

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, APRIL 28, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 27

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

REV. THOMAS W. FRIES, Chaplain of the House of Representatives and pastor of Hempfield United Methodist Church, Lancaster, Pennsylvania, offered the following prayer:

Let us pray:

Our Heavenly Father, we thank You for this beautiful day and for the privilege of life.

The other day my children were watching a cartoon, and it was about a pesky beaver. It became apparent as we watched this cartoon that this beaver was only pesky to the man who wanted to destroy him, and it caused me to think, have You created a beaver to be a model for us?

We know they are loyal and devout; they mate for life. And we know they are compassionate, for they will care for the orphans of the colony. And we know they are industrious, for their work is of the highest quality. And we know they are thrifty, for they work with what they have. And we know they are gentle, for they do not prey on other animals. And we know they are strong; they cannot be intimidated and will fight when forced to do so. And we know they are accepting, for birds and animals live in their colony safely. And we know they are cooperative, for they visit other colonies. We know they are team-oriented and work together for the common good. We know they are wise, for they raise their children to be independent. And most of all, we know they are determined and resilient, for you can never defeat them and never discourage them. Tear a hole in their dam and the next morning it is rebuilt.

Father, indeed they are a model and You have created them and presented them to us to admire and to emulate. And this morning we remember, out there, throughout our State, families who are working like beavers, dreaming of a Pennsylvania that will work as efficiently and harmoniously and effectively as a colony of beavers.

And before You today stand the men and the women who can make this happen. Bless their efforts. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Thursday, April 17, 1997, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1174 By Representatives CLYMER, BENNINGHOFF, FARGO, JAMES, MELIO, MICOZZIE, ROHRER, SERAFINI, SEYFERT, STEELMAN, E. Z. TAYLOR, TRELLO and WAUGH

An Act amending the act of October 18, 1988 (P.L.756, No.108), known as the Hazardous Sites Cleanup Act, further excepting certain owners of real property from liability.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 23, 1997.

No. 1175 By Representatives VITALI, WALKO, LAUGHLIN, PESCI, MELIO, GRUITZA, SCRIMENTI, GORDNER, BROWNE, KREBS, ITKIN, STEELMAN, MUNDY, DeLUCA, TANGRETTI, C. WILLIAMS, STURLA, CURRY and EVANS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing procedures for the awarding of grants.

Referred to Committee on STATE GOVERNMENT, April 23, 1997.

No. 1176 By Representatives FICHTER, McCALL, ADOLPH, HERSHEY, RAYMOND, TULLI, M. N. WRIGHT, WOGAN, SEMMEL, LaGROTTA, SAINATO, WOJNAROSKI, COLAIZZO, RUBLEY and KENNEY

An Act amending the act of May 2, 1945 (P.L.382, No.164), known as the Municipality Authorities Act of 1945, further providing for the purposes and powers relating to waterworks, water supply works and water distribution systems.

Referred to Committee on LOCAL GOVERNMENT, April 28, 1997.

No. 1177 By Representatives SATHER, BARLEY, HUTCHINSON, BELARDI, STERN, WAUGH, READSHAW, COY, NAILOR, WALKO, TRELLO, SERAFINI, SAYLOR, E. Z. TAYLOR, HENNESSEY, OLASZ, HALUSKA, BENNINGHOFF, MUNDY, YOUNGBLOOD, SEMMEL and THOMAS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for regulations of the use of lights.

Referred to Committee on TRANSPORTATION, April 28, 1997.

No. 1178 By Representatives MILLER, CALTAGIRONE, E. Z. TAYLOR, DALEY, TRELLO, FEESE, MELIO, B. SMITH, NAILOR, ARMSTRONG, WAUGH, SATHER, BROWNE, STERN, SCHRODER, HUTCHINSON, TIGUE, ZIMMERMAN, PHILLIPS, PRESTON, SERAFINI, SHANER, C. WILLIAMS, HORSEY, LYNCH, OLASZ, DeLUCA, BELFANTI, HERMAN, ROBINSON, PETTIT, STABACK, BUNT and STETLER

An Act providing a residency requirement for constables and deputy constables.

Referred to Committee on JUDICIARY, April 28, 1997.

COMMUNICATION FROM JOINT STATE GOVERNMENT COMMISSION

The SPEAKER. The Chair acknowledges receipt of a report submitted by the Joint State Government Commission pursuant to SR 81 of 1995.

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

COMMUNICATION FROM PENNSYLVANIA COMMISSION ON CRIME AND DELINQUENCY

The SPEAKER. The Chair acknowledges receipt of the annual report submitted pursuant to Act 44 of 1994 by the Constables' Education and Training Board.

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

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 12, HB 67, HB 149, HB 850, HB 853, and HB 855.

BILLS REMOVED FROM TABLE

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

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

HB 145;
HB 270;
HB 438;
HB 595;
HB 909;
HB 1200;
HB 1304; and
SB 299.

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

BILLS RECOMMENDED

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

HB 145;
HB 270;
HB 438;
HB 595;
HB 909;
HB 1200;
HB 1304; and
SB 299.

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

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

HB 228, PN 250

By Rep. BOYES

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for sales and use tax exclusions.

FINANCE.

HB 959, PN 1141

By Rep. REINARD

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for property.

URBAN AFFAIRS.

HB 960, PN 1142

By Rep. REINARD

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, further providing for authority to sell or lease real property.

URBAN AFFAIRS.

HB 961, PN 1143

By Rep. REINARD

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for sale procedure.

URBAN AFFAIRS.

HB 962, PN 1144

By Rep. REINARD

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for authority to sell or lease real property.

URBAN AFFAIRS.

HB 963, PN 1145

By Rep. REINARD

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for real property.

URBAN AFFAIRS.

HB 964, PN 1146

By Rep. REINARD

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for general powers.

URBAN AFFAIRS.

HB 965, PN 1583 (Amended)

By Rep. REINARD

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for the specific powers of the city council.

URBAN AFFAIRS.

HB 966, PN 1584 (Amended)

By Rep. REINARD

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for collection of fines and penalties; and providing for collection of penalties for violations of certain ordinances.

URBAN AFFAIRS.

HB 967, PN 1585 (Amended)

By Rep. REINARD

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, providing for collection of penalties for violating certain ordinances.

URBAN AFFAIRS.

HB 968, PN 1586 (Amended)

By Rep. REINARD

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for powers of the township commissioners to collect fines for violation of ordinances.

URBAN AFFAIRS.

HB 974, PN 1587 (Amended)

By Rep. REINARD

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for jurisdiction and venue of the Pittsburgh Magistrates Court.

URBAN AFFAIRS.

HB 1305, PN 1488

By Rep. BOYES

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further defining "capital stock value."

FINANCE.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, Mr. Snyder, who requests a leave of absence for the gentleman from Allegheny County, Mr. PETTIT, for today's session.

Without objection, leave will be granted. The Chair hears no objection.

The Chair recognizes the gentleman, Mr. Itkin, who requests leave for the lady from Philadelphia, Ms. BISHOP; the gentleman from Philadelphia, Mr. EVANS; the gentleman from Philadelphia, Mr. ROEBUCK; the gentleman from Philadelphia, Mr. THOMAS; the gentleman from Bucks, Mr. CORRIGAN, all for today's session.

Are there objections to these leaves? There are none. The leaves will be granted.

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:

And I might add that they excel in the classroom also. As a team, they have a grade point average of 3.52. Twelve of the 20 are currently on the honor roll, while 6 of the 20 have a 4.0 grade average or better.

I am honored to present this citation, along with Representatives Tim Hennessey and Chris Ross, to Head Coach Bob Schnure and cocaptains Tracey Lewis and Leigh Dawson as well as Principal Walter Kottmeyer.

At this time I will ask the team, which is seated at the rear of the House, to please rise, and let us give them a well-deserved round of applause.

Just as an aside, I understand, in talking with Representatives Benninghoff and Clark, that maybe a little championship scrimmage is in the offing between the AAA and the AAAA teams here.

The SPEAKER. We will do that in the rotunda after we adjourn.

MANSFIELD UNIVERSITY BASKETBALL TEAM PRESENTED

The SPEAKER. The gentleman, Mr. Baker, come to the rostrum.

The Chair recognizes the gentleman, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

It is indeed an honor and a pleasure to be here today to celebrate the State championship team from Mansfield University. The 1996-97 Mansfield University basketball team will go down in the annals of Pennsylvania collegiate sports history.

The Mountaineers not only won their first Pennsylvania State Athletic Conference championship since 1984 but also set school records for wins during the regular season — 23 — while tying the school mark for overall wins in a season with 26.

Mansfield University's 26-and-4 record was the best winning percentage posted by any school in the Commonwealth of Pennsylvania. The Mountaineers improved their win total by 16 games over the previous season, the best turnaround in the NCAA.

Head Coach Tom Ackerman was named the Pennsylvania State Athletic Conference Eastern Division Coach of the Year, while senior Louis Judson — incidentally, from Troy, Pennsylvania — was selected the PSAC East Player of the Year. Unfortunately, Louis could not be with us today. Seniors Lawrence Culver and Kenny Woseley, along with Judson, were named to All-PSAC East first team honors, while Culver and Judson also earned All-East selection.

No collegiate team in the State averaged more points per game than the school record 96.6 points, third highest in the NCAA Division II this year.

The Mountaineers finished the regular season ranked 10th in the Nation in NCAA Division II, while Judson ranked among the country's elite in scoring, shooting percentage, and 3-point shooting. Culver set new school records in rebounding, while ranking third in the Nation in that category. Woseley was among the national leaders in steals.

As a team, Mansfield ranked 4th in the NCAA Division II in winning percentage, 7th in 3-point field goal percentage, 8th in scoring margin, 13th in field goal percentage, and 17th in 3-point field goals per game.

Not only did Mansfield University basketball prove itself on the basketball court, they were also winners in the community. The Mountaineer basketball team provided a free weekly junior basketball league that enrolled more than 100 area youngsters in the preseason. In addition, the team sponsored "Shootout for Special Olympics" that has raised more than \$800 for the Tioga County Special Olympics.

At this time I would ask that the remaining team located in the rear of the House please stand and that you join me in recognizing and honoring Mansfield University's State champions.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Matt Baker, members of the Covington Baptist Church from Tioga County. Right now they are located in the balcony. Would the members please wave or stand. Thank you.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. May I have your attention.

I have asked the sound technicians — these two gentlemen to my right — to check the individual headphones of any of our members who are having difficulties, if you raise your hands.

Now, I know at least one member had a problem, and it turned out it was the headphone itself, I believe, as I was watching it.

So, Mr. Lloyd, you have a problem? Oh, you do not have a problem. All right.

Stand up. Mr. Lynch, stand, please.

Are there any others, any others with problems with the headphones?

Mr. MICHLOVIC. Mr. Speaker?

The SPEAKER. The gentleman, Mr. Michlovic.

Mr. MICHLOVIC. Mr. Speaker, you need to keep talking for us to evaluate it. You have to keep talking or else we cannot test the system.

The SPEAKER. Where is Mr. DeWeese when I need him?

Well, over the past month, since this system, the new system, has been installed, there have been complaints about the headphones, and because of these complaints, we have asked sound engineers to be on the floor today, and they are on the floor, and we have determined that at least one headset is deficient.

Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, earlier this afternoon, when we first came on the floor, there was very little noise. When you asked me, it had changed. Now, I do not know if there is something they fixed, but that has been the problem in this section, that it comes and goes. There are times when it is fine and then there are times when there is nothing at all, and I do not know the reason for that.

The SPEAKER. Well, why do we not get one of the technicians to go over and talk to you about that problem.

Are there any other members with specific problems?

We will proceed with the session, and if you have problems with the headsets — And I suggest to the members who do not have their headsets on, they might test them; this would be an appropriate time to test them, even if you only use them periodically.

LEAVE OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the gentleman, Mr. Itkin, who asks that the gentleman, Mr. WILLIAMS, from Philadelphia be added to the list of members placed on leave.

The Chair hears no objection, and leave is granted.

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

HB 36, PN 1588 (Amended) By Rep. STAIRS

An Act providing for the establishment of charter schools; providing for powers and duties of the Secretary of Education and the State Board of Education; providing for payments to charter schools; and requiring certain reports and recommendations.

EDUCATION.

**RESOLUTIONS REPORTED
FROM COMMITTEE**

HR 93, PN 1140 By Rep. FLICK

A Resolution memorializing Congress to fund research projects to study the causes and possible cures for macular degeneration.

INTERGOVERNMENTAL AFFAIRS.

HR 137, PN 1511 By Rep. FLICK

A Resolution memorializing Congress to provide an appropriation to preserve and protect the Gettysburg National Military Park.

INTERGOVERNMENTAL AFFAIRS.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group of high school students from the Aspiva Public Policy Program, visiting today with director Cesar Santiago. Would that group please rise to be recognized. They are here today as the guests of Representative Ben Ramos.

RULES COMMITTEE MEETING

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

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 131, PN 1440 By Rep. PERZEL

A Resolution memorializing the Delaware River Basin Commission to review existing procedures, policies and mandates relating to local oversight of water resources and to adopt amended regulations to revise withdrawal limits to correspond with integrated water resource plans adopted by municipalities within designated subbasins.

RULES.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 152, PN 1345 By Rep. PERZEL

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

RULES.

HB 847, PN 1414 By Rep. PERZEL

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1997, to June 30, 1998, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1997; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Ben Franklin/IRC Partnership Fund, the Tuition Payment Fund, the Banking Department Fund and the Firearm Ownership Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations from the Motor License Fund for the fiscal year July 1, 1997, to June 30, 1998, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 1997, to June 30, 1998, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 1997; and to provide for the additional appropriation of State and Federal funds for the Executive and Judicial Departments of the Commonwealth for the fiscal year July 1, 1996, to June 30, 1997, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1996.

RULES.

CALENDAR**BILLS ON THIRD CONSIDERATION****BILL PASSED OVER**

The SPEAKER. The Chair turns to page 1 of today's calendar, SB 45. This bill is over.

Dermody	Lloyd	Santoni	Ryan,
DeWeese	Lucyk	Sather	Speaker
DiGirolamo	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	Evans	Roebuck	Williams, A. H.
Corrigan	Pettit	Thomas	

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

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

RESOLUTIONS PURSUANT TO RULE 35

RESOLUTION PASSED OVER

The SPEAKER. HR 136 is over.

Mr. BUNT called up HR 140, PN 1537, entitled:

A Resolution recognizing June 1997 as "Dairy Month" in Pennsylvania.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-194

Adolph	DiGirolamo	Lynch	Saylor
Allen	Donatucci	Maitland	Schroder
Argall	Druce	Major	Schuler
Armstrong	Eachus	Manderino	Scrimenti
Baker	Egolf	Markosek	Semmel
Bard	Fairchild	Marsico	Serafini
Barley	Fargo	Masland	Seyfert
Barrar	Feese	Mayernik	Shaner
Battisto	Fichter	McCall	Smith, B.
Bebko-Jones	Fleagle	McGeehan	Smith, S. H.
Belardi	Flick	McGill	Snyder, D. W.
Belfanti	Gannon	McIlhattan	Staback
Benninghoff	Geist	McNaughton	Stairs
Birmelin	George	Melio	Steelman
Blaum	Gigliotti	Michlovic	Steil
Boscola	Gladeck	Micozzie	Stern
Boyes	Godshall	Mihalich	Stetler
Brown	Gordner	Miller	Stevenson
Browne	Gruitza	Mundy	Strittmatter
Bunt	Gruppo	Myers	Sturla
Butkovitz	Habay	Nailor	Surra
Buxton	Haluska	Nickol	Tangretti
Caltagirone	Hanna	O'Brien	Taylor, E. Z.
Cappabianca	Harhart	Olasz	Taylor, J.
Carn	Hasay	Orie	Tigue
Carone	Hennessey	Perzel	Travaglio
Casorio	Herman	Pesci	Trello
Cawley	Hershey	Petrarca	Trich

Chadwick	Hess	Petrone	True
Civera	Hutchinson	Phillips	Tulli
Clark	Itkin	Pippy	Vance
Clymer	Jadlowiec	Pistella	Van Horne
Cohen, L. I.	James	Platts	Veon
Cohen, M.	Jarolin	Preston	Vitali
Colafiglia	Josephs	Ramos	Walko
Colaizzo	Kaiser	Raymond	Washington
Conti	Keller	Readshaw	Waugh
Cornell	Kenney	Reber	Williams, C.
Corpora	Kirkland	Reinard	Wilt
Cowell	Krebs	Rieger	Wogan
Coy	LaGrotta	Roberts	Wojnaroski
Curry	Laughlin	Robinson	Wright, M. N.
Daley	Lawless	Rohrer	Yewcic
Dally	Lederer	Rooney	Youngblood
DeLuca	Leh	Ross	Zimmerman
Dempsey	Lescovitz	Rubley	Zug
Dent	Levdansky	Sainato	
Dermody	Lloyd	Santoni	Ryan,
DeWeese	Lucyk	Sather	Speaker

NAYS-0

NOT VOTING-2

Horsey	Oliver
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EXCUSED-7

Bishop	Evans	Roebuck	Williams, A. H.
Corrigan	Pettit	Thomas	

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

Mr. TANGRETTI called up HR 143, PN 1539, entitled:

A Resolution directing the House of Representatives to promote April 29, 1997, as "Federally Qualified Health Centers' Legislative Day."

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-196

Adolph	Donatucci	Maitland	Saylor
Allen	Druce	Major	Schroder
Argall	Eachus	Manderino	Schuler
Armstrong	Egolf	Markosek	Scrimenti
Baker	Fairchild	Marsico	Semmel
Bard	Fargo	Masland	Serafini
Barley	Feese	Mayernik	Seyfert
Barrar	Fichter	McCall	Shaner
Battisto	Fleagle	McGeehan	Smith, B.
Bebko-Jones	Flick	McGill	Smith, S. H.
Belardi	Gannon	McIlhattan	Snyder, D. W.
Belfanti	Geist	McNaughton	Staback
Benninghoff	George	Melio	Stairs
Birmelin	Gigliotti	Michlovic	Steelman
Blaum	Gladeck	Micozzie	Steil
Boscola	Godshall	Mihalich	Stern
Boyes	Gordner	Miller	Stetler
Brown	Gruitza	Mundy	Stevenson
Browne	Gruppo	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla

The House proceeded to third consideration of HB 329, PN 1482, entitled:

An Act amending the act of July 28, 1953 (P.L. 723, No. 230), known as the Second Class County Code, further providing for the membership of boards of managers for monuments and memorials to war veterans.

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

Mr. DeLUCA offered the following amendment No. A1420:

Amend Title, page 1, line 4, by inserting after "thereto," " requiring a jointly appointed tax collector for a certain home rule municipality and school district in counties of the second class; and

Amend Bill, page 1, lines 9 through 11, by striking out all of said lines and inserting

Section 1. The act of July 28, 1953 (P.L. 723, No.230), known as the Second Class County Code, is amended by adding a section to read:

Section 1970.3. Joint Tax Collector. Notwithstanding the provisions of section 10(b) of the act of December 31, 1965 (P.L. 1257, No. 511), known as "The Local Tax Enabling Act," if a municipality having a population of at least 50,000 and less than 100,000 located in a second class county has adopted a home rule charter under 53 Pa.C.S. Pt. III Subpt. E (relating to home rule and optional plan government), the governing body of the municipality and board of school directors for the school district in which the municipality is located shall annually agree on and jointly appoint a collector or collectors of taxes for taxes levied under "The Local Tax Enabling Act." In the event the governing body of the municipality and the board of school directors for the school district in which the municipality is located cannot agree on the appointment of a collector or collectors of taxes levied under this act within ninety days of the commencement of each ensuing municipal fiscal year, then three arbitrators shall be appointed who by majority vote shall choose a tax collector to collect taxes levied under this act; one person shall be appointed by the governing body of the municipality who is a resident of the municipality and who is not a member of the governing body, one person shall be appointed by the board of school directors who is a resident of the school district and who is not a school director, and one resident shall be appointed by the elected controller of the municipality.

Section 2. Sections 2565 and 2566 of the act, amended June 19, 1961 (P.L. 463, No. 232), are amended to read:

Amend Bill, page 4, by inserting between lines 6 and 7

Section 3. This act shall be implemented no later than July 1 of the first year following the effective date of this act.

Amend Sec. 2, page 4, line 7, by striking out "2" and inserting

4

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. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment addresses a problem that I have in a municipality in my district, in Allegheny County. It affects one municipality, and what it tries to do is it tries to be accountable for a tax collection system that the municipality has created, where we have a dual tax collection system that is creating a burden for the taxpayers and creating a burden for the business community.

The taxpayers and the business community are in favor of this amendment. This amendment passed two sessions ago. It got tied down in the Senate. Hopefully this session we will be able to move it so that the people in Penn Hills can have some relief on their tax collection system.

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

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

The following roll call was recorded:

YEAS-195

- Adolph Donatucci Lynch Saylor
Allen Druce Maitland Schroder
Argall Eachus Major Schuler
Armstrong Egolf Manderino Scrimenti
Baker Fairchild Markosek Semmel
Bard Fargo Marsico Serafini
Barley Feese Masland Seyfert
Barrar Fichter Mayernik Shaner
Battisto Fleagle McCall Smith, B.
Bebko-Jones Flick McGeehan Smith, S. H.
Belardi Gannon McGill Snyder, D. W.
Belfanti Geist McIlhattan Staback
Benninghoff George McNaughton Stairs
Birmelin Gigliotti Melio Steelman
Blaum Gladeck Michlovic Steil
Boscola Godshall Micozzie Stern
Boyes Gordner Mihalich Stetler
Brown Gruitza Miller Stevenson
Brownne Gruppo Mundy Strittmatter
Bunt Habay Myers Sturla
Butkovitz Haluska Nailor Surra
Buxton Hanna Nickol Tangretti
Caltagirone Harhart O'Brien Taylor, E. Z.
Cappabianca Hasay Olasz Taylor, J.
Carn Hennessey Oliver Tigie
Carone Herman Ori Travaglio
Casorio Hershey Perzel Trello
Cawley Hess Pesci Trich
Chadwick Horsey Petrarca True
Civera Hutchinson Petrone Tulli
Clark Itkin Phillips Vance
Clymer Jadlowiec Pippy Van Home
Cohen, L. I. James Pistella Veon
Cohen, M. Jarolin Platts Vitali
Colaifella Josephs Preston Waiko
Colaizzo Kaiser Ramos Washington
Conti Keller Raymond Waugh
Cornell Kenney Readshaw Williams, C.
Corpora Kirkland Reinard Wilt
Cowell Krebs Rieger Wogan
Coy LaGrotta Roberts Wojnaroski
Curry Laughlin Robinson Wright, M. N.
Daley Lawless Rohrer Yewcic
Dally Lederer Rooney Youngblood
DeLuca Leh Ross Zimmerman
Dempsey Lescovitz Rubley Zug
Dent Levdansky Sainato
Dermody Lloyd Santoni
DeWeese Lucyk Sather
DiGirolamo

NAYS-0

NOT VOTING-1

Reber

EXCUSED—7

Bishop
CorriganEvans
PettitRoebuck
Thomas

Williams, A. H.

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

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman, Mr. Reber, who indicates that his switch was inoperative and would have voted "yes" on that amendment.

CONSIDERATION OF HB 329 CONTINUED

On the question,

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

Mr. DeLUCA offered the following amendment No. A1436:

Amend Title, page 1, line 4, by inserting after "thereto," " providing for retirement eligibility; and

Amend Bill, page 1, lines 9 and 10, by striking out all of said lines and inserting

Section 1. Section 1710(a) and (b) of the act of July 28, 1953 (P.L. 723, No.230), known as the Second Class County Code, amended February 9, 1984 (P.L.12, No.6), May 9, 1984 (P.L.261, No.61) and December 4, 1992 (P.L.776, No.121), are amended to read:

Section 1710. Employees Eligible for Retirement Allowances.—(a) Every county employe [who was initially hired on or prior to the effective date of this amendatory act,] who has reached the age of sixty years or upwards and who has to his or her credit a period of service of eight years, but less than twenty years, [or every county employe who was hired after the effective date of this amendatory act, who has reached the age of sixty-five years or upwards and who has to his or her credit a period of service of ten years, but less than twenty years] shall, upon application to the board, be eligible for retirement from service, and shall thereafter receive, during life, except as hereinafter provided, a retirement allowance computed on a service period of twenty (20) years which shall equal one twentieth (1/20) of such amount as he or she may be eligible to receive in accordance with the provisions of subsection (a) of section 1712, for each year's service which such county employe may have to his or her credit during the aforesaid period of time. The time spent in the employ of the county or county institution district need not necessarily have been continuous. The aforesaid retirement allowance shall be subject to a suspension thereof in accordance with the provisions of subsection (h) of this section 1710 and subsection (c) of section 1712.

(b) Every county employe, other than a member of the police force or the fire department or a fire inspector or a sheriff or deputy sheriff, [who was initially hired on or prior to the effective date of this amendatory act,] who has reached the age of sixty years or upwards and who has to his or her credit a period of service of eight years, but less than twenty years, [or every county employe, other than a member of the police or the fire department or a fire inspector, who was hired after the effective date of this amendatory act, who has reached the age of sixty-five years or upwards, and who has to his or her credit a period of service of ten years, but less than twenty years,] and every county employe who is a member of the police force or the fire department or a fire inspector, and who shall have been a county employe during a period of twenty or more years and has reached the age of fifty years or upwards shall, upon application to the board, be eligible for retirement from service, and shall thereafter receive,

during life, except as hereinafter provided, a retirement allowance plus a service increment if any, in accordance with the provisions of section 1712. Every county officer or employe who is a sheriff, deputy sheriff or prison guard who shall have been a county officer or employe during a period of twenty or more years and has reached the age of fifty-five years or upward, shall, upon application to the board, be eligible for retirement from service and shall thereafter receive, during life, except as hereinafter provided, a retirement allowance in accordance with section 1712. The time spent in the employ of the county or county institution district need not necessarily have been continuous: Provided, That when any county employe has twenty or more years service, not necessarily continuous, and has reached the age of fifty years or upwards, and shall be separated from the service of the county or county institution district by reason of no cause or act of his or her own, upon application to the board he or she shall thereafter receive, during life, except as hereinafter provided, a retirement allowance plus a service increment if any, in accordance with the provisions of section 1712. The aforesaid retirement allowance plus a service increment if any, shall be subject to a suspension thereof in accordance with the provisions of subsection (h) of this section 1710 and subsection (c) of section 1712.

Section 2. Sections 2565 and 2566 of the act,

Amend Sec. 2, page 4, line 7, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

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

Mr. DeLUCA. Thank you, Mr. Speaker.

This is another amendment. It just affects the county of Allegheny County, and what we are trying to do here is to seek to correct inequity in a situation for some of the nonuniformed employes in Allegheny County.

Presently some of these employees are forced to work till 65 with 10 years of vesting. They presently have a two-tier retirement plan, and we are just trying to bring them down to where the second tier was before, being able to retire at 60 with no penalty. Some of the uniformed employees who are in this pension plan presently retire at 55.

So this is just a bill to put some equity in for nonuniformed employees in Allegheny County. The county commissioners, from what I understand, are in favor of this; so are the employees.

I would seek an affirmative vote on this, Mr. Speaker.

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

Mr. FARGO. Thank you, Mr. Speaker.

Would the maker of this amendment stand for interrogation?

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

Mr. FARGO. Thank you.

If I understand this bill correctly, it not only reduces from 65 to 60 the age at which you can qualify for this but also reduces the number of years on the low side as to how many years you actually have to be an employee from 10 to—

The SPEAKER. Will the gentleman, Mr. Fargo, yield.

Mr. FARGO. Yes.

The SPEAKER. The conferences on the floor should cease. Members, please be seated. If it is necessary to confer, go to the conference rooms in the rear of the House.

Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

I feel that this amendment not only reduces from 65 to 60 years of age the age at which they can qualify, but you have also reduced from 10 years to 8 years the number of years that is necessary on the low side to qualify. Is that correct?

Mr. DeLUCA. That is correct, Mr. Speaker.

Mr. FARGO. Has there been an actuarial study prepared for this particular amendment? Have we received a notice from the retirement board — that is, their report — as to what this will cost as far as the individual counties are concerned?

Mr. DeLUCA. No; I have not received a report. I talked to the retirement board. They feel there would be no impact, since they do have a surplus in their retirement fund.

Mr. FARGO. No impact, but there will be a cost, an additional cost?

Mr. DeLUCA. There will be a slight additional cost, Mr. Speaker.

Mr. FARGO. Thank you. Thank you, Mr. Speaker.

Mr. DeLUCA. Can I answer this?

Let me also say, Allegheny County is presently facing a crisis, a deficit in their county budget. This will enable some of their employees to take an early pension and put some of the other employees who are being hired — It is the same way that we do with the schoolteachers. We get rid of the ones who have more seniority, and we bring the other ones back up at lesser pay. This is the same thing that we are doing with this county. It has a two-tier system. In 1984 they permitted them to retire at 60 with 8 years. I mean, this will save the county in the long run a lot of money, the same as we save some of our school districts money when we give them the early-and-out, which we intend to do once again.

Mr. FARGO. Thank you.

Could I make a statement, Mr. Speaker?

The SPEAKER. The gentleman, Mr. Fargo.

Mr. FARGO. Thank you.

Actually, the speaker before me indicated that in the long run this would save money. I am sure that this is not correct. As we look at any of the retirement actuary studies, we find that the actuarial cost to the pension plan and, of course, to the people who have to put the money into the pension plan has always increased. So I cannot believe that in the long run this would be of any savings. Possibly on the short run, I would agree with him.

But this is an additional cost to the counties. Once more, this is another one of those mandates that gets sneaked into our legislation, which I feel we are wrong in so doing, and it is my suggestion that we vote against this amendment.

POINT OF ORDER

Mr. FARGO. I would also, I guess, raise the suggestion that we have to have an actuarial study under rule 19(a), subparagraph (7). I would like to raise the question.

The SPEAKER. The gentleman, Mr. Fargo, are you raising a point of order with respect to the actuarial note?

Mr. FARGO. Yes, I am, Mr. Speaker.

The SPEAKER. It is a well-taken point of order.

This amendment requires an actuarial note. Mr. DeLuca, this amendment, this amendment, in the judgment of the Chair, requires an actuarial note.

AMENDMENT WITHDRAWN

Mr. DeLUCA. Mr. Speaker, the gentleman makes a very good point. Let me withdraw this amendment and get an actuarial study on this. Okay?

Thank you, Mr. Speaker. Thank you for bringing that to my attention, Mr. Speaker.

The SPEAKER. Now, there is a good sport.

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. 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—196

Adolph	Donatucci	Maitland	Saylor
Allen	Druce	Major	Schroder
Argall	Eachus	Manderino	Schuler
Armstrong	Egolf	Markosek	Scrimenti
Baker	Fairchild	Marsico	Semmel
Bard	Fargo	Masland	Serafini
Barley	Feese	Mayernik	Seyfert
Barrar	Fichter	McCall	Shaner
Battisto	Fleagle	McGeehan	Smith, B.
Bebko-Jones	Flick	McGill	Smith, S. H.
Belardi	Gannon	McLhattan	Snyder, D. W.
Belfanti	Geist	McNaughton	Staback.
Benninghoff	George	Melio	Stairs
Birmelin	Gigliotti	Michlovic	Steelman
Blaum	Gladeck	Micozzie	Steil
Boscola	Godshall	Mihalich	Stern
Boyes	Gordner	Miller	Stetler
Brown	Gruitza	Mundy	Stevenson
Browne	Gruppo	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Haluska	Nickol	Surra
Buxton	Hanna	O'Brien	Tangretti
Caltagirone	Harhart	Olasz	Taylor, E. Z.
Cappabianca	Hasay	Oliver	Taylor, J.
Carn	Hennessey	Orie	Tigue
Carone	Herman	Perzel	Travaglio
Casorio	Hershey	Pesci	Trello
Cawley	Hess	Petrarca	Trich
Chadwick	Horsey	Petrone	True
Civera	Hutchinson	Phillips	Tulli
Clark	Itkin	Pippy	Vance
Clymer	Jadlowiec	Pistella	Van Horne
Cohen, L. I.	James	Platts	Veon
Cohen, M.	Jarolin	Preston	Vitali
Colafella	Josephs	Ramos	Walko
Colaizzo	Kaiser	Raymond	Washington
Conti	Keller	Readshaw	Waugh
Cornell	Kenney	Reber	Williams, C.
Corpora	Kirkland	Reinard	Wilt
Cowell	Krebs	Rieger	Wogan
Coy	LaGrotta	Roberts	Wojnaroski
Curry	Laughlin	Robinson	Wright, M. N.
Daley	Lawless	Rohrer	Yewcic
Dally	Lederer	Rooney	Youngblood
DeLuca	Leh	Ross	Zimmerman
Dempsey	Lescovitz	Rublely	Zug
Dent	Levdansky	Sainato	

Butkovitz	Haluska	Nickol	Surra
Buxton	Hanna	O'Brien	Tangretti
Caltagirone	Harhart	Olasz	Taylor, E. Z.
Cappabianca	Hasay	Oliver	Taylor, J.
Carn	Hennessey	Orie	Tigue
Carone	Herman	Perzel	Travaglio
Casorio	Hershey	Pesci	Trello
Cawley	Hess	Petrarca	Trich
Chadwick	Horsley	Petrone	True
Civera	Hutchinson	Phillips	Tulli
Clark	Itkin	Pippy	Vance
Clymer	Jadlowiec	Pistella	Van Home
Cohen, L. I.	James	Platts	Veon
Cohen, M.	Jarolin	Preston	Vitali
Colafrilla	Josephs	Ramos	Walko
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Dally	Lederer	Rooney	Youngblood
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Dempsey	Lescovitz	Rublely	Zug
Dent	Levdansky	Sainato	
Dermody	Lloyd	Santoni	Ryan,
DeWeese	Lucyk	Sather	Speaker
DiGirolamo	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	Evans	Roebuck	Williams, A. H.
Corrigan	Pettit	Thomas	

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

* * *

Mr. BELARDI called up HR 144, PN 1540, entitled:

A Resolution designating May 16, 1997, as "Barrier Awareness Day" in Pennsylvania.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-196

Adolph	Donatucci	Maitland	Saylor
Allen	Druce	Major	Schroder
Argall	Eachus	Manderino	Schuler
Armstrong	Egolf	Markosek	Scrimenti
Baker	Fairchild	Marsico	Semmel
Bard	Fargo	Masland	Serafini
Barley	Feese	Mayernik	Seyfert
Barrar	Fichter	McCall	Shaner
Battisto	Fleagle	McGeehan	Smith, B.
Bebko-Jones	Flick	McGill	Smith, S. H.
Belardi	Gannon	Mellhattan	Snyder, D. W.
Belfanti	Geist	McNaughton	Staback
Benninghoff	George	Melio	Stairs

Birmelin	Gigliotti	Michlovic	Steelman
Blaum	Gladeck	Micozzie	Steil
Boscola	Godshall	Mihalich	Stern
Boyes	Gordner	Miller	Stetler
Brown	Gruitza	Mundy	Stevenson
Browne	Gruppo	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Haluska	Nickol	Surra
Buxton	Hanna	O'Brien	Tangretti
Caltagirone	Harhart	Olasz	Taylor, E. Z.
Cappabianca	Hasay	Oliver	Taylor, J.
Carn	Hennessey	Orie	Tigue
Carone	Herman	Perzel	Travaglio
Casorio	Hershey	Pesci	Trello
Cawley	Hess	Petrarca	Trich
Chadwick	Horsley	Petrone	True
Civera	Hutchinson	Phillips	Tulli
Clark	Itkin	Pippy	Vance
Clymer	Jadlowiec	Pistella	Van Home
Cohen, L. I.	James	Platts	Veon
Cohen, M.	Jarolin	Preston	Vitali
Colafrilla	Josephs	Ramos	Walko
Colaizzo	Kaiser	Raymond	Washington
Conti	Keller	Readshaw	Waugh
Cornell	Kenney	Reber	Williams, C.
Corpora	Kirkland	Reinard	Wilt
Cowell	Krebs	Rieger	Wogan
Coy	LaGrotta	Roberts	Wojnaroski
Curry	Laughlin	Robinson	Wright, M. N.
Daley	Lawless	Rohrer	Yewcic
Dally	Lederer	Rooney	Youngblood
DeLuca	Leh	Ross	Zimmerman
Dempsey	Lescovitz	Rublely	Zug
Dent	Levdansky	Sainato	
Dermody	Lloyd	Santoni	Ryan,
DeWeese	Lucyk	Sather	Speaker
DiGirolamo	Lynch		

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	Evans	Roebuck	Williams, A. H.
Corrigan	Pettit	Thomas	

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

SUPPLEMENTAL CALENDAR A

RESOLUTION

Mr. SCHRODER called up HR 131, PN 1440, entitled:

A Resolution memorializing the Delaware River Basin Commission to review existing procedures, policies and mandates relating to local oversight of water resources and to adopt amended regulations to revise withdrawal limits to correspond with integrated water resource plans adopted by municipalities within designated subbasins.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Evans	Roebuck	Williams, A. H.
Corrigan	Pettit	Thomas	

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Schroder.

Mr. SCHRODER. Mr. Speaker, I have remarks for the record that I would like to submit on HR 131.

The SPEAKER. The Chair will be pleased to accept your remarks. Send them to the desk.

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

HR 131 memorializes the Delaware River Basin Commission (DRBC) to adopt amended regulations that would revise water withdrawal limits to correspond with integrated water resource plans adopted by municipalities. The DRBC currently is considering adopting regulations to do just that for the Southeastern Pennsylvania Groundwater Protected area.

Today, local governments do not have the authority to control the amount of water withdrawn from their jurisdiction. Their ability to plan for the future and ensure adequate groundwater for their community is limited. Municipalities must rely on the DRBC to protect their local water supply.

The DRBC has realized that groundwater pumping has contributed to reduced flows in streams, which can interfere with instream and downstream water uses. It has been difficult to address the impact of pumping on a project-by-project basis. Therefore, the DRBC is considering management strategies to limit impacts of groundwater withdrawals on stream flow and wells.

The DRBC's proposed amendments would establish numerical groundwater withdrawal limits for watersheds in the protected area. The amendments will also, for the first time, establish procedures for revising withdrawal limits to correspond with integrated water resource plans adopted by municipalities.

Several municipalities in northern Chester County are grappling with a proposal to pump nearly 100,000 gallons of water a day in the groundwater protected area. Adoption of the proposed amendments by the DRBC would provide a method by which residents, through their local elected officials, could safeguard their water supply for future generations.

I believe this is a positive step by the DRBC and I believe this House should go on record in support of this initiative. I urge your support for the resolution.

HOUSE RESOLUTION
INTRODUCED AND REFERRED

No. 154 By Representatives CARN, YOUNGBLOOD, LAUGHLIN, THOMAS, LESCOVITZ, CAPPABIANCA, HERSHEY, ITKIN, WOJNAROSKI, READSHAW, PESCI, SANTONI, MELIO, CORRIGAN, BELARDI and SAINATO

A Resolution designating the week of April 27 through May 3, 1997, as "Pay Inequity Awareness Week" in Pennsylvania.

Referred to Committee on RULES, April 28, 1997.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel, for an immediate meeting of the Rules Committee.

The following roll call was recorded:

YEAS—196

Adolph	Donatucci	Maitland	Saylor
Allen	Druce	Major	Schroder
Argall	Eachus	Manderino	Schuler
Armstrong	Egolf	Markosek	Scrimenti
Baker	Fairchild	Marsico	Semmel
Bard	Fargo	Masland	Serafini
Barley	Feese	Mayernik	Seyfert
Barrar	Fichter	McCall	Shaner
Battisto	Fleagle	McGeehan	Smith, B.
Bebko-Jones	Flick	McGill	Smith, S. H.
Belardi	Gannon	McIlhattan	Snyder, D. W.
Belfanti	Geist	McNaughton	Staback
Benninghoff	George	Melio	Stairs
Birmelin	Gigliotti	Michlovic	Stelman
Blaum	Gladeck	Micozzie	Stell
Boscola	Godshall	Mihalich	Stern
Boyes	Gordner	Miller	Stetler
Brown	Mundy	Mundy	Stevenson
Browne	Gruppo	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Haluska	Nickol	Surra
Buxton	Hanna	O'Brien	Tangretti
Caltagirone	Harhart	Olasz	Taylor, E. Z.
Cappabianca	Hasay	Oliver	Taylor, J.
Carn	Hennessey	Orie	Tigue
Carone	Herman	Perzel	Travaglio
Casorio	Hershey	Pesci	Trello
Cawley	Hess	Petrarca	Trich
Chadwick	Horsey	Petrone	True
Civera	Hutchinson	Phillips	Tulli
Clark	Itkin	Pippy	Vance
Clymer	Jadlowiec	Pistella	Van Horne
Cohen, L. I.	James	Platts	Veon
Cohen, M.	Jarolin	Preston	Vitali
Colaella	Josephs	Ramos	Walko
Colaizzo	Kaiser	Raymond	Washington
Conti	Keller	Readshaw	Waugh
Cornell	Kenney	Reber	Williams, C.
Corpora	Kirkland	Reinard	Wilt
Cowell	Krebs	Rieger	Wogan
Coy	LaGrotta	Roberts	Wojnaroski
Curry	Laughlin	Robinson	Wright, M. N.
Daley	Lawless	Rohrer	Yewcic
Dally	Lederer	Rooney	Youngblood
DeLuca	Leh	Ross	Zimmerman
Dempsey	Lescovitz	Rublely	Zug
Dent	Levdanský	Sainato	
Dermodý	Lloyd	Santoni	Ryan,
DeWeese	Lucyk	Sather	Speaker
DiGirolamo	Lynch		

NAYS—0

NOT VOTING—0

EXCUSED—7

Bishop	Evans	Roebuck	Williams, A. H.
Corrigan	Pettit	Thomas	

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Schroder.

Mr. SCHRODER. Mr. Speaker, I have remarks for the record that I would like to submit on HR 131.

The SPEAKER. The Chair will be pleased to accept your remarks. Send them to the desk.

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

HR 131 memorializes the Delaware River Basin Commission (DRBC) to adopt amended regulations that would revise water withdrawal limits to correspond with integrated water resource plans adopted by municipalities. The DRBC currently is considering adopting regulations to do just that for the Southeastern Pennsylvania Groundwater Protected area.

Today, local governments do not have the authority to control the amount of water withdrawn from their jurisdiction. Their ability to plan for the future and ensure adequate groundwater for their community is limited. Municipalities must rely on the DRBC to protect their local water supply.

The DRBC has realized that groundwater pumping has contributed to reduced flows in streams, which can interfere with instream and downstream water uses. It has been difficult to address the impact of pumping on a project-by-project basis. Therefore, the DRBC is considering management strategies to limit impacts of groundwater withdrawals on stream flow and wells.

The DRBC's proposed amendments would establish numerical groundwater withdrawal limits for watersheds in the protected area. The amendments will also, for the first time, establish procedures for revising withdrawal limits to correspond with integrated water resource plans adopted by municipalities.

Several municipalities in northern Chester County are grappling with a proposal to pump nearly 100,000 gallons of water a day in the groundwater protected area. Adoption of the proposed amendments by the DRBC would provide a method by which residents, through their local elected officials, could safeguard their water supply for future generations.

I believe this is a positive step by the DRBC and I believe this House should go on record in support of this initiative. I urge your support for the resolution.

HOUSE RESOLUTION
INTRODUCED AND REFERRED

No. 154 By Representatives CARN, YOUNGBLOOD, LAUGHLIN, THOMAS, LESCOVITZ, CAPPABIANCA, HERSHEY, ITKIN, WOJNAROSKI, READSHAW, PESCI, SANTONI, MELIO, CORRIGAN, BELARDI and SAINATO

A Resolution designating the week of April 27 through May 3, 1997, as "Pay Inequity Awareness Week" in Pennsylvania.

Referred to Committee on RULES, April 28, 1997.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel, for an immediate meeting of the Rules Committee.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 154, PN 1591

By Rep. PERZEL

A Resolution designating the week of April 27 through May 3, 1997, as "Pay Inequity Awareness Week" in Pennsylvania.

RULES.

AGING AND YOUTH COMMITTEE MEETING

Mr. GRUPPO. Mr. Speaker?

The SPEAKER. Mr. Gruppo.

Mr. GRUPPO. I was wondering if this would be an appropriate time. I need to call a brief meeting of the House Aging and Youth Committee at the rear of the House, if you are in a little bit of a lull. It will take a couple minutes.

The SPEAKER. I think this would be an appropriate time to do that.

Mr. GRUPPO. Did you say yes?

The SPEAKER. Yes.

Mr. GRUPPO. Okay. I would like to call a brief meeting of the House Aging and Youth Committee at the rear of the House behind the rail. Thank you.

The SPEAKER. Members of the House Aging and Youth Committee, kindly report immediately to the area behind the House rail.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. BARLEY. Thank you, Mr. Speaker.

If you feel it would be appropriate, I would like to call for a meeting of the House Appropriations Committee immediately in the conference room.

The SPEAKER. The members of the Appropriations Committee will retire immediately to the majority Appropriations Committee conference room.

There will be one more vote in about 20 minutes.

The House will stand at ease.

ANNOUNCEMENT BY MR. GRUPPO

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

Mr. GRUPPO. Thank you, Mr. Speaker.

I wanted to report to the House that the Aging and Youth Committee did meet in the rear of the House. We adopted a motion which I made to authorize Representative True, as chairman of the HR 127 select subcommittee, to call and set the dates and times for hearings, including executive sessions, as needed, for the HR 127 select subcommittee. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

BILLS REREPORTED FROM COMMITTEE

HB 366, PN 358

By Rep. BARLEY

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for government-owned companies.

APPROPRIATIONS.

HB 440, PN 1508

By Rep. BARLEY

An Act providing for the regulation of combustible and flammable liquids; allocating functions of the Department of Labor and Industry and the Pennsylvania State Police; imposing penalties; and making repeals.

APPROPRIATIONS.

HB 680, PN 752

By Rep. BARLEY

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

APPROPRIATIONS.

HB 743, PN 835

By Rep. BARLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the use of handcuffs when transporting certain delinquent juveniles.

APPROPRIATIONS.

HB 792, PN 892

By Rep. BARLEY

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

APPROPRIATIONS.

HB 1027, PN 1132

By Rep. BARLEY

An Act prohibiting certain fees for the use of State property for the purpose of making commercial motion pictures.

APPROPRIATIONS.

HB 1048, PN 1170

By Rep. BARLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the exemption from attachment of retirement funds and accounts.

APPROPRIATIONS.

HB 1054, PN 1471

By Rep. BARLEY

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, providing for sharing of confidential information.

APPROPRIATIONS.

HB 1055, PN 1527

By Rep. BARLEY

An Act amending the act of May 17, 1921 (P.L.789, No.285), known as The Insurance Department Act of 1921, providing for risk-based capital requirements.

APPROPRIATIONS.

HB 1065, PN 1190

By Rep. BARLEY

An Act amending the act of February 9, 1984 (P.L.3, No.2), known as the Deputy Sheriffs' Education and Training Act, further providing for training requirement, for the Deputy Sheriffs' Education and Training Board and for the Deputy Sheriffs' Education and Training Account.

APPROPRIATIONS.

SB 732, PN 956

By Rep. BARLEY

An Act changing the name of the Thaddeus Stevens State School of Technology.

APPROPRIATIONS.

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 366, PN 358; HB 440, PN 1508; HB 680, PN 752; HB 743, PN 835; HB 792, PN 892; HB 1027, PN 1132; HB 1048, PN 1170; HB 1054, PN 1471; HB 1055, PN 1527; HB 1065, PN 1190; and SB 732, PN 956.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Carn. Mr. CARN. Mr. Speaker, I ask that the rules of the House be suspended to permit the immediate consideration of HR 154.

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

The following roll call was recorded:

YEAS-194

Adolph	DiGirolamo	Lucyk	Santoni
Allen	Donatucci	Lynch	Sather
Argall	Druce	Maitland	Saylor
Armstrong	Eachus	Major	Schroder
Baker	Egolf	Manderino	Schuler
Bard	Fairchild	Markosek	Scrimenti
Barley	Fargo	Marsico	Semmel
Barzar	Feese	Masland	Serafini
Battisto	Fichter	Mayernik	Seyfert
Bebko-Jones	Fleagle	McCall	Shaner
Belardi	Flick	McGeehan	Smith, B.
Belfanti	Gannon	McGill	Smith, S. H.
Benninghoff	Geist	McIlhattan	Snyder, D. W.
Birmelin	George	McNaughton	Staback
Blaum	Gigliotti	McLio	Stairs
Boscola	Gladeck	Michlovic	Stern
Boyes	Godshall	Micozzie	Stetler

Brown	Gordner	Mihalich	Stevenson
Browne	Gruitza	Miller	Strittmatter
Bunt	Gruppo	Mundy	Sturla
Butkovitz	Habay	Myers	Surra
Buxton	Haluska	Nailor	Tangretti
Caltagirone	Hanna	Nickol	Taylor, E. Z.
Cappabianca	Harhart	O'Brien	Taylor, J.
Carn	Hasay	Olasz	Tigue
Carone	Hennessey	Oliver	Travaglio
Casorio	Herman	Orie	Trello
Cawley	Hershey	Perzel	Trich
Chadwick	Hess	Pesci	True
Civera	Horsley	Petrarca	Tulli
Clark	Hutchinson	Petrone	Vance
Clymer	Itkin	Phillips	Van Home
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colaafella	Jarolin	Platts	Walko
Colaizzo	Josephs	Preston	Washington
Conti	Kaiser	Ramos	Waugh
Cornell	Keller	Raymond	Williams, C.
Corpora	Kenney	Readshaw	Wilt
Cowell	Kirkland	Reber	Wogan
Coy	Krebs	Reinard	Wojnaroski
Curry	LaGrotta	Rieger	Wright, M. N.
Daley	Laughlin	Roberts	Yewcic
Dally	Lawless	Robinson	Youngblood
DeLuca	Lederer	Rohrer	Zimmerman
Dempsey	Leh	Rooney	Zug
Dent	Lescovitz	Ross	
Dermody	Levdansky	Rublely	Ryan,
DeWeese	Lloyd	Sainato	Speaker

NAYS-2

Steelman Steil

NOT VOTING-0

EXCUSED-7

Bishop Evans Roebuck Williams, A. H.
Corrigan Pettit Thomas

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

SUPPLEMENTAL CALENDAR B

RESOLUTION

Mr. CARN called up **HR 154, PN 1591**, entitled:

A Resolution designating the week of April 27 through May 3, 1997, as "Pay Inequity Awareness Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Bishop	Evans	Roebuck	Williams, A. H.
Corrigan	Pettit	Thomas	

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

The SPEAKER. There will be no further votes today.

REPUBLICAN CAUCUS

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

Mr. FARGO. Thank you, Mr. Speaker.

There will be a Republican caucus immediately upon recess in the majority caucus room.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman, Mr. Cohen, for the Democratic caucus.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there will be a Democratic caucus immediately upon the recess. We will be discussing tomorrow's vote on concurrence on the budget as amended by the Senate. We urge the attendance of all members. We will also be discussing the fetal homicide bill, among other legislation. I urge all members to attend. Thank you.

STATEMENT BY DEMOCRATIC LEADER

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

Will the gentleman yield.

Will the Sergeant at Arms clear the area behind the rail.

The Chair recognizes the gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I will be brief. I just wanted to put a few remarks on the record.

After the gasoline tax increase of last week, with registrations going up and the price of gasoline going up, I wanted to at least put on the record again a couple of observations.

One of those observations is that the length of single trucks will be increased from 48 feet to 53 feet. The length of tandem trucks will be increased from 60 feet to infinity. Triple trailers, theoretically quadruple trailers, could be coming to highways near us. The width of trucks increased from 8 feet to 8½ feet plus 1 foot for mirrors, safety inspections on our big trailers from twice a year to once a year. I think it is important that this litany be recounted today.

Tandem trailers can travel rural roads virtually at will unless there is a sign prohibiting them from a particular road. Mr. Speaker, that prohibition, however, is virtually toothless since this Republican law cuts the fines for trucks that travel these prohibited roads from \$300 to \$50. That means in rural Greene County, if you are going from Aleppo to Ned or from Nineveh to Spraggs and you are traversing a highway that has been signed as prohibitive, your fine will only be \$50. If you are a big logger or you have another commercial enterprise where your cash flow is substantial, \$50 is comparatively inconsequential. Your rural folks down in York County will pay \$300 fines for littering and only \$50 when these rolling behemoths traverse backroads that they do not have any business being on. Highway registration fees apply to family cars this year, right away, but the gasoline tax that you invoked upon our Commonwealth does not take effect upon trucks until next January.

Mr. Speaker, I appreciate the opportunity to share these observations for the record. The trucking industry in this Commonwealth was treated especially well by this proposal, but

in general, I think that the citizenry of Pennsylvania has not been treated well, and again and again and again, Mr. Speaker, we will be inculcating to this Assembly and to our body politic the results of what was done when Governor Ridge and the Republican majority increased gasoline taxes, registration fees in the State of Pennsylvania. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

ADJOURNMENT

The SPEAKER. Does the majority leader or minority leader have any further business before the House?

Any announcements? Any corrections to the record?

Hearing none, the Chair recognizes the gentleman from Dauphin County, Mr. McNaughton.

Mr. McNAUGHTON. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 29, 1997, at 11 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 2:40 p.m., e.d.t., the House adjourned.