Mr. Speaker.

The SPEAKER. The question before the House is, shall the House revert to PN 2511? On that question, those in favor of reversion will vote "aye"; opposed, "no."

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

The following roll call was recorded:

YEAS-151

Adolph	Flick	Markosek	Semmel
Allen	Gamble	Masland	Serafini
Argall	Gannon	Mayernik	Shaner
Armstrong	Geist	McCall	Sheehan
Baker	George	McGeehan	Smith, B.
Battisto	Gigliotti	Merry	Smith, S. H.
Belardi	Gordner	Michlovic	Snyder, D. W.
Belfanti	Gruitza	Micozzie	Staback
Birmelin	Gruppo	Mihalich	Stairs
Bishop	Haluska	Mundy	Steelman
Blaum	Hanna	Myers	Stern
Brown	Harhart	Nickol	Stetler
Browne	Hasay	Nyce	Stish
Bunt	Hennessey	O'Brien	Strittmatter
Butkovitz	Herman	Olasz	Sturla
Caltagirone	Hershey	Oliver	Surra
Cappabianca	Hess	Pesci	Tangretti
Carn	Horsey	Petrarca	Taylor, E. Z.
Carone	Itkin	Petrone	Taylor, J.
Cawley	Jadlowiec	Phillips	Thomas
Chadwick	James	Pistella	Tigue
Civera	Josephs	Platts	Travaglio
Cohen, M.	Kaiser	Preston	Trello
Colafrilla	Keller	Ramos	Trich
Colaizzo	Kirkland	Raymond	True
Cornell	Kukovich	Readshaw	Van Home
Cowell	LaGrotta	Robinson	Veon
Coy	Laughlin	Rohrer	Vitali

Daley	Lederer	Rooney	Walko
DeLuca	Leh	Rubley	Waugh
Dent	Lescovitz	Rudy	Williams
Dermody	Levdanský	Sainato	Wright, D. R.
DeWeese	Lloyd	Santoni	Yewcic
Durham	Lucyk	Sather	Youngblood
Evans	Lynch	Saylor	Zimmerman
Fairchild	Maitland	Schroder	
Fajt	Major	Schuler	Ryan,
Feese	Manderino	Scrimenti	Speaker
Fleagle			

NAYS-44

Bard	Corrigan	Haste	Pettit
Barley	Curry	Hutchinson	Pitts
Bebko-Jones	Dempsey	King	Reber
Boscola	DiGirolamo	Krebs	Reinard
Boyes	Druce	Lawless	Roberts
Buxton	Egolf	Marsico	Steil
Clark	Fargo	McGill	Tulli
Clymer	Fichter	Melio	Vance
Cohen, L. I.	Gladeck	Miller	Wozniak
Conti	Godshall	Nailor	Wright, M. N.
Corpora	Habay	Perzel	Zug

NOT VOTING-6

Donatucci	Kenney	Roebuck	Wogan
Jarolin	Rieger		

EXCUSED-2

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

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

The SPEAKER. The question is now on concurrence of HB 2022, PN 2511.

The question is, will the House concur in the amendments inserted by the Senate as amended by the House by virtue of the reversion to the prior printer's number? Those voting to concur will vote "aye"; opposed, "no."

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

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

YEAS-200

Adolph	Egolf	Lucyk	Santoni
Allen	Evans	Lynch	Sather
Argall	Fairchild	Maitland	Saylor
Armstrong	Fajt	Major	Schroder
Baker	Fargo	Manderino	Schuler
Bard	Feese	Markosek	Scrimenti
Barley	Fichter	Marsico	Semmel
Battisto	Fleagle	Masland	Serafini

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

**REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. The gentleman, Mr. Reinard.  
 Mr. REINARD. Thank you, Mr. Speaker.  
 Mr. Speaker, I have some remarks I would like to submit for the record.  
 The SPEAKER. The gentleman will submit his remarks.

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Richard S. Poll, who has recently been awarded Scouting's highest honor - Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following Citation of Merit honoring Richard S. Poll.  
 Whereas, Richard S. Poll earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. He is a member of Troop 147.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Richard S. Poll.

**BILL ON CONCURRENCE  
 IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2063, PN 3342**, entitled:

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, further providing for smoke detectors in Class VI buildings.

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

**MOTION TO SUSPEND RULES**

The SPEAKER. The Chair recognizes the gentleman, Mr. Coy.  
 Mr. COY. Mr. Speaker, I would like to move that the rules of the House be suspended so I may offer an amendment to this bill.

The SPEAKER. The gentleman, Mr. Coy, moves that the House suspend its rules to permit him to offer amendment - Mr. Coy, A2612? - to HB 2063.

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

The SPEAKER. On the question of suspension, which is debatable only by the two floor leaders, unless they have waived their right in favor of someone else.

The gentleman, Mr. Coy, are you speaking on behalf of the Democrat leadership? The gentleman is recognized.

Mr. COY. Mr. Speaker, I have an amendment to the bill that I would like to have considered at this time. I will speak on the substance if the rules are suspended.

The SPEAKER. The gentleman, Mr. Perzel, do you waive in favor of Mr. Dent? Mr. Dent.

Mr. DENT. Thank you, Mr. Speaker. Just one moment.  
 Thank you, Mr. Speaker.

**NAYS-1**

Wozniak

**NOT VOTING-0**

**EXCUSED-2**

Farmer Washington

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

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

The SPEAKER. The clerk will inform the Senate that the House has reverted to a prior printer's number, which is tantamount to a House amendment, in which the concurrence of the Senate is requested.

I would respectfully ask that we oppose this motion to suspend the rules. First, I have not seen it yet – I am the prime sponsor of this legislation – nor have any others, although I have just been informed that the Department of Labor is opposed to Mr. Coy's amendment, even though I have not seen it.

But I would respectfully urge that we oppose this motion to suspend the rules. This bill has been worked on for a few years. It went through the Senate unanimously, and I think we have passed the time for amendments. Thank you.

The SPEAKER. The question before the House is based on the motion of the gentleman, Mr. Coy, that the rules of the House be suspended to permit him to offer amendment A2612 to HB 2063.

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

The following roll call was recorded:

## YEAS-93

Battisto	DeWeese	Lucyk	Rudy
Bebko-Jones	Evans	Manderino	Sainato
Belardi	Fajt	Markosek	Santoni
Belfanti	Gamble	Mayernik	Scrimenti
Bishop	George	McCall	Shaner
Blaum	Gordner	McGeehan	Staback
Boscola	Gruitza	Melio	Stetler
Butkovitz	Haluska	Michlovic	Sturla
Buxton	Horsey	Mihalich	Surra
Caltagirone	Itkin	Mundy	Tangretti
Cappabianca	James	Myers	Thomas
Carn	Jarolin	Olasz	Travaglio
Cawley	Josephs	Oliver	Trello
Cohen, M.	Kaiser	Pesci	Trich
Colaella	Keller	Petrarca	Van Horne
Colaizzo	Kirkland	Petrone	Veon
Corpora	Kukovich	Pistella	Vitali
Corrigan	LaGrotta	Preston	Walko
Cowell	Laughlin	Ramos	Williams
Coy	Lederer	Readshaw	Wozniak
Curry	Lescovitz	Roberts	Wright, D. R.
Daley	Levdansky	Robinson	Yewcic
DeLuca	Lloyd	Rooney	Youngblood
Dermody			

## NAYS-105

Adolph	Fargo	Lynch	Semmel
Allen	Feese	Maitland	Serafini
Argall	Fichter	Major	Sheehan
Armstrong	Fleagle	Marsico	Smith, B.
Baker	Flick	Masland	Smith, S. H.
Bard	Gannon	McGill	Snyder, D. W.
Barley	Geist	Merry	Stairs
Birmelin	Gigliotti	Micozzie	Steelman
Boyes	Gladeck	Miller	Steil
Brown	Godshall	Nailor	Stern
Browne	Gruppo	Nickol	Stish
Bunt	Habay	Nyce	Strittmatter
Carone	Hanna	O'Brien	Taylor, E. Z.
Chadwick	Harhart	Perzel	Taylor, J.
Civera	Hasay	Pettit	Tigue
Clark	Haste	Phillips	True
Clymer	Hennessey	Pitts	Tulli
Cohen, L. I.	Herman	Platts	Vance
Conti	Hershey	Raymond	Waugh
Cornell	Hess	Reber	Wogan
Dempsey	Hutchinson	Reinard	Wright, M. N.
Dent	Jadlowiec	Rohrer	Zimmerman

DiGirolamo	Kenney	Rubley	Zug
Druce	King	Sather	
Durham	Krebs	Saylor	Ryan,
Egolf	Lawless	Schroder	Speaker
Fairchild	Leh	Schuler	

## NOT VOTING-3

Donatucci	Rieger	Roebuck
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## EXCUSED-2

Farmer	Washington
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Less than a majority of the members elected to the House having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask the House to nonconcur in the Senate amendments to HB 2063, and I would like to take just a moment to explain why.

You may remember several months ago when we did this bill, and what it did was to reverse current law, which we adopted in 1992, saying that family day-care homes would have to use interconnected smoke alarms for fire protection in their facilities. We passed that in 1992, I believe unanimously, and it has been the law ever since, and hundreds and thousands of family day-care homes throughout Pennsylvania have complied with that and have installed interconnected smoke alarms, according to the Department of Labor, at an average cost of about \$170 to install them.

HB 2063 when it first came before us totally undid that and replaced it with battery-operated smoke alarms, and you may remember the debate we had – I believe it was back in October – you may remember the debate on that legislation, and we argued to please not reduce the fire safety requirements for these family day-care homes.

## POINT OF ORDER

Mr. DENT. Mr. Speaker, point of order.

The SPEAKER. The gentleman, Mr. Dent.

Mr. DENT. Is it appropriate that any speakers on this vote on concurrence address their comments to the amendments inserted by the Senate and not the bill itself?

The SPEAKER. Yes, it is appropriate. The gentleman is addressing the issue properly.

Mr. BLAUM. Thank you, Mr. Speaker.

That passed the House of Representatives and went to the Senate, and the Senate would not pass it the way we sent it to them. They would not pass it with the simple battery-operated smoke alarms because of the lack of protection that that provided. In fact, the firefighters' association also strongly opposed what had passed the House of Representatives, because it did not offer enough protection to the kids in these family day-care homes.



But faced with passage of the bill in its current form and the inability to get it to the way they wanted it, which is to not pass it at all, therefore keep current law which requires the interconnected smoke alarms, they compromised at putting in the bill the lithium battery UL-217, which is a battery which lasts for 10 years and is at least a huge improvement over the way this bill originally passed this House.

Mr. Speaker, we just did a brief survey on municipalities that surround Harrisburg as to what they require for new homes and construction as far as fire safety goes, and they require interconnected smoke alarms. That is the same protection that kids now enjoy in family day-care homes, and the passage of this bill with the Senate amendment will weaken that by going to the lithium battery system rather than the interconnected smoke alarms which are required, as I said, in any new construction all over Pennsylvania.

So I would ask that we nonconcur. There is simply no reason, there is simply no reason — not cost; it is about 170 bucks to install the interconnected smoke alarms. To put one of these lithium batteries on all three floors of a home would probably be in excess of about \$110. So the family day-care homes are not going to be thrilled with this new legislation, because it does not go back to the way it used to be with the simple battery-operated smoke alarms, because the Senate, I think wisely, refused to do that, to pass this gentleman, Mr. Dent's bill in its original form.

There is simply no reason why we should reduce the fire safety requirements that these kids enjoy in the family day-care homes, and I would ask, I would ask that as we have these codes, and everything new coming down as far as fire safety goes is now headed in the direction of these interconnected smoke alarms, I do not want to see us go back just on these family day-care homes where kids are involved. I think it is a bad vote, I think it is an unnecessary vote, and I do not think it is one that we should cast.

I would ask the members to vote "no." Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Dent.

Mr. DENT. Thank you, Mr. Speaker.

I would like to address the amendments inserted by the Senate, which have been agreed to by the fire services community and also the child day-care community.

The issue here is, we are requiring a 10-year battery. We have done that because we feel that is a reasonable compromise as opposed to the standard battery that you have to change every several months. These last 10 years. I have one in my hand for your inspection. You do not have to rewire your home.

I should also address the comments made by the previous speaker — new homes. New homes are required the interconnected systems in many municipalities. What we are talking about are existing homes. There is a big difference — existing homes, old homes. Many of these homes would have to be rewired to comply with what is current law. We have lost over 1,500 family day-care providers. I will not get into that; we debated that before, and this House approved that by a vote of 3 to 1.

Again, to address the amendments, each device must be enclosed, and it is a nonreplaceable battery smoke detector, and it should last 10 years. The activation of each detector results in an alarm that is audible to persons in the indoor child-care space with all intervening doors closed, and the bill also would require that family day-care home operators would have to maintain in their fire drill logs proof of purchase of the detection devices, including the date of the purchase of the smoke detector.

I should also add that the Senate amendments were concurred in unanimously. Both Senator Heckler and Senator Schwartz spoke on the Senate floor in support of this compromise. I think it is a good bill, and it will help many of our small family day-care providers and those parents who use those providers for their children.

So again, I would strongly urge that we concur in the Senate amendments. Thank you for your attention.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—139

Adolph	Egolf	Lescovitz	Saylor
Allen	Fairchild	Levdansky	Schroder
Argall	Fajt	Lynch	Schuler
Armstrong	Fargo	Maitland	Semmel
Baker	Feese	Major	Sheehan
Bard	Fichter	Markosek	Smith, B.
Barley	Fleagle	Marsico	Smith, S. H.
Battisto	Flick	Masland	Snyder, D. W.
Belardi	Gamble	Mayernik	Stairs
Belfanti	Gannon	McCall	Steelman
Birmelin	Geist	McGill	Steil
Boscola	George	Merry	Stern
Boyes	Gigliotti	Michlovic	Stish
Brown	Gladeck	Micozzie	Strittmatter
Browne	Godshall	Miller	Sturla
Bunt	Gordner	Nailor	Surra
Butkovitz	Gruitza	Nickol	Taylor, E. Z.
Caltagirone	Gruppo	Nyce	Taylor, J.
Carn	Habay	O'Brien	Trich
Carone	Haluska	Perzel	True
Cawley	Harhart	Petrone	Tulli
Chadwick	Haste	Pettit	Vance
Civera	Hennessey	Phillips	Van Horne
Clark	Herman	Pitts	Vitali
Clymer	Hershey	Platts	Walko
Cohen, L. I.	Hess	Raymond	Waugh
Conti	Horsey	Reber	Wogan
Cornell	Hutchinson	Reinard	Wozniak
Corpora	Jadlowiec	Rieger	Wright, M. N.
Corrigan	Keller	Rohrer	Yewcic
Daley	Kenney	Rooney	Zimmerman
Dempsey	King	Rubley	Zug
Dent	Krebs	Rudy	
DiGirolamo	Lawless	Santoni	Ryan,
Druce	Leh	Sather	Speaker
Durham			

NAYS—62

Bebko-Jones	Hanna	Melio	Sainato
Bishop	Hasay	Mihalich	Scrimenti
Blaum	Itkin	Mundy	Serafini
Buxton	James	Myers	Shaner
Cappabianca	Jarolin	Olasz	Staback
Cohen, M.	Josephs	Oliver	Stetler
Colafrella	Kaiser	Pesci	Tangretti
Colaizzo	Kirkland	Petrarca	Thomas
Cowell	Kukovich	Pistella	Tigue
Coy	LaGrotta	Preston	Travaglio
Curry	Laughlin	Ramos	Trello
DeLuca	Lederer	Readshaw	Veon
Dermody	Lloyd	Roberts	Williams
DeWeese	Lucyk	Robinson	Wright, D. R.

Donatucci	Manderino	Roebuck	Youngblood
Evans	McGeehan		
NOT VOTING—0			
EXCUSED—2			
Farmer	Washington		

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

Ordered, That the clerk inform the Senate accordingly.

**RESOLUTION**

Mr. ROBINSON called up **HR 258, PN 2852**, entitled:

A Concurrent Resolution directing the Local Government Commission to review and recodify the laws of cities and counties of the second class.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—199**

Adolph	Egolf	Lloyd	Sather
Allen	Evans	Lucyk	Saylor
Argall	Fairchild	Lynch	Schroder
Armstrong	Fajt	Maitland	Schuler
Baker	Fargo	Major	Scrimenti
Bard	Feese	Manderino	Semmel
Barley	Fichter	Markosek	Serafini
Battisto	Fleagle	Marsico	Shaner
Bebko-Jones	Flick	Masland	Sheehan
Belardi	Gamble	Mayermik	Smith, B.
Belfanti	Gannon	McCall	Smith, S. H.
Birmelin	Geist	McGeehan	Snyder, D. W.
Bishop	George	McGill	Staback
Blaum	Gigliotti	Melio	Stairs
Boscola	Gladeck	Merry	Steelman
Boyes	Godshall	Michlovic	Steil
Brown	Gordner	Micozzie	Stern
Browne	Gruitza	Mihalich	Stetler
Bunt	Gruppo	Miller	Stish
Butkovitz	Habay	Mundy	Strittmatter
Buxton	Haluska	Myers	Sturla
Caltagirone	Hanna	Nailor	Surra
Cappabianca	Harhart	Nickol	Tangretti
Carn	Hasay	Nyce	Taylor, E. Z.
Carone	Haste	O'Brien	Taylor, J.
Cawley	Hennessey	Olasz	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
Colaella	Jadlowiec	Pistella	Vance
Colaizzo	James	Pitts	Van Horne
Conti	Jarolin	Platts	Veon
Cornell	Josephs	Preston	Vitali
Corpora	Kaiser	Ramos	Walko
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams

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

**NAYS—0**

**NOT VOTING—2**

Oliver	Rieger
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**EXCUSED—2**

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

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

**RESOLUTION PURSUANT TO RULE 35**

Mr. MASLAND called up **HR 365, PN 3507**, entitled:

A Resolution proclaiming the week of May 12 through 18, 1996, as "MADD Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—201**

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Farmer Washington

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

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 2388, PN 3108**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, further defining "employment."

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

Mr. **LLOYD** offered the following amendment No. **A2295**:

Amend Title, page 1, line 16, by striking out all of said line and inserting

"employment"; and providing for ineligibility of incarcerated employee.

Amend Bill, page 2, by inserting between lines 25 and 26

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

Section 402.6. Ineligibility of Incarcerated Employee.—Nothing in this act shall require payment of unemployment compensation benefits for any weeks of unemployment during which the employe is incarcerated after a conviction.

Amend Sec. 2, page 2, line 26, by striking out "2" and inserting

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

The **SPEAKER**. On the question of the adoption of the amendment, the Chair recognizes the gentleman, Mr. Lloyd.

Mr. **LLOYD**. Mr. Speaker, this amendment would put into the Unemployment Compensation Law a prohibition which is similar to one which we inserted into the workers' compensation law in 1993. Specifically, this amendment says that someone who is incarcerated after a conviction does not receive unemployment compensation benefits.

I learned to my surprise a month or so ago from a business in my district that it is possible now, if you are convicted and you are in prison and you qualify for work release and your employer does not want you back, you then get unemployment compensation. This businessman in my district and the other employees in that company do not think that is right; I do not think that is right either, and I think we ought to change the law.

Thank you, Mr. Speaker.

The **SPEAKER**. On the question, the Chair recognizes the gentleman, Mr. Gladeck.

Mr. **GLADECK**. Thank you, Mr. Speaker.

For the benefit of the House, this is an agreed-to amendment. We think it is a good amendment, and we urge your support for it. Thank you.

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

The following roll call was recorded:

YEAS-200

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

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

NAYS-0

NOT VOTING-1

Donatucci

EXCUSED-2

Farmer Washington

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

The question is, shall the bill pass finally?

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

YEAS-200

Adolph	Evans	Lynch	Sather
Allen	Fairchild	Maitland	Saylor
Argall	Fajt	Major	Schroder
Armstrong	Fargo	Manderino	Schuler
Baker	Feese	Markosek	Scrimenti
Bard	Fichter	Marsico	Semmel
Barley	Fleagle	Masland	Serafini
Battisto	Flick	Mayernik	Shaner
Bebko-Jones	Gamble	McCall	Sheehan
Belardi	Gannon	McGeehan	Smith, B.
Belfanti	Geist	McGill	Smith, S. H.
Birmelin	George	Melio	Snyder, D. W.
Bishop	Gigliotti	Merry	Staback
Blaum	Gladeck	Michlovic	Stairs
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Brown	Gruitza	Miller	Stern
Browne	Gruppo	Mundy	Stetler
Bunt	Habay	Myers	Stish
Butkovitz	Haluska	Nailor	Strittmatter
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Caltagirone	Harhart	Nyce	Surra
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Carn	Haste	Olasz	Taylor, E. Z.

Carone	Hennessey	Oliver	Taylor, J.
Cawley	Herman	Perzel	Thomas
Chadwick	Hershey	Pesci	Tigue
Civera	Hess	Petrarca	Travaglio
Clark	Horsey	Petrone	Trello
Clymer	Hutchinson	Pettit	Trich
Cohen, L. I.	Itkin	Phillips	True
Cohen, M.	Jadlowiec	Pistella	Tulli
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Cowell	King	Reber	Williams
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Curry	Krebs	Rieger	Wozniak
Daley	Kukovich	Roberts	Wright, D. R.
DeLuca	LaGrotta	Robinson	Wright, M. N.
Dempsey	Laughlin	Roebuck	Yewcic
Dent	Lawless	Rohrer	Youngblood
Dermody	Lederer	Rooney	Zimmerman
DeWeese	Leh	Rubley	Zug
DiGirolamo	Lescovitz	Rudy	
Druce	Levdansky	Sainato	Ryan,
Durham	Lloyd	Santoni	Speaker
Egolf	Lucy		

NAYS-0

NOT VOTING-1

Donatucci

EXCUSED-2

Farmer Washington

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 1865, PN 2287**, entitled:

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

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

The SPEAKER. The Chair recognizes the gentleman, Mr. DeLuca, who offers the following amendment, which the clerk will read.

The gentleman, Mr. DeLuca.  
Mr. DeLUCA. Thank you, Mr. Speaker.  
Mr. Speaker, I am withdrawing that amendment.  
The SPEAKER. Thank you, Mr. DeLuca.

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

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

The question is, shall the bill pass finally?

The Chair recognizes Mr. Herman.

Mr. HERMAN. Thank you, Mr. Speaker.

Very quickly, this bill is similar to one passed by the House of Representatives in the General Assembly in previous sessions but has never made it through the entire process to get on the ballot for approval by the voters.

I have been working with various groups – the Pennsylvania League of Women Voters and people in the Senate, the Bureau of Elections and many others – and what this bill will provide is an amendment to the State Constitution to change the requirement that if a person is to vote by absentee ballot, they would have to be out of the county, and this would change that to the municipality.

The reason for this bill is that it has become apparent, not only just in my district but throughout the Commonwealth of Pennsylvania, that there are many qualified citizens who are legal citizens of Pennsylvania, who are legally qualified and registered to vote in Pennsylvania, but are disenfranchised from their right to vote because the Constitution requires that they be out of the county. This most adversely affects those who are commuters, those who have jobs during the daytime and leave for their place of employment before the polls open and return home after work or after their part-time job, after their full-time job, and then return after the polls are closed, and because they have not left the county, they cannot vote by absentee ballot or get to the poll physically as they are required.

The others who are adversely affected are those persons who are registered to vote in their district but then also attend a college or university that also is within that county, and even though they might live on campus and are temporarily removed from their place of residence, they likewise are unable to vote by absentee ballot because their college or university is in the same county, even though they may be 25, 30 miles or more away from their legally qualified place of residence.

As I mentioned before, the Pennsylvania League of Women Voters is in favor of this bill. I would certainly appreciate the full support of the members of the House of Representatives, because it will take one giant step toward breaking down the barriers that disenfranchise legally qualified citizens of Pennsylvania from exercising their constitutional right to vote in free and democratic elections. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. McGeehan.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Speaker, I am going to vote for this bill, but with the proviso that several concerns are addressed in a later piece of legislation.

Mr. Speaker, this language does a great disservice to the city of Philadelphia. Changing the language in current statute to “municipality” certainly places Philadelphia at a great disadvantage in dealing with absentee ballots. As the largest county and municipality in the State, Mr. Speaker, with a land area of 15 miles, that means if somebody was in Representative O’Brien’s

district and possibly worked in someone like Representative Keller’s district, that would mean they would have to travel 15 miles to return home from work in order to vote.

Mr. Speaker, when you are dealing with a municipality that has approximately 1.6 million residents, and as I looked at the Pennsylvania Manual this afternoon, in municipalities where we have 1,300 residents which comprise a two-square-block radius, you mean to tell me, Mr. Speaker, that they can cross the street and vote by absentee ballot, where residents in Philadelphia have to travel 15 miles and they cannot have the same opportunity to vote by absentee ballot as some persons in municipalities that have 1,300 residents, 1,800 residents, 1,700 residents? Mr. Speaker, when you compare those municipalities to a municipality like Philadelphia with 1.6 million people, it is clear to see that this language places larger municipalities at a great disadvantage.

Mr. Speaker, I believe that it is disenfranchising and placing elderly residents, sick residents, those that have to work in Philadelphia, at a tremendous disadvantage, and I believe that this does a great disservice. I am going to contact the Senators in Philadelphia County to take a look at the language in this bill.

Mr. Speaker, there are other problems in providing universal access to absentee ballots. The experiments in Texas and in California have demonstrated that people, regardless of whether you are sick or regardless of whether you are out of county on business, those people deserve to have the same rights as residents of those other States.

And, Mr. Speaker, I believe that, again, the equal-access opportunity provided in this bill in this changed language places the residents of my district and of my entire county and municipality at a great disadvantage. Again, be assured that I will be looking for other vehicles in which to address that discrepancy at a later date. Thank you.

The SPEAKER. The gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, will Mr. Herman consent to interrogation?

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

Mr. COHEN. Thank you, Mr. Speaker.

As I understand this bill, and I think Mr. McGeehan understands it similarly, if someone is on the border of a municipality, whether it is Philadelphia, Harrisburg, Pittsburgh, Scranton, Altoona, whatever, and they spend the day across the street, they can get an absentee ballot. Is that not right, Mr. Speaker?

Mr. HERMAN. What the bill does is pretty much what you are saying. If they are out of the municipality on election day, they can in fact apply for an absentee ballot, or they can in fact go to vote at their place of residency at the poll. However, they cannot do both.

Mr. COHEN. So there is no minimum distance required? It could just be across the street, can it not?

Mr. HERMAN. That is correct, and I think, you know, Mr. Speaker, as you look at the current law in the State Constitution which requires them to be out of the county, the same arguments that you present are in effect today, because the counties are even much larger than the municipalities. In the counties where you are in one end of a county and you have to work a long distance in the other part of the county, you cannot make it back and forth to your place of polling because of work or because of going to college or a university or some other reasons, and yet

directly across the county line, those persons in that county can, that is exactly what I am trying to attempt to address in this bill.

And I want to point out that the city of Philadelphia is not adversely affected by the passage of this legislation, because the status quo exists whether this bill passes or it does not pass. Philadelphia, as you know, is in a very unique situation where they are both a county and a municipality.

Now, this bill has been on the calendar— It has come out of the State Government Committee, and it has been on the calendar for some time. I have told Mr. McGeehan that if there is another way to address this problem to benefit everyone, then pass the bill today and let us get it to the Senate and address it then — okay? — at that time.

I am amenable to listening to and agreeing to other kinds of opportunities to allow everyone the opportunity to vote. All I am saying is that under current law in the State Constitution, people are disenfranchised of their right to vote, and this bill will allow more people that opportunity. I do not think there is any person in this General Assembly or throughout the Commonwealth of Pennsylvania who can say that someone who is a legal citizen and who is legally registered to vote should not be able to do so.

Mr. COHEN. Thank you, Mr. Speaker. I have no further questions of Mr. Herman.

Mr. Speaker, this is a major expansion of the right to vote by absentee ballot. We have had numerous problems with voting by absentee ballot. A Republican senatorial candidate and a briefly Republican Senator, Bruce Marks, got an awful lot of publicity as he very competently and very thoroughly dissected the manner in which absentee ballots worked in Philadelphia, and I assume throughout many counties of Pennsylvania. There are major problems with absentee ballots. Who is allowed to have an absentee ballot is very vague.

What this bill does is it creates a new loophole in addition to the loopholes that now exist to allow large numbers of people to cast absentee ballots. I would agree with Mr. McGeehan that if we want to have universal absentee ballots, we ought to say that and not get into the game of whether somebody fits into this little loophole or that little loophole. If we think there is a reason not to have universal absentee ballots, then we ought to be very careful about whether we are having them or not.

Personally, it is my experience that a lot of people who vote absentee ballots are not voting absentee ballots because they want to vote for a given candidate, but they are voting absentee ballots as a favor to some party worker, and they really do not know very much about the candidates or care very much about the candidates, and the practical effect is, it is the party worker voting and not the individual person.

I think if we want to have absentee ballot expansion, we ought to have across-the-board absentee ballot expansion and not this kind of absentee ballot expansion. I think this kind of absentee ballot expansion will lead to more fraud than we have at present, and I think it is against the interests of the people of Pennsylvania, and I would urge that this constitutional amendment be defeated.

The SPEAKER. The gentleman, Mr. Trello.

Mr. TRELLO. Thank you, Mr. Speaker.

I want to commend the gentleman for trying to make it easy for everybody to vote in the elections, but I believe that this bill is going to cost Allegheny County some money. Is there a fiscal note attached to this bill?

Mr. HERMAN. Mr. Speaker, this bill was sent to the Appropriations Committee and was passed by the

Appropriations Committee without any fiscal note, simply because, I think, for two reasons. One is that it is hard to predict how many people would take advantage of this. Number two is the fact that I believe there are a limited number of persons who would take advantage of it or be affected. And thirdly, I think the fiscal note is not necessary here.

Anyway, I think that is pretty much the answer to it. They looked at it, they contacted the various sources, and there was no fiscal impact to the Commonwealth — no significant impact to the Commonwealth of Pennsylvania.

Mr. TRELLO. But by the same token, there would be an impact if a county like Allegheny or Philadelphia, an influx of absentee ballots would be an impact on those areas.

Mr. HERMAN. I can only tell you what that committee charged with making the financial analysis has deemed.

Like I said, first of all, it is hard to predict how many there would be. And then secondly, I think what I forgot to mention is the fact that many persons are already doing this. Many persons are already voting by absentee ballot in this way, not knowing that if it was challenged, it would be illegal.

I predict— I mean, you know, I think I can agree with the Appropriations Committee that there would be no significant impact to the Commonwealth or to the counties in this endeavor. Keep in mind also that I have also been working on this bill with the Bureau of Elections in the Department of State.

Mr. TRELLO. In other words, you are telling me that the Appropriations Committee indicated that it does not require a fiscal note. Is that correct?

Mr. HERMAN. The bill was passed out of the Appropriations Committee without any fiscal impact, correct, being determined.

Mr. TRELLO. Thank you. Thank you, Mr. Speaker.

## PARLIAMENTARY INQUIRY

Mr. HORSEY. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Horsey. What is your point of parliamentary inquiry?

Mr. HORSEY. Mr. Speaker, I need to know who makes the ruling on fiscal notes. Does the Chair or does the person introducing?

The SPEAKER. It is my understanding, Mr. Horsey, looking at the calendar, that a fiscal note was attached. If you look at the calendar, the calendar indicates that a fiscal note was attached. I gathered, from what the gentleman, Mr. Herman, said, that it was a de minimis cost. It came out of the Appropriations Committee, and they assigned no real cost to it. Apparently there is a fiscal note.

Mr. HORSEY. Can I get clarity on that question, Mr. Speaker? Do they have to establish no cost at all or a minimum cost?

The SPEAKER. Well, many fiscal notes simply say “minimal impact,” and that is all it will say. I mean, they pass over our desks every day with statements such as that.

Mr. HORSEY. But the question is, does that mean no cost or a minimum cost?

The SPEAKER. Well, if it says “minimum cost,” it means minimum cost, not no cost.

Mr. HORSEY. Okay. I was just curious. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this piece of legislation on several grounds.

First of all, I have long fought to increase the accessibility of the ballot as a remedy to political injustice and have long fought, through motor-voter and agency-based legislation, to get more people registered to vote and to encourage people and make it easier and to remove barriers to voter registration in this Commonwealth, and we achieved that through the passage of significant reform legislation, reforming motor-voter earlier this year. But I cannot fathom any reason why we ought to be supporting this kind of legislation today on a couple of grounds.

First off, let me say this: I do not care what it costs. I do not care if this costs nothing to our counties and to our municipalities. If it even saves them money, this is still a bad piece of legislation that ought to be rejected. To me, it is really a proposed solution in search of a problem.

I mean, who can point to vast numbers or even any numbers of people who live in a county who cannot make it to their place of polling on election day if they so choose? What is the matter with the present system? What is not working about it before we propose this kind of outrageous proposal to solve an imagined problem? I do not think people have difficulty with the existing law, and if they are not following the existing law, then we ought to talk about enforcing the existing law rather than to change it to make it so that more people will utilize the absentee ballot process.

I am also a little exercised about this, to be honest with you, because I just came through a Democratic primary where my opponents habitually make an effort to get people to vote absentee on election day who are in town. They are just trying to pack votes early. What you do by passing this legislation, by passing this legislation you are going to further encourage those people who are very adept at using the existing law to promote voter fraud. You simply strengthen them and encourage them and give them more tools and more excuses to pack the ballot before election day with more absentee ballots from people who really are in that county on election day and in that municipality.

I do not think it is a hardship at all to expect people who reside in a community, who are registered to vote there, to vote there on that day. If you are out of the county on that day and according to existing law, then fine; you can get an absentee ballot.

But if you care about the integrity of the voter registration system, if you care about not letting voter fraud happen, then you ought to vote "no" on this bill. Thank you very much.

The SPEAKER. The gentleman, Mr. Trello.

Mr. TRELLO. Mr. Speaker, although it indicated there was no cost to local government or communities, but there is an actual cost of about a half a million dollars that the State would have to spend in advertising this. And although the cost would be incidental for local counties, there would be a cost, because, in my opinion, there probably will be additional absentee ballots.

Also, I have not been around as long as the Speaker, but I have been around politics a long time. The polls are open for 13 hours. If you are going to be absent from your municipality and you really want to vote, I think you have enough time to work 8 hours, stop and have some lunch, say a few nice things to your wife, and get to the polls and vote.

I strongly urge a negative vote on the amendment. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Olasz.

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

I do not know how involved some of you have been in securing absentee votes, but you better think about this very seriously if you are thinking about voting in the affirmative.

In all due respect, this appears to be geared towards college towns, where some shrewd politician comes in and registers all the students, and then at election time they are gone, and all you need is a street list and go down there and I will guarantee you, no election department is equipped to scrutinize those signatures on those requests for absentee ballots.

You talk about graveyard voting. They will be dusting off the tombstones if this would ever pass.

To tell me that it does not incur any additional expense, I was involved in an election where somehow an opponent got his hands on cases, cases, of applications for absentee ballots. Every home had one of these requests for an absentee ballot pushed in their doorway. I am getting calls in my office, "What do I do with these?" If you want to find out what is done, go to the election department in Allegheny County and find out how many additional people they have to put on. This is a farce, pure and simple.

Furthermore, to tell me there is no cost involved, go inquire about the printing of these ballots. There is a cost involved. Go find out what it takes to process those ballots and get them back in the electorate's hands and then to tabulate them. Believe me, if you are involved in an election, this thing stinks worse than a mackerel in the moonlight.

You better think about it very seriously, and go look at the election process, and in particular, the absentee voting. Currently in Allegheny County, because of abuses, the director of the election department has placed on the chairmen of communities — now, hear this; now, hear this; this is no drill — they have limited each chairman to 50 requests for absentee ballots. You go back and ask the director why that is the case.

This thing stinks. It encourages graveyard voting, and until we clean up our act and start debating facts instead of throwing garbage at one another, you are not going to encourage the electorate to vote. Think about it and then vote this down. Thank you.

The SPEAKER. The lady, Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

I rise in support of this amendment.

I think that looking at the turnout in the last several elections, particularly the most recent one, that rather than trying to make it more difficult or keep it as difficult as possible for people to vote, we should be attempting to expand opportunities for individuals to vote.

Several people have raised the issue that fraud can occur with absentee ballots. That is true. Fraud can occur in election processes. That does not mean that we should do away with elections; it means that we should improve the process so that fraud is kept to the absolute minimum.

For example, in hearing about the edict in Allegheny County that party chairmen are only allowed to apply for 50 absentee ballot applications, frankly, I do not understand why they should be allowed to apply for any at all, except for themselves, and it seems to me that if that kind of rule were enforced in all the municipalities, that would certainly help to reduce the potential fraud.

Again, I believe that given the extent to which far too many people are distanced from the political process currently, we should be looking at making the process fair, honest, and as open as

possible, and I respect Representative Herman's attempt to do so through this amendment.

The SPEAKER. The gentleman, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, I rise to oppose HB 1865.

Mr. Speaker, I come out of Philadelphia, and I am not going to belabor the point that my colleague, Mr. Cohen, made relative to absentee voting, but I am of the belief that our mission in the House or anywhere in government is to encourage the individual to go to the polls and to cast a vote, Mr. Speaker. Now, we have a system where we take into account that people think they may not be within their district or local polling places on election day. It is called absentee ballots, Mr. Speaker.

In Philadelphia we have divisions of voters, and some of those divisions involve 500, 600, 700, 800 registered voters, and many of them are in senior citizen homes, Mr. Speaker. If that senior citizen believes, believes a month away from the election, that they are not going to be in town, they can cast an absentee ballot.

Now, Mr. Speaker, we are going to be promoting fraud if we let this thing called absentee ballots get out of control. The mission is to encourage individual people themselves to go in front of that ballot box and to cast that vote. That is the mission that I believe the American democracy encourages — people, individual people, their bodies, to go in front of that ballot. And we should not make it easier through the absentee ballot process, because eventually we are going to be promoting fraud and we are going to be asking for it, in the case of the Bruce Marks situation in the Senate.

And just for the record, that I know of, that I know of, where a Federal judge said there were thousands of cases of fraud and absentee ballots should not have been given out and they were given out, that I know of, Mr. Speaker, where there were thousands of pieces of fraud involved in absentee ballots, no one went to jail; no one went to jail. It was stop-and-go on who voted and who violated what laws and how, and nobody really could answer.

We do not need to be promoting individuals, you know, through the absentee ballots, you know, voting. That is a bad idea, and that is why, Mr. Speaker, HB 1865 is bad law and bad legislation.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of final passage, the Chair recognizes the gentleman, Mr. Herman.

Mr. HERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I greatly appreciate everyone's comments here on the floor of the House of Representatives this afternoon, and many of the same concerns that so many have said have already been talked about and discussed by those who work with the elections on a day-to-day basis and work with the democratic process on a day-to-day basis — the Bureau of Elections, the League of Women Voters, State lawmakers that I have been working with. And I think I am going to dispel a lot of things that you have brought up here this afternoon that just simply are not so with passage of this bill, just simply are not so.

The first is, is there a problem? Yes, there is a problem. As I outlined in my opening remarks, there are people who are legally eligible to vote and are legally registered to vote but who cannot vote because they cannot get to their poll to physically vote on election day, for a number of reasons, mostly because of work. The State Constitution requires that you be out of the county on election day for work-related reasons if you want to be able to cast an absentee ballot, but there are people throughout the Commonwealth of Pennsylvania, because society has transformed

itself over the course of the last 150 to 200 years, people who now work long distances away. And especially for those of you who live in large counties, this is a problem, because your constituents and my constituents get up and leave for work before 7 o'clock in the morning and cannot get to the poll when the 7 o'clock opens, and just as Mr. Trello said, it is open for 13 hours. When they come back at night, the polls have closed after working. Many others, especially single parents, work 8 hours during the day; then they leave from that job and go to another part-time job in the evening. And these persons, likewise, cannot get back to their polling site physically, but because they have never left the county, they cannot apply for an absentee ballot either.

Now, the State Constitution has been changed and altered many, many times. There have been many different situations where people have been unable to vote, to participate freely in democratic elections, and the Constitution has been changed to accommodate them. Absentee ballots were not something our Founding Fathers thought up. They came along later by act of the legislature.

What this amendment does and this Constitution provides for is that they be able to vote currently if they are out of the county because their duties, their occupation, or their business requires them to be elsewhere or who, on the occurrence of any election, are unable to attend at their proper polling places because of illness or physical disability.

Now, if you listened to Mr. Cohen in his interrogation, he would make you feel or allude to the fact that anyone could vote by absentee ballot if they are out of the municipality, just stepping across the municipal lines. That is not so. It is not so today under the Constitution with the county as the requirement, because the requirement is that you not only be out of the county, or with passage of this bill, out of the municipality, but that it be related to because of your duties, your occupation, or your business. It has to be work-related.

Secondly, Mr. Speaker, the issue of fraud is certainly something very much on my mind, too, and graveyard voting. This does not alter the voter absentee ballot laws in regard to fraud. If you are fraudulent in casting your absentee ballot, you are still under penalty of the State laws of Pennsylvania. The State laws of Pennsylvania clearly provide that if you are guilty of voter fraud, it is a misdemeanor, and upon conviction, you are sentenced to a fine of \$1,000 or imprisoned for a term not exceeding 1 year or both, at the discretion of the courts.

Quite frankly, this is something that is going to help break down the barriers that prevent people from voting, period. It is going to allow some more people to vote who currently cannot, and I ask you, Mr. Speaker, philosophically, is there any reason why anyone who is a legal citizen of the Commonwealth or anyone who is legally registered to vote should not have that opportunity? They can go to the polls and vote themselves; true. But in the event that their business relationships prevent them from doing that, should they not be able to have an absentee ballot? The current Constitution already requires that. The only problem is, you have to be out of the county, and your counties, 67 counties, are not homogeneous. Their geographic parameters are all different. Some are very large. Some are very small, such as the case in Philadelphia City, which is only 15 miles long. But most of the other counties are very large, and thus, because of a transforming society where more and more people are traveling long distances for work, they are unable to get to their proper polling site physically and cast that vote, and that is why some, not a lot but



some, need the opportunity to have an absentee ballot and currently are constitutionally prevented from doing so.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Cohen, desire recognition? The gentleman is recognized for the second time.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the vast majority of Pennsylvanians over the age of 18 work. The vast majority of workers work outside the municipality in which they live. So this is not some proposal to benefit a small number of people. This is a proposal to allow many, many millions of Pennsylvanians to vote by absentee ballot, and this is a major, major expansion of absentee ballot eligibility.

If you think absentee ballots are really wonderful and there is no problem of fraud, then you might want to vote for this amendment. If you are worried about problems of fraud, if you think the Marks-Stinson election, in which Senator Marks was ordered to be seated by a Federal court because of absentee ballot fraud, indicates that there might be a problem of absentee ballot fraud and you do not want to extend that problem, then you ought to vote against this amendment.

If you are worried about fairness and you do not see why people who fit into the arbitrary category of working outside the municipality should be able to get a benefit that people who do not work outside the municipality or people who are ill and who it is a great difficulty for them to vote but it is not impossible for them to vote, so they do not fit in the current loophole for people who are too ill to vote but for them it is a great difficulty to vote, they cannot vote under this bill.

All we have in absentee ballots is a series of loopholes, under which some people fit in and some people do not. If we want to extend absentee ballots like they do in Oregon and let everybody vote by absentee ballot or get rid of all polling places and have everybody vote by mail ballot, that is the direction we ought to go in, but just having an endless series of loopholes and having one more additional loophole added to allow absentee ballots does not make a lot of sense. It will only continue the current pattern of fraud and other dubious behaviors, and I reiterate my objections and urge a "no" vote.

On the question recurring,  
Shall the bill pass finally?

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

YEAS-122

Adolph	Druce	Krebs	Sather
Allen	Durham	Lawless	Saylor
Argall	Egolf	Leh	Schroder
Armstrong	Fairchild	Lynch	Schuler
Baker	Fargo	Maitland	Semmel
Bard	Feese	Major	Serafini
Barley	Fichter	Marsico	Sheehan
Battisto	Fleagle	Masland	Smith, B.
Birmelin	Flick	McGeehan	Smith, S. H.
Boscola	Gannon	McGill	Snyder, D. W.
Boyes	Geist	Melio	Stairs
Brown	George	Merry	Steelman
Browne	Gigliotti	Micozzie	Steil
Bunt	Gladeck	Miller	Stern
Caltagirone	Godshall	Nailor	Stish
Carone	Gruppo	Nickol	Strittmatter
Cawley	Habay	Nyce	Sturla

Chadwick	Hanna	O'Brien	Taylor, E. Z.
Civera	Harhart	Perzel	Taylor, J.
Clark	Hasay	Petrarca	True
Clymer	Haste	Petit	Tulli
Cohen, L. I.	Hennessey	Phillips	Vance
Conti	Herman	Pitts	Waugh
Cornell	Hershey	Platts	Wogan
Corrigan	Hess	Raymond	Wozniak
Cowell	Hutchinson	Reber	Wright, M. N.
Curry	Jadlowiec	Reinard	Zimmerman
Daley	Jarolin	Roberts	Zug
Dempsey	Josephs	Rohrer	
Dent	Kenney	Rooney	Ryan,
DiGirolamo	King	Rublely	Speaker

NAYS-78

Bebko-Jones	Gamble	McCall	Scrimenti
Belardi	Gordner	Michlovic	Shaner
Belfanti	Gruitza	Mihalich	Staback
Bishop	Haluska	Mundy	Stetler
Blaum	Horsey	Myers	Surra
Butkovitz	Itkin	Olasz	Tangretti
Buxton	James	Oliver	Thomas
Cappabianca	Kaiser	Pesci	Tigue
Carn	Keller	Petrone	Travaglio
Cohen, M.	Kirkland	Pistella	Trello
Colafrilla	Kukovich	Preston	Trich
Colaizzo	LaGrotta	Ramos	Van Horne
Corpora	Laughlin	Readshaw	Veon
Coy	Lederer	Rieger	Vitali
DeLuca	Lescovitz	Robinson	Walko
Dermody	Levdansky	Roebuck	Williams
DeWeese	Lloyd	Rudy	Wright, D. R.
Donatucci	Lucyk	Sainato	Yewcic
Evans	Manderino	Santoni	Youngblood
Fajt	Markosek		

NOT VOTING-1

Mayernik

EXCUSED-2

Farmer Washington

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. The Chair has asked the gentleman, Mr. Conti, to preside temporarily.

**THE SPEAKER PRO TEMPORE  
(JOE CONTI) PRESIDING**

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The House proceeded to third consideration of **HB 1026, PN 2627**, entitled:

An Act providing for continuity of health insurance benefits in certain situations.

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

Mr. COLAFELLA offered the following amendment No. A2096:

- Amend Sec. 4, page 4, by inserting between lines 26 and 27
- (2) Require or request directly or indirectly any individual or a member of the individual's family to obtain a genetic test.
- (3) Require or request directly or indirectly any individual to reveal whether the individual or a member of the individual's family has obtained a genetic test.
- (4) Condition the issuance or renewal of a health insurance agreement or health care benefits on whether an individual or a member of the individual's family has obtained a genetic test.
- (5) Consider in the determination of rates or risk classification whether an individual or a member of the individual's family has obtained a genetic test or, if obtained by the individual or a member of the individual's family, the results of the test.
- (6) Decline to enroll a person in a health insurance agreement based on the results of a genetic test if a person is otherwise eligible to be enrolled.
- Amend Sec. 4, page 4, line 27, by striking out "(2)" and inserting
- (7)

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

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Colafella.  
Mr. COLAFELLA. Thank you, Mr. Speaker.  
This is an agreed-to amendment on genetic testing.  
The SPEAKER pro tempore. The Chair recognizes Mr. Micozzie.

Mr. MICOZZIE. Thank you, Mr. Speaker.  
This amendment is agreed to.

The amendment provides that an insurer cannot require a genetic test be done. It also cannot require a person to reveal if a genetic test has ever been done. It also mandates a genetic test cannot be used as a condition as whether or not to issue or cancel a policy. Also, the premium rates cannot be determined on the basis of a genetic test, and it cannot decline to enroll a person on a policy.

This is an agreed-to amendment, and I ask for your "yes" votes.  
The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:.....

YEAS-199

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

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

NAYS-0

NOT VOTING-2

Donatucci Roberts

EXCUSED-2

Farmer Washington

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. STURLA offered the following amendment No. A2097:

- Amend Sec. 3, page 2, line 20, by inserting after ""Group" or individual
- Amend Sec. 3, page 2, line 21, by inserting after "cover" an individual or
- Amend Sec. 4, page 3, line 19, by inserting after "group" or individual
- Amend Sec. 4, page 3, line 24, by inserting after "group" or individual

Amend Sec. 4, page 4, line 7, by inserting after "group"  
or individual

Amend Sec. 4, page 4, line 11, by inserting after "group"  
or individual

Amend Sec. 4, page 4, line 24, by inserting after "GROUP"  
or individual

Amend Sec. 4, page 5, line 9, by inserting after "group"  
or individual

Amend Sec. 4, page 5, line 11, by inserting after "group"  
or individual

Amend Sec. 4, page 5, line 21, by inserting after "group"  
or individual

Amend Sec. 5, page 5, line 26, by inserting after "ALL"  
group or individual

Amend Sec. 5, page 5, line 27, by striking out "GROUP"

Amend Sec. 5, page 5, lines 27 and 28, by striking out  
"ISSUED UNDER ANY GROUP MASTER POLICY"

On the question,

Will the House agree to the amendment?

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, if I could, could I briefly interrogate the prime sponsor of the bill?

The SPEAKER pro tempore. You may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, we have had discussions on what this amendment attempts to do, which, essentially, is to try and get into some of the areas where we are trying to move people from medical assistance into private insurance. I know that the majority leader, when we were having that debate at one point in time, talked about an insurance policy that would be available for \$61 a month for those people to move them on to private insurance, and that is in fact a private insurance policy for an individual.

The SPEAKER pro tempore. Will the gentleman yield while Chairman Micozzie gets his headset.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, one of the concerns that I was hoping to address with this amendment was the idea of moving persons from medical assistance into private insurance. As we know, it was suggested at one point in time in our debate, where we were talking about the medically needy only, that persons could move off medical assistance and on to a private insurance where they would get an individual insurance policy.

It is my understanding that that type of insurance, if you are buying it as an individual, is not available to you if you have a preexisting condition. While I am not sure that my amendment directly addresses that or appropriately addresses that, would you acknowledge that in fact the way your bill is drafted, the person would have to move to a group insurance policy as opposed to an individual insurance policy?

Mr. MICOZZIE. Yes.

Mr. STURLA. I guess then – and I know we have had this discussion – are you willing to work on trying to solve that problem in another arena rather than this one? I mean, I do not want to botch up this bill that I understand has been worked on for 8 years now.

Mr. MICOZZIE. As I stated to you, Mr. Speaker, in my office, I did indicate that I would work closely with you and try to bring a bill up that will address that.

Mr. STURLA. Thank you, Mr. Speaker.

#### AMENDMENT WITHDRAWN

Mr. STURLA. Mr. Speaker, if I could make a brief comment then?

The SPEAKER pro tempore. The gentleman may proceed.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, this is an issue that I believe we need to deal with at some point in time, particularly if we are ever to address this issue of moving persons from medical assistance into having some individual responsibility and moving toward taking that responsibility and buying their own insurance.

But given the chairman's willingness to cooperate on this issue in another venue, I will withdraw my amendment at this time. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

The SPEAKER pro tempore. The Chair recognizes Mr. Micozzie.

Mr. MICOZZIE. I would just like to indicate exactly what the bill does.

It is a portability bill. It passed overwhelmingly in committee. It applies to all group policies if the person covered under the prior health insurance policy had at least 90 days of coverage under the prior policy. Number two, the coverage under the prior policy terminated not more than 3 months before the new policy became effective.

An insurer may not decline to enroll a person based on the health status or results of a genetic test if the person is otherwise eligible under the act – of course, the amendment takes care of that – or impose a preexisting-condition period except to the extent that there is a preexisting-condition period remaining from the prior policy.

The prior insurer must furnish the succeeding insurer a statement of the terms of the prior preexisting condition if the succeeding insurer requests this information.

Nothing in the bill requires an employer to provide the same or similar coverage as was in the prior policy, and of course, the bill becomes effective in 180 days.

I ask for your support in this important piece of legislation.

The SPEAKER pro tempore. 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?

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

YEAS-200

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

NAYS-0

NOT VOTING-1

Donatucci

EXCUSED-2

Farmer Washington

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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DECISION OF CHAIR RESCINDED  
ON HB 2292

The SPEAKER pro tempore. The Chair at this time wishes to rescind the prior announcement on HB 2292 at the bottom of page 3. Without objection, the Chair rescinds the announcement that the bill is over for the day.

The House proceeded to third consideration of **HB 2292, PN 2961**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for identification cards.

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

BILL RECOMMITTED

The SPEAKER pro tempore. The Chair wishes to recognize the majority leader.

Mr. PERZEL. Mr Speaker, I move that HB 2292, PN 2961, be referred to the Liquor Control Committee.

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

HB 814 RECONSIDERED

The SPEAKER pro tempore. At this time the Chair will entertain a reconsideration motion.

The Chair recognizes the gentleman, Mr. O'Brien, who moves that the vote by which HB 814, PN 3440, was passed on the 13th day of May be reconsidered.

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

The following roll call was recorded:

YEAS-201

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

Butkovitz	Habay	Myers	Strittmatter
Buxton	Haluska	Nailor	Sturla
Caltagirone	Hanna	Nickol	Surra
Cappabianca	Harhart	Nyce	Tangretti
Carn	Hasay	O'Brien	Taylor, E. Z.
Carone	Haste	Olasz	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
Colaella	Jadlowiec	Pistella	Vance
Colaizzo	James	Pitts	Van Horne
Conti	Jarolin	Platts	Veon
Cornell	Josephs	Preston	Vitali
Corpora	Kaiser	Ramos	Walko
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham	Lloyd	Santoni	

NAYS-0

NOT VOTING-0

EXCUSED-2

Farmer Washington

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

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

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

YEAS-201

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

Bunt	Gruppo	Mundy	Stish
Butkovitz	Habay	Myers	Strittmatter
Buxton	Haluska	Nailor	Sturla
Caltagirone	Hanna	Nickol	Surra
Cappabianca	Harhart	Nyce	Tangretti
Carn	Hasay	O'Brien	Taylor, E. Z.
Carone	Haste	Olasz	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
Colaella	Jadlowiec	Pistella	Vance
Colaizzo	James	Pitts	Van Horne
Conti	Jarolin	Platts	Veon
Cornell	Josephs	Preston	Vitali
Corpora	Kaiser	Ramos	Walko
Corrigan	Keller	Raymond	Waugh
Cowell	Kenney	Readshaw	Williams
Coy	King	Reber	Wogan
Curry	Kirkland	Reinard	Wozniak
Daley	Krebs	Rieger	Wright, D. R.
DeLuca	Kukovich	Roberts	Wright, M. N.
Dempsey	LaGrotta	Robinson	Yewcic
Dent	Laughlin	Roebuck	Youngblood
Dermody	Lawless	Rohrer	Zimmerman
DeWeese	Lederer	Rooney	Zug
DiGirolamo	Leh	Rubley	
Donatucci	Lescovitz	Rudy	Ryan,
Druce	Levdansky	Sainato	Speaker
Durham	Lloyd	Santoni	

NAYS-0

NOT VOTING-0

EXCUSED-2

Farmer Washington

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR A

RESOLUTION

Mr. O'BRIEN called up **HR 368, PN 3520**, entitled:

A Resolution directing the Health and Human Services Committee to study changes in the delivery of nursing services and the resulting impact on the quality of acute care in this Commonwealth.

On the question,  
Will the House adopt the resolution ?

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

Mr. DeLUCA. Thank you, Mr. Speaker.

I usually would not get up to speak about a resolution, but this is such an important resolution that I think that I only want to

commend the gentleman, Mr. O'Brien, for bringing this resolution up here, because there is a grave situation happening in our health-care industry today, especially in our hospitals, with unlicensed and unskilled personnel taking on nursing duties with little or no training to do evasive procedures.

I would only hope that the committee, since this is a grave situation dealing with individuals' health and safety and welfare, that they would present their report before this House adjourns in November, because then we would have to wait to the next session to adopt legislation to address this issue. And there already is legislation that I introduced to address this situation which I am sure is going to come back as a positive issue that we need to address pertaining to what is happening in our hospitals out there in regards to nursing care and the skills that are required for patients in our hospitals.

So therefore, I would ask for an affirmative vote, but also I would hope that the committee expedites their hearings on this HR 368. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

#### YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Farmer Washington

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

The SPEAKER pro tempore. The Chair wishes to inform the members there will be no further votes today; no further votes today.

Excuse me; the Chair is in error. The Chair is in error.

#### CALENDAR CONTINUED

#### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2064, PN 3494**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a special youth hunter and angler education registration plate, for the Youth Hunter and Angler Education Fund and for expenditures from that fund; and providing for the issuance of additional personal registration plates for certain classes of special registration plates.

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

Mr. **PETRARCA** offered the following amendment No. **A2484**:

Amend Title, page 1, line 5, by striking out “; and providing” and inserting a comma

Amend Title, page 1, lines 6 and 7, by striking out “for certain classes of special registration plates” and inserting  
, for a special Children First registration plate and for payments to and grants from the Children's Trust Fund.

Amend Sec. 1, page 3, by inserting between lines 3 and 4  
§ 1360. Children First registration plate.

The department, in consultation with the Children's Trust Fund Board, established under the act of December 15, 1988 (P.L.1235, No.151), known as the Children's Trust Fund Act, shall design a special Children First registration plate. Upon application of any person, accompanied by a fee of \$35 which shall be in addition to the annual registration fee, the department shall issue the plate for a passenger car, motor home, trailer or truck with a gross vehicle weight rating of not more than 9,000 pounds.

Amend Sec. 1 (Sec. 1370), page 4, line 13, by striking out "sections" and inserting

section

Amend Sec. 1 (Sec. 1370), page 4, line 14, by striking out "and" and inserting

or

Amend Sec. 2, page 4, lines 20 and 21, by striking out "a subsection" and inserting

subsections

Amend Sec. 2 (Sec. 1905), page 6, by inserting between lines 21 and 22

(e) Children's Trust Fund and grants to county children and youth programs.—

(1) Fifteen dollars of each fee received under section 1360 (relating to Children's First registration plate) shall be credited to the Children's Trust Fund established under the act of December 15, 1988 (P.L.1235, No.151), known as the Children's Trust Fund Act.

(2) The money collected under this section and credited to the Children's Trust Fund shall be designated as demonstration grants to county children and youth programs for community-based child abuse and neglect prevention services and family support services. In addition to specific programs identified as eligible for grants under the Children's Trust Fund Act, services funded by money collected under this section shall also include the development of court-appointed special advocate programs for children, otherwise known as CASA.

(3) In order to qualify for a grant funded by money collected under this section, a county children and youth agency must demonstrate to the Children's Trust Fund Board that the services reflect the unmet needs of children and families in the community, that the programs contribute to the coordination of local services for children and families and that the program could not be funded through existing Federal or State programs.

(4) To the fullest extent possible, the Children's Trust Fund Board shall ensure the equitable geographic distribution of the funds to county children and youth programs across the State.

(5) The State Treasurer shall not honor any requisition for expenditures by the Children's Trust Fund Board funded by money collected under this section in excess of estimates approved by the Governor.

Amend Sec. 3, page 6, line 23, by inserting after "1905(d)" and (e)

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

The following roll call was recorded:

YEAS-199

Table listing names of legislators who voted 'YEAS-199', including Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Battisto, Bebk-Jones, Belardi, Belfanti, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Fairchild, Fajt, Fargo, Feese, Fichter, Fleagle, Flick, Gamble, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Gruitza, Gruppo, Habay, Lynch, Maitland, Major, Manderino, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, Melio, Merry, Michlovic, Micozzie, Mihalich, Miller, Mundy, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Shaner, Sheehan, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler.

Table listing names of legislators who did not vote 'YEAS-199', including Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Carn, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Colaizzo, Conti, Cornell, Corpora, Corrigan, Cowell, Coy, Curry, DeLuca, Dempsey, Dent, Dermody, DeWeese, DiGirolo, Donatucci, Druce, Durham, Egolf, Evans, Haluska, Hanna, Harhart, Hasay, Haste, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Itkin, Jadlovec, James, Jarolin, Josephs, Kaiser, Keller, Kenney, King, Kirkland, Krebs, Kukovich, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lloyd, Lucyk, Myers, Nailor, Nickol, Nyce, O'Brien, Olasz, Oliver, Perzel, Pesci, Petrarca, Petrone, Pettit, Phillips, Pistella, Pitts, Platts, Preston, Ramos, Raymond, Readshaw, Reber, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Rubley, Rudy, Saimato, Santoni, Stish, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigie, Travaglio, Trello, Trich, True, Tulli, Vance, Van Home, Veon, Vitali, Walko, Waugh, Williams, Wogan, Wozniak, Wright, D. R., Wright, M. N., Yewcic, Youngblood, Zimmerman, Zug, Ryan, Speaker.

NAYS-1

Carone

NOT VOTING-1

Daley

EXCUSED-2

Farmer

Washington

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 recognizes the gentleman, Mr. LaGrotta, who offers the following amendment, which the clerk will read.

The gentleman indicates he will withdraw that amendment.

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?

The Chair recognizes the gentleman from Blair County, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

No long speeches.

This thing has been around for a long time. We think it is in excellent shape to pass. Representative Smith, who is chairman of the Game and Fish Committee, we have worked together on this and we think this is very, very good for the youth of Pennsylvania, and I would urge a "yes" vote.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I just want to call to the attention of the members — I know we all want to get out of here — but I think everybody ought to know that this increases the fees on special license plates that are personalized, the special license plates giving your college or group affiliation in which it is personalized with a first name or any other personalization form. It increases the fee from \$20 to \$300; from \$20 to \$300. That is a 15-fold increase. You may or may not consider that a tax increase because it is a discretionary expenditure, but it is a very expensive increase for anybody who wants a personalized special license plate.

I would urge a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentlelady from Philadelphia, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I join with my colleague, Representative Cohen, to suggest a "no" vote.

I think we need to look at this whole issue of special license plates. I do not know how many members of this House are aware of the fact that almost a third, 33 percent, of the special license plates that we have allowed PennDOT or encouraged or forced PennDOT to issue have been revenue losers. At a time in which we are concerned that the Motor License Fund be healthy— Mr. Speaker, could I have a little bit of order? I would appreciate it.

The SPEAKER pro tempore. Yes. The lady is entitled to order. Will the House please come to order.

The gentlelady may proceed.

Ms. JOSEPHS. Thank you, Mr. Speaker.

As I said, a third of our specialty license plates have cost the Motor License Fund money. We are in a time now, it seems to me, where all of us want to repair the roads which suffered under the recent snow and flood emergency. I do not think this is the time to drain the License Fund.

I also want to point out that this particular bill creates an extra bureaucracy. It sets up a board to decide how to disburse the money that is raised by this special plate. Now, if we postulated that as many as 500 people would buy this plate, all it would bring in would be \$7,500. Do we want a board to talk about disbursing \$7,500?

I think that we should look at the whole issue of specialty plates before we go ahead and issue any more. I have at my desk here a list of those that have been issued and a list of those that have been revenue losers. I think that we have to think about that.

I also — although I rarely find myself on the side of the administration in any issue — have to say to you that the administration is against this bill, first of all because it may lose money, and second of all, because it is a problem for

law enforcement. Police organizations do not want any more of these specialty plates.

So let us think about this a little bit, echoing another colleague of mine, and let us vote "no." Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady, and the Chair wishes to inform the members we have four or five more speakers to go. So if anybody is thinking of an early departure, we have four or five more speakers to go that deserve our attention.

The Chair recognizes the gentleman from York County, Mr. Smith.

Mr. B. SMITH. Thank you, Mr. Speaker.

I would like to clarify one part of this bill. The fact is that if you want a vanity tag on a special plate, at the present time you cannot purchase that. The \$300 charge that is invoked is a new element. This has never existed before.

I would urge a "yes" vote for this bill on final passage. One consideration that all members should be aware of, we are in the midst of having public hearings on a proposed hunting license increase. What you need to know is that the pool of licensed hunters is dwindling. They are aging. With this \$35 — and I emphasize — \$35 license plate, moneys will be established for youth activities so that younger people get interested in the outdoors.

For that reason I would strongly urge a "yes" vote for final passage of HB 2064. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady from Philadelphia County, Mrs. Lederer.

Mrs. LEDERER. Mr. Speaker, I would like to urge a "no" vote on this proposal.

Hundreds and hundreds of license plates are cut in Philadelphia by those people who steal stickers. If that special license plate needs to be replaced because of a stolen sticker, it would be extremely unfair to penalize that person and have them pay \$300.

I urge a "no" vote.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman from Luzerne County, Mr. Jarolin.

Mr. JAROLIN. Thank you, Mr. Speaker.

Mr. Speaker, this is another one of the license plates that are coming out that are supposed to paint a pretty picture. However, just approximately 3 weeks ago, the Pennsylvania State Police Commissioner had recognized the fact that Pennsylvania has entirely too many different types of license plates and they are very hard to recognize, especially with the pictures and everything else that is on them.

Secondly, the fact that we have instructed both the Pennsylvania Game Commission and the Fish Commission to provide necessary funding for youth education in hunting and fishing, and they have agreed to do so. This is only another manipulation to get some additional moneys, and I think it is totally wrong, and I am going to ask for a "no" vote.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Somerset County, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER pro tempore. You may proceed.

Mr. LLOYD. Mr. Speaker, I thought that my reading of the bill was correct and it was consistent with what Mr. Smith said, but there appears to be some misinformation on the floor of the House. Is it correct that this bill imposes a \$300 fee for personal plates or for vanity plates only if those are on a special plate?



Mr. GEIST. That is correct.

Mr. LLOYD. So that if someone who wants to buy just a regular Pennsylvania license plate and put his name on it or some city or some whatever, the fee for that stays exactly the same.

Mr. GEIST. Yes, it does.

Mr. LLOYD. So then, Mr. Speaker, I mean, people can be for or against this because they do not believe in having a proliferation of special plates, but it is not legitimate to be against this bill because you think it is going to cost you \$300 for something that now costs you \$20.

Mr. GEIST. That is absolutely correct.

Mr. LLOYD. Thank you, Mr. Speaker.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I may have used an example that was incorrect when I spoke previously, but I would like to read into the record here a list of the plates that will cost you \$300 if they are personalized. That would be, an antique and classic plate will cost \$300. The recipients of the Medal of Honor plates, personalized, will cost \$300. Recipients of the Purple Heart plates will cost \$300. Pearl Harbor survivor plates will cost \$300. Veterans of the Korean War plates will cost \$300. Veterans of the Persian Gulf War plates may cost \$300. Wild resource conservation plates will cost \$300. Preserve our heritage plates will cost \$300. Flagship Niagara commemorative plates will cost \$300. Zoological plates will cost \$300. Recipients of the Expeditionary Forces Medal plate will cost \$300. World War II veterans plates will cost \$300, and youth hunter and angler plates will cost \$300.

Well, this is all only if they are personalized; it will cost \$300 for a personalized plate. This will be the most expensive series of plates this Commonwealth has ever issued. It is a fifteen-fold increase over other plates that are now being issued. We are creating a much higher priced product for people to buy, and I would urge a "no" vote on this. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Will the House please come to order. We are nearing the end of the debate. Would the House please come to order. Will all the members take their seats. Conferences in the aisles, please break up.

The Chair recognizes the gentlelady from Philadelphia for the second time, Mrs. Lederer.

Mrs. LEDERER. Mr. Speaker, I want to clarify one area, and that is, if a special plate needs to be replaced because of a stolen sticker, a \$300 fee will be charged. That is unfair, and I urge a "no" vote.

The SPEAKER pro tempore. The Chair recognizes the gentlelady from Philadelphia, Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

Will the maker stand for brief interrogation?

The SPEAKER pro tempore. The lady may proceed.

Ms. MANDERINO. Thank you.

I just have one question. Right now there are two kinds, or at least in my layman's mind, two kinds of specialty plates. There are the specialty plates that are still blue and gold and say "Pennsylvania" and they might have a little Penn State Nittany Lion head or a Rotary Club symbol, but they still look like the blue-and-gold Pennsylvania plate. Then there is a second type of plate which is the zoo plate and the wildlife plate and the Flagship Niagara that look totally different and have a different

motif and picture. Which of those kinds of special plates is this fishing and angler plate going to be?

Mr. GEIST. Thank you.

The hunter-angler plate will be a plate that will be selected by a contest. Every year it will have a different scene on it, and it will cost \$35. If you want to personalize that plate, then it will be \$300, and that is correct. Thank you.

Ms. MANDERINO. Okay. Thank you.

I do understand the personalizing is a different issue, but if I am understanding correctly, then the fishing and angler plate, which is also being authorized by this legislation, is a different picture; it is not going to be a blue-and-gold Pennsylvania plate. Thank you very much, Mr. Speaker.

Mr. GEIST. Thank you.

That is correct, Mr. Speaker. As a matter of fact, we were thinking about having a House resolution that we could put Representative Godshall on the first plate.

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia County, Ms. Josephs, for the second time.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I just got some additional fiscal information about these specialty plates which I wanted to put on the record and share with the House.

The only plate so far that has really made any significant amount of money for us is the wildlife conservation, but listen to this, what happened after the first year of that plate being issued. In the first year, 182,000 of those plates were issued, and we made an extra \$2.7 million out of the \$15 extra for each one of those plates. That was in 1994. In 1995 we had such a dramatic drop that it is hardly even comprehensible, down to 17,000 plates. That is from 182,000 to 17,000, and we only made \$266,000.

The first 4 months of this year, we have only had request applications, people buying, about 1,000 plates. That is only about \$47,000 projected for the rest of the year. If this keeps happening with this plate, and there is no reason why it should not happen with the other ones which have made a tiny little bit of money, we are not going to have enough money to support these boards that are supposed to disburse whatever we are getting from these plates.

We are talking about resolutions. I suggest if people want to honor a cause or bring something to the public's attention, they try and do a proclamation. Let us leave the plates alone. This is not a money-maker, and this is a time when we need money in our Motor License Fund.

Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady and recognizes the gentleman from Allegheny County, Mr. Fajt.

Mr. FAJT. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the maker of the bill, briefly.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. FAJT. I hesitate to belabor this point, but we were just talking back here, and we are unsure about a specific point. If I want to put my last name on, say, a plate for Saint Vincent College or IUP (Indiana University of Pennsylvania) or a blue-and-gold plate, I am now going to have to pay \$300. Is that correct?

Mr. GEIST. Yes, that is correct, but you cannot do it now because it is against the law.

Mr. FAJT. I understand.

Mr. GEIST. You will be able to personalize those plates, and that money will be split between the designated fund and the Motor License Fund.

Mr. FAJT. I understand that. And conversely, if I wanted to put my last name on a wild resources or a Flagship Niagara plate, I cannot do that now; I understand that, but that will also cost me \$300. Is that correct?

Mr. GEIST. That is correct, and those funds, all those specialty plates then should see an increase in moneys, because there are those people out there who will do it.

Mr. FAJT. I appreciate that. We just wanted to make sure that that applied both to the blue-and-gold specialized plates and also the newer specialized plates. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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—115

Allen	Feese	Maitland	Semmel
Argall	Fichter	Major	Serafini
Armstrong	Fleagle	Markosek	Shaner
Baker	Flick	Marsico	Smith, B.
Bard	Gamble	Masland	Smith, S. H.
Barley	Gannon	McGill	Snyder, D. W.
Battisto	Geist	Melio	Staback
Belardi	George	Miller	Stairs
Birmelin	Gigliotti	Nailor	Steil
Boscola	Gladeck	Nickol	Stern
Brown	Godshall	Nyce	Stish
Browne	Gruppo	O'Brien	Strittmatter
Bunt	Habay	Olasz	Sturla
Chadwick	Haluska	Perzel	Surra
Civera	Harhart	Petrarca	Tangretti
Clark	Haste	Pettit	Taylor, E. Z.
Clymer	Hennessey	Pitts	Taylor, J.
Cohen, L. I.	Herman	Platts	Trello
Colaizzo	Hershey	Raymond	True
Conti	Hess	Reber	Tulli
Cornell	Hutchinson	Reinard	Vance
Cowell	Jadlowiec	Robinson	Waugh
Daley	King	Rohrer	Wozniak
Dempsey	Krebs	Rooney	Wright, M. N.
Dermody	Kukovich	Rubley	Zimmerman
DiGirolamo	Lawless	Sather	Zug
Druce	Leh	Saylor	
Egolf	Lloyd	Schroder	Ryan,
Fairchild	Lynch	Schuler	Speaker
Fargo			

NAYS—85

Adolph	Donatucci	Lucyk	Roebuck
Bebko-Jones	Evans	Manderino	Rudy
Belfanti	Fajt	Mayermik	Sainato
Bishop	Gordner	McCall	Santoni
Blaum	Gruitza	McGechan	Scriminti
Boyes	Hanna	Merry	Sheehan
Butkovitz	Hasay	Michlovic	Steelman
Buxton	Horsely	Micozzie	Stetler
Caltagirone	Itkin	Mihalich	Thomas
Cappabianca	James	Mundy	Tigue
Carn	Jarolin	Myers	Travaglio
Carone	Josephs	Oliver	Trich
Cawley	Kaiser	Pesci	Van Horne
Cohen, M.	Keller	Petrone	Veon
Colafella	Kenney	Phillips	Vitali
Corpora	Kirkland	Pistella	Walko
Corrigan	LaGrotta	Preston	Williams
Coy	Laughlin	Ramos	Wogan

Curry	Lederer	Readshaw	Wright, D. R.
DeLuca	Lescovitz	Rieger	Yewcic
Dent	Levdansky	Roberts	Youngblood
DeWeese			

NOT VOTING—1

Durham

EXCUSED—2

Farmer

Washington

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. Will the House be at ease for a moment.

There will be no further votes today; however, prior to leaving the floor, Mr. Cohen would like to make a caucus announcement.

DEMOCRATIC CAUCUS

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a caucus tomorrow morning at 10:30 a.m. to go over various amendments, including Mr. Chadwick's medical malpractice amendment. I urge your attendance at the caucus.

The SPEAKER pro tempore. The Chair thanks the gentleman.

VOTE CORRECTIONS

The SPEAKER pro tempore. The Chair recognizes Mr. Daley from Washington County.

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

The SPEAKER pro tempore. You may proceed.

Mr. DALEY. On HB 2064, amendment 2484, my finger malfunctioned. I wish to be recorded in the affirmative.

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

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

Mr. ROBERTS. Thank you, Mr. Speaker.

I would like to make a correction to the record.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ROBERTS. For HB 1026, amendment A2096, the record shows that I did not vote. I would like to be shown as voting in the affirmative.

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

**ANNOUNCEMENT BY MR. SURRA**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Surra, from Elk County.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker and to the members of the House who are still here, I would just like to wish Representative Conti a happy birthday.

The SPEAKER pro tempore. The Chair thanks the gentleman and wishes to inform the members that it is also Representative Melio's birthday today.

**BILLS REREPORTED FROM COMMITTEE**

**HB 873, PN 3541 (Amended)** By Rep. PITTS

An Act amending the act of January 8, 1960 (1959 P.L.2119, No.787), known as the Air Pollution Control Act, further providing for the prohibition against adoption of agricultural rules and regulations.

## APPROPRIATIONS.

**HB 974, PN 1091** By Rep. PITTS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, empowering the Governor to authorize the transfer of certain convicted offenders pursuant to outstanding treaties.

## APPROPRIATIONS.

**HB 2442, PN 3542 (Amended)** By Rep. PITTS

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

## APPROPRIATIONS.

**SB 19, PN 1494** By Rep. PITTS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for proof of financial responsibility following an accident; and making an accident reportable if a driver is unable to provide financial responsibility information.

## APPROPRIATIONS.

**SB 80, PN 2001 (Amended)** By Rep. PITTS

An Act amending the act of May 17, 1921 (P. L. 682, No. 284), entitled "The Insurance Company Law of 1921," requiring insurance companies to notify the Department of Transportation upon the lapse or cancellation of liability insurance held by an official vehicle inspection station.

## APPROPRIATIONS.

**SB 577, PN 2002 (Amended)**

By Rep. PITTS

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), entitled, as amended, "The Insurance Department Act of 1921," further providing for brokers' licenses and for order of distribution of claims of an insurer's estate.

## APPROPRIATIONS.

**SB 1371, PN 1733**

By Rep. PITTS

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

## APPROPRIATIONS.

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

**SB 1325, PN 1609**

By Rep. FLICK

An Act amending the act of July 29, 1953 (P. L. 970, No. 235), entitled "Middle Atlantic Interstate Forest Fire Protection Compact Act," authorizing the admission of other states into the compact; and making an editorial change.

## INTERGOVERNMENTAL AFFAIRS.

**RESOLUTION REPORTED  
FROM COMMITTEE**

**HR 319, PN 3306**

By Rep. FLICK

A Resolution urging the President and the Secretary of Defense to expedite the transfer of ground-communications-electronics operations from McClellan Air Force Base to Tobyhanna Army Depot pursuant to the 1995 Defense Base Closure and Realignment Commission recommendation.

## INTERGOVERNMENTAL AFFAIRS.

**BILLS REMOVED FROM TABLE**

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

Mr. PERZEL. Mr. Speaker, I move that HB 2511 and HB 1782 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS RECOMMITTED**

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

Mr. PERZEL. Mr. Speaker, I move that HB 2511 and HB 1782 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**SUPPLEMENTAL CALENDAR B****BILLS ON SECOND CONSIDERATION**

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

**HB 873, PN 3541; HB 2442, PN 3542; SB 1371, PN 1733; SB 19, PN 1494; SB 80, PN 2001; SB 577, PN 2002; and HB 974, PN 1091.**

**THE SPEAKER (MATTHEW J. RYAN)  
PRESIDING****BILLS SIGNED BY SPEAKER**

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

**HB 814, PN 3440**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for law enforcement records, for juvenile history record information, for registration and assessment of sexual offenders, for certain notifications, for immunity for good faith conduct, for duties of the Pennsylvania State Police, for duties of the Pennsylvania Board of Probation and Parole and for the composition and compensation of the State Board to Assess Sexually Violent Predators; and providing for applicability.

**HB 2063, PN 3342**

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, further providing for smoke detectors in Class VI buildings.

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

**RECESS**

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

Hearing none, the Chair declares a recess to the call of the Chair. It is the intention of the Chair to call the House back from recess at such time as the Senate has acted on SB 1441 and we have some idea as to the actions they take.

Regular session is now in recess.

**AFTER RECESS**

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

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

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 1441, PN 1992**, and has appointed Senators LOEPER, GERLACH and FUMO a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

**MOTION INSISTING UPON AMENDMENTS**

Mr. PERZEL moved that the House insist upon its amendments nonconcurred in by the Senate to SB 1441, PN 1992, and that a committee of conference on the part of the House be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**CONFERENCE COMMITTEE APPOINTED**

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 1441, PN 1992: Messrs. CORNELL, FLICK and Ms. MANDERINO. Ordered, That the clerk inform the Senate accordingly.

**ADJOURNMENT**

The SPEAKER. Do the Republican or Democrat leaders have any further business?

Hearing none, the Chair recognizes the gentleman from Philadelphia County, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 14, 1996, at 11:05 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:10 p.m., e.d.t., the House adjourned.