COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MAY 13, 1997

SESSION OF 1997 — 181ST OF THE GENERAL ASSEMBLY — No. 34

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

PRAYER

REV. TIMOTHY R. BAER, Chaplain of the House of Representatives and pastor of Fishing Creek Salem United Methodist Church, Etters, Pennsylvania, offered the following prayer:

Shall we pray:

God of power and might, we pray for the President of these United States, for the Governor of this great Commonwealth, for the representatives of the people and all those in authority, that You may rule in their hearts and that they may rightly use the trust committed to them for the good of all the people.

May the urgency of the world's need remind us that promises alone do not feed the hungry nor resolutions without action give shelter to the hurting. Let us not break faith with any of yesterday's promises nor leave unrepaired any of yesterday's wrongs. Show us what we can do to make this Commonwealth a better place in which children, women, and men can live in safety and prosperity.

God, You have made us not as puppets but as persons with minds to think and wills to resolve. Make us willing to think and do with wisdom, clarity, and honesty, guided by Your voice in us and in accord with what is right and just.

We pray in Your holy name. 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 for Monday, May 12, 1997, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, Mr. Snyder, who requests 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 of absence for the gentleman from Philadelphia, Mr. ROEBUCK; the gentleman from Lawrence, Mr. LaGROTTA; the gentleman from Philadelphia, Mr. EVANS; and the gentleman from Philadelphia, Mr. HORSEY, all for today's session. The Chair hears no objection. 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:

PRESENT–198

Adolph	DeWeese	Maitland	Schroder
Allen	DiGirolamo	Major	Schuler
Argall	Donatucci	Manderino	Scrimenti
Armstrong	Druce	Markosek	Semmel
Baker	Eachus	Marsico	Serafini
Bard	Egolf	Masland	Seyfert
Barley	Fairchild	Mayernik	Shaner
Barrar	Fargo	McCall	Smith, B.
Battisto	Feese	McGeehan	Smith, S. H.
Bebko-Jones	Fichter	McGill	Snyder, D. W.
Belardi	Fleagle	McIlhattan	Staback
Belfanti	Flick	McNaughton	Stairs
Benninghoff	Gannon	Melio	Steelman
Birmelin	Geist	Michlovic	Steil
Bishop	George	Micozzie	Stern
Blaum	Gigliotti	Mihalich	Stetler
Boscola	Gladeck	Miller	Stevenson
Boyes	Godshall	Mundy	Strittmatter
Brown	Gordner	Myers	Sturla
Browne	Gruitza	Nailor	Surra
Bunt	Gruppo	Nickol	Tangretti
Butkovitz	Habay	O'Brien	Taylor, E. Z.
Buxton	Haluska	Olasz	Taylor, J.
Caltagirone	Hanna	Oliver	Thomas
Cappabianca	Harhart	Orie	Tigue
Carn	Hasay	Perzel	Travaglio
Carone	Hennessey	Pesci	Trello
Casorio	Herman	Petrarca	Trich
Cawley	Hershey	Petrone	True
Chadwick	Hess	Phillips	Tulli
Civera	Hutchinson	Pippy	Vance
Clark	Itkin	Pistella	Van Horne
Clymer	Jadlowiec	Platts	Veon
Cohen, L. I.	James	Preston	Vitali

Cohen, M.	Jarolin	Ramos	Walko
Colafella	Josephs	Raymond	Washington
Colaizzo	Kaiser	Readshaw	Waugh
Conti	Keller	Reber	Williams, A. H.
Cornell	Kenney	Reinard	Williams, C.
Corpora	Kirkland	Rieger	Wilt
Corrigan	Krebs	Roberts	Wogan
Cowell	Laughlin	Robinson	Wojnaroski
Coy	Lawless	Rohrer	Wright, M. N.
Curry	Lederer	Rooney	Yewcic
Daley	Leh	Ross	Youngblood
Dally	Lescovitz	Rubley	Zimmerman
DeLuca	Levdansky	Sainato	Zug
Dempsey	Lloyd	Santoni	
Dent	Lucyk	Sather	Ryan,
Dermody	Lynch	Saylor	Speaker

NAYS–0

NOT VOTING–0

EXCUSED–5

Evans	LaGrotta	Pettit	Roebuck
Horsey			

LEAVES ADDED–2

Flick Preston

LEAVES CANCELED–1

Horsey

HOUSE BILLS INTRODUCED AND REFERRED

No. 1489 By Representatives ARGALL, BROWNE, ALLEN, FARGO, THOMAS, GEIST, BELARDI, E. Z. TAYLOR, McNAUGHTON, SAINATO, HENNESSEY, McCALL, ROBINSON, YOUNGBLOOD, BARRAR, TRELLO, ROSS, C. WILLIAMS, STABACK, LUCYK, B. SMITH and RAMOS

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

Referred to Committee on EDUCATION, May 13, 1997.

No. 1490 By Representatives REBER, FICHTER, BARD, RUBLEY, SATHER, BATTISTO, MELIO, GODSHALL, TRELLO, HALUSKA, LYNCH, ITKIN, DeLUCA, McCALL, STERN, B. SMITH, ARGALL, BELARDI, DALEY, HENNESSEY, HERSHEY, J. TAYLOR, SCHRODER, SAYLOR, SEMMEL, WAUGH, CORRIGAN, TIGUE, BROWNE, E. Z. TAYLOR, MILLER, BENNINGHOFF, ROSS and ADOLPH

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for the Underground Storage Tank Indemnification Fund; establishing the Clean Air Emissions Loan Program; further providing for the powers and duties of the Underground Storage Tank Indemnification Board; and making a repeal.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, May 13, 1997.

No. 1491 By Representatives DENT, GORDNER, MICOZZIE, SATHER, MELIO, TRELLO, FEESE, NICKOL, ROONEY, FAIRCHILD, DeLUCA, VAN HORNE, DALLY, CORPORA, CLARK, SAYLOR, TIGUE, STERN, PLATTS, RAMOS, ROSS, MASLAND, HALUSKA, CAPPABIANCA, BOSCOLA, WOGAN, MAITLAND, SEMMEL, SCHRODER and BROWNE

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 certain bonding requirements; and making an editorial change.

Referred to Committee on INSURANCE, May 13, 1997.

No. 1492 By Representatives NICKOL, NAILOR, VANCE, FARGO, HUTCHINSON, HERSHEY, DEMPSEY, E. Z. TAYLOR, HESS, SCHRODER, HALUSKA, CLYMER, WAUGH, SATHER, EGOLF, GEIST, MAITLAND, PRESTON, SAYLOR, RUBLEY, MILLER, McNAUGHTON, HENNESSEY, SCHULER, L. I. COHEN, ALLEN, ROSS, McILHATTAN, BARD, BENNINGHOFF, BUNT, LEH, PLATTS and STERN

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

Referred to Committee on EDUCATION, May 13, 1997.

No. 1493 By Representatives STERN, CLARK, GEIST, JAROLIN, HORSEY, THOMAS, FARGO, WAUGH, DeLUCA, BUNT, ITKIN, HENNESSEY, TRELLO, HALUSKA and SERAFINI

An Act amending the act of April 27, 1927 (P.L.450, No.291), referred to as the State Fire Marshal Law, providing for emergency controls at self-service stations.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, May 13, 1997.

No. 1494 By Representatives GODSHALL, LYNCH, BAKER, THOMAS, HENNESSEY, BOSCOLA, WALKO, ROSS, MAITLAND, McNAUGHTON, HERSHEY, WAUGH, STABACK, ROONEY, GEIST, SEMMEL, HASAY, J. TAYLOR, SEYFERT, D. W. SNYDER and ROHRER

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

Referred to Committee on JUDICIARY, May 13, 1997.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House, as the guests of Representative Charles Dent, Esther Bryant and her daughter, Michelle. They are seated to the left of the Speaker. Would the guests please rise.

The family of our Chaplain, who has been serving us so well this past month, Chaplain Timothy Baer, his family is with us today – his wife, Ann; his children, Joshua and Sarah. Would they please rise. They are at the rear of the House.

As the guest of Representative Patricia Vance, we would introduce at this time Lena Katz, a guest page, who is a student at the Camp Hill High School. Would Lena please rise.

In the gallery, as the guests of Representative Leroy Zimmerman of Lancaster County, are George Stroup, the head coach of the Cocalico Senior High School girls varsity basketball team, who was named the Class AAA Eastern Coach of the Year, and the team's tricaptains – Mariam Anthony, Abbie Fabian, and Jackie Slaback – whose team won the school's first Lancaster-Lebanon Section 2 title and District 3 championship. They were in the PIAA final four. Would these guests please rise.

As the guests of Representative Nailor, the Chair welcomes Julius O and Jason Magargle. These guest pages are from Cedar Cliff High School. They are seated in the area in the well of the House. Would these guests please rise.

The Chair is also pleased to recognize, as a guest of Allan Egolf, Dave Barrios, a guest page for the day. Dave attends Susquenita High School. Dave, would you please rise. He is here in the area in front of the Speaker.

JENKINTOWN HIGH SCHOOL DEBATE TEAM PRESENTED

The SPEAKER. The Chair recognizes the gentleman from Montgomery County, Mr. Curry, at this time.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, it is my privilege to introduce to the House today the Pennsylvania debate State champions. The Jenkintown High School debate team won the Pennsylvania High School Speech League State debate championship. This competition took place at Susquehanna University on March 28 and 29.

The winners – who are behind me – at the State level are Tom Peff and John Willemin in the policy debate; Avital Even-Shoshan and Katie Heinz, second place in the State, also in the policy debate; and Tamar Klaiman, who was third place in the State in the Lincoln Douglas debate, and Beth Walkenhorst, who was first and State champion in the original oratory, could not be here.

These six students will compete at the National Catholic Forensics League grand national tournament in Baltimore on May 24 and 25, and Tom, John, Avital, Katie, and Tamar will also compete in the National Forensics League grand national tournament in Bloomington, Minnesota, on June 25.

Thank you.

CHELTENHAM SCHOOL DISTRICT STUDENTS PRESENTED

The SPEAKER. The Chair again recognizes the gentleman from Montgomery County, Mr. Curry.

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, we have here representatives of four problem-solving teams from Cheltenham School District.

Problem solving is a great program, because it teaches a lot of skills that are lifetime skills. What is problem solving about, and how is one trained? Training for this academic sport begins in September and runs throughout the school year.

The training involves two phases. First, students learn or review the problem-solving process. They learn how to brainstorm possible problems and then the solutions based on a specific scenario. Furthermore, they learn how to evaluate their solutions using a self-developed criteria. At the same time the students are examining the problem, they are researching a topic by reading 18 to 25 articles from magazines and the like. Teams practice the process and then work on developing the many levels of thinking skills.

Statewide, there are 500 teams who compete in problem solving. Hard work and dedication have helped make the Cheltenham team outstanding. Five hundred teams competed for a spot at the State competition. Fifteen teams went to the State competition. Four of those fifteen teams were selected to represent the Commonwealth of Pennsylvania at the international competition. All four of the winning teams came from the Cheltenham School District, an accomplishment never before achieved by any other district.

These teams are coached by Judi Harris and Scott Eisner, and representing the different teams are, from Elkins Park, Delilah Harris, also joined in the back of the room by Shanna Bennett, Katia Duey, and Bonnie Ruberg; the Cedarbrook team of Alison Ray, represented by Rebecca Raizman – behind me – and Zach Weintraub; and the Cheltenham High School teams of Katie Rickel – behind me – Amal Bass, Joel Frisch, Michael Mittelman, Adam Furman – also behind me – Janet Rappoport, Michael Olin, and Stephen Segal. Will you problem solvers at the back please stand up.

Will the House give these students a round of applause for this great achievement.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House, as the guests of Representatives Rooney, Snyder, Semmel, Dent, Browne, and Harhart, a group of senior citizens from the Lehigh County area. Would that group please stand to be recognized. Senior citizens from Lehigh County, where are you? There they are.

CALENDAR

RESOLUTION PURSUANT TO RULE 35 POSTPONED

Mr. B. SMITH called up from the postponed calendar **HR 136, PN 1487,** entitled:

A Resolution commemorating the outstanding service of the members of the Armed Guard during World Wars I and II and thanking the surviving crewmen of the Armed Guard for their service.

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

The Chair recognizes the gentleman, Mr. Smith.

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

I will be very brief.

I think it is important that the members are aware that we have Armed Guard veterans from World War II in the well of the House and in the rear of the House. HR 136 honors the Armed Guard, and I want to briefly share with you how I came to be prime sponsor of HR 136, and I am very proud to say there are 80 members who are cosponsors.

I had a letter from a constituent, and he said the Commonwealth of Pennsylvania has never honored Armed Guard veterans of World War II. I called him and I said, I was in grade school during World War II, and I never heard of Armed Guard. HR 136 very well explains what Armed Guard veterans did during World War II. German U-boats were sinking merchant ships, and these individuals that we are honoring with this vote served on those merchant ships at gun stations. In fact, 1,810 Armed Guard servicemen died in World War II.

GUESTS INTRODUCED

Mr. B. SMITH. So, Mr. Speaker, I would like to introduce the people that are with us today, and for the members, they came from all over the State. They came from Pittsburgh, Philadelphia, Wilkes-Barre, so some of your constituents could be among the group. I would like to first introduce the man who contacted me about this idea to honor the Armed Guard, my constituent, James R. Gable, Sr. If you would stand, sir. Also from my legislative district, Edwin J. Kohr. Edwin.

They brought them from all over the State, and in the well we have James Biscarde, who is vice chairman of eastern Pennsylvania – if you will hold your applause, I will introduce all of these – Alex Lombard, who is chairman of the 13 northeastern States; Clinton Barr, chairman of eastern Pennsylvania; Theodore Dingle, vice chairman of the Harrisburg area; Allen Farrara, chairman of the Philadelphia area; Hilary Makowski, chairman of western Pennsylvania; and seated in the back of the House floor, Alvin Kemble, who is the chairman of the Harrisburg area.

I would also like the other Armed Guard veterans who are here and whom I did not introduce and did not have room for down here to rise, and they are accompanied by their spouses. Would the Armed Guard veterans stand.

Mr. Speaker, I respectfully request that all of the members of the House of Representatives, in acknowledgment of the service of these veterans of World War II, vote unanimously for HR 136. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS–197

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

NAYS–0

NOT VOTING–1

Cam

EXCUSED–5

Evans	LaGrotta	Pettit	Roebuck
Horsey			

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

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House as a guest page today Renee Douglas, here as the guest of Representative Ron Marsico. Renee is a student at the Central Dauphin High School. Renee, would you please stand.

RULES COMMITTEE MEETING

The SPEAKER. There will be a meeting of the Rules Committee at 12:30 in the Appropriations Committee conference room.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen.

Mr. COHEN. Mr. Speaker, there will be an immediate meeting of the Democratic Caucus upon the recess. We are going to be voting this afternoon on ComPAC (Committee to Prepare Allegheny County for the 21st Century) legislation which, as those people familiar with Allegheny County know, will be a revolutionary change in Allegheny County government that has statewide significance. So I would strongly urge members of the Democratic Caucus to attend.

REPUBLICAN CAUCUS

The SPEAKER. The gentleman, Mr. Fargo.

Mr. FARGO. There will be a brief meeting of the Republican Caucus immediately upon the recess.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Reinard.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, I would like to submit some comments for a matter of record.

The SPEAKER. The gentleman's remarks will be submitted for the record.

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 names of Todd Christian Auwarter, Matthew David Kauffman, Nevin N. Leung, and Gary V. Leung, who have 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 Todd Christian Auwarter, Matthew David Kauffman, Nevin N. Leung, and Gary V. Leung.

Whereas, Todd Christian Auwarter, Matthew David Kauffman, Nevin N. Leung, and Gary V. Leung 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 these young men. They are members of Troops 145, 139, and 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 names of Todd Christian Auwarter, Matthew David Kauffman, Nevin N. Leung, and Gary V. Leung.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House a group of fifth graders from Jenkintown, here today as the guests of Representative Curry. Would these guests please rise.

This is Curry Day in the Capitol, I think.

RECESS

The SPEAKER. Does the majority leader or minority leader have any further business? Any announcements by committee chairmen of meetings? Any corrections to the record?

Hearing none, it is the intention of the Chair to declare the House in recess until 1:30. This House will stand in recess until 1:30, unless sooner recalled by the Chair or extended by the Chair.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (J. SCOT CHADWICK) PRESIDING

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 329, PN 1794,** with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 184, PN 1060.**

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 12, 1997

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 2, 1997, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, June 2, 1997, 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.

COMMUNICATIONS FROM GOVERNOR

APPROVAL OF HOUSE BILLS

The Speaker pro tempore 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 856, HB 857, HB 858, HB 859, HB 860, HB 861, HB 862, HB 863, HB 864, HB 865, HB 866, HB 867, HB 868, HB 869, HB 870, HB 871, HB 872, HB 873, HB 874, HB 875, HB 876, HB 877, HB 878, HB 879, HB 880, HB 881, HB 882, HB 883, HB 884, HB 885, HB 886, HB 887, HB 888, HB 889, HB 890, and **HB 891.**

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 437, PN 1805 (Amended) By Rep. GANNON

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for aggravated assault and for use of tear or noxious gas in labor disputes.

JUDICIARY.

HB 836, PN 936 By Rep. HERMAN

An Act amending the act of December 17, 1986 (P.L.1693, No.202), known as the New Home Construction Local Tax Abatement Act, further providing for the procedure for obtaining an exemption.

LOCAL GOVERNMENT.

HB 1059, PN 1181 By Rep. GANNON

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for orders for protection from domestic abuse.

JUDICIARY.

HB 1173, PN 1808 (Amended) By Rep. HERMAN

An Act creating a Uniform Construction Code; imposing powers and duties on municipalities and the Department of Labor and Industry; providing for enforcement; imposing penalties; and making repeals.

LOCAL GOVERNMENT.

HB 1176, PN 1580 By Rep. HERMAN

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.

LOCAL GOVERNMENT.

HB 1272, PN 1804 (Amended) By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the possession of weapons on school property.

JUDICIARY.

HB 1412, PN 1803 (Amended) By Rep. GANNON

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for responsibilities of law enforcement agencies and court-ordered relief.

JUDICIARY.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 329, PN 1794 By Rep. PERZEL

An Act amending the act of July 28, 1953 (P.L.723, No. 230), known as the Second Class County Code, requiring a jointly appointed tax collector for a certain home rule municipality and school district in counties of the second class; further providing for the membership of boards of managers for monuments and memorials to war veterans; and providing for charters in second class counties.

RULES.

RESOLUTION REPORTED FROM COMMITTEE

HR 167, PN 1773 By Rep. PERZEL

A Concurrent Resolution requiring creation of a task force to study the cost, effectiveness and equity of alternative means of providing law enforcement within Commonwealth municipalities.

RULES.

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 1173 be moved off the tabled calendar and onto the active calendar.

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

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that HB 1173 be recommitted to the Committee on Appropriations.

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

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER pro tempore. 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.)

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Itkin, who requests that the gentleman, Mr. Horsey, from Philadelphia County be placed on the master roll. The Chair hears no objection, and the request will be granted.

CALENDAR CONTINUED

RESOLUTIONS PURSUANT TO RULE 35

Mrs. TAYLOR called up **HR 170, PN 1787**, entitled:

A Resolution declaring May 12 through 16, 1997, as "Lyme Disease Awareness Week" in this Commonwealth.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–197

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

NAYS–0

NOT VOTING–2

Gruitza	Williams, C.

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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

* * *

Mrs. BROWN called up **HR 171, PN 1788,** entitled:

A Resolution designating the week of May 18 through 24, 1997, as "Emergency Medical Services Week" in Pennsylvania; designating May 18, 1997, as "City Recognition and Appreciation Day" in Pennsylvania; and designating May 24, 1997, as "Emergency Medical Services Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–198

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

NAYS–0

NOT VOTING–1

Robinson

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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

* * *

Mr. MASLAND called up **HR 172, PN 1789,** entitled:

A Resolution proclaiming the week of May 11 through 17, 1997, as "MADD Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–197

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

Dally	Leh	Sainato	Zug
DeLuca	Lescovitz	Santoni	
Dempsey	Levdansky	Sather	Ryan,
Dent	Lloyd	Saylor	Speaker
Dermody	Lucyk	Schroder	

NAYS–0

NOT VOTING–2

McGeehan	Robinson

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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

* * *

Mrs. COHEN called up **HR 173, PN 1790,** entitled:

A Resolution declaring May 12 through 16, 1997, as "Try Transit Week" in Pennsylvania; and encouraging all citizens to examine their personal travel choices and to commute via transit or share the ride.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–197

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

NAYS–0

NOT VOTING–2

Bebko-Jones	Robinson

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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

* * *

Mr. GODSHALL called up **HR 175, PN 1792,** entitled:

A Resolution designating Sunday, June 1, 1997, as "National Cancer Survivors Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–199

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

NOT VOTING–0

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair is informed that today is the birthday of Representative Tony Melio from Bucks County, and the Chair would like to extend its congratulations to the gentleman.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 118, PN 1626**, entitled:

An Act amending the act of December 19, 1974 (P.L.973, No.319), known as the Pennsylvania Farmland and Forest Land Assessment Act of 1974, further providing for preferential assessments and for determinations of amounts of taxes when use abandoned.

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

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

The question is, shall the bill pass finally?

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

YEAS–198

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

NAYS–0

NOT VOTING–1

Youngblood

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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.

* * *

BILL PASSED OVER

The SPEAKER pro tempore. HB 1345 will be over for the day.

* * *

The House proceeded to third consideration of **HB 1375, PN 1616**, entitled:

An Act amending the act of December 13, 1982 (P.L.1127, No.257), referred to as the Commonwealth Agency Adjudicatory Expenses Award Law, extending the expiration date of the act.

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

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

The question is, shall the bill pass finally?

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

NAYS–0

NOT VOTING–0

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome the president of the Spring Cove School Board, Gary Stern, and his family: his wife, Anne, and P.J. and Jenny, from Martinsburg, Pennsylvania. They are here today as the guests of Representative Jerry Stern, and they are seated in the balcony. Would they please rise. Welcome to the hall of the House.

FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise members that he has given permission to Dave Thomas of channel 13 news to videotape with audio House floor proceedings for the next 10 minutes.

SUPPLEMENTAL CALENDAR B

RESOLUTIONS PURSUANT TO RULE 35

Mr. HASAY called up **HR 176, PN 1806,** entitled:

A Resolution designating the week of June 2 through 8, 1997, as "Electric Technologies Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS–199

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

NAYS–0

NOT VOTING–0

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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

* * *

Mr. STERN called up **HR 177, PN 1807,** entitled:

A Resolution honoring the memory of the six police officers who gave their lives in the line of duty in this Commonwealth in 1996 and recognizing the memorial service in their honor in Martinsburg, Blair County, on May 18, 1997.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On the resolution, the Chair recognizes the gentleman from Philadelphia County, Mr. Horsey.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, this is a very, very important resolution, and it is a reminder that no matter where you are – in an urban area, a rural area, a suburban area – the number one problem, not just in the area where you live but all over this country, Mr. Speaker, is crime. Crime kills, Mr. Speaker, and this resolution addresses indirectly the issue of crime.

Mr. Speaker, I urge a positive vote on HR 177. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton County, Mr. Rooney, on the resolution.

Mr. ROONEY. Thank you, Mr. Speaker.

I, and I am sure along with other members on both sides, did not have an opportunity to sign on to this resolution. I was wondering if it could be left open at the desk for those of us who have not had the opportunity.

The SPEAKER pro tempore. The Chair must reluctantly advise the gentleman that the resolution is already in print and it is too late to allow that to happen. The Chair apologizes to the gentleman.

Mr. ROONEY. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Horsey, for the second time on the resolution.

Mr. HORSEY. A parliamentary inquiry, Mr. Speaker.

Is there any way at all that this resolution can be open for members to sign on? Is there any technical way it can be open?

The SPEAKER pro tempore. The Chair wishes there were. Unfortunately, it is already in print, and there is no way to do that.

Mr. HORSEY. Well, Mr. Speaker, may I speak on the resolution?

Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman can send an additional sponsor sheet in, and the gentleman's name will appear in the History as having been a cosponsor. But unless the resolution is reprinted, which it would not be, the gentleman's name would not appear on the resolution. But the gentleman does have the right to send in an additional cosponsor sheet, and the gentleman's name would appear in the History as a cosponsor.

Mr. HORSEY. Thank you, Mr. Speaker.

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

Mr. STERN. Mr. Speaker, by word of explanation, I just would like to indicate to the Chair that we were under time restraints with issuing this House resolution, and for that I apologize to the other members. But we have a memorial service for the police officers this Sunday in my legislative district, and I wanted to apologize to the other members that may not have had the opportunity to get their names listed on this resolution.

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–199

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

NAYS–0

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

YEAS–199

Adolph	DiGirolamo	Maitland	Schroder
Allen	Donatucci	Major	Schuler
Argall	Druce	Manderino	Scrimenti
Armstrong	Eachus	Markosek	Semmel
Baker	Egolf	Marsico	Serafini
Bard	Fairchild	Masland	Seyfert
Barley	Fargo	Mayernik	Shaner
Barrar	Feese	McCall	Smith, B.
Battisto	Fichter	McGeehan	Smith, S. H.
Bebko-Jones	Fleagle	McGill	Snyder, D. W.
Belardi	Flick	McIlhattan	Staback
Belfanti	Gannon	McNaughton	Stairs
Benninghoff	Geist	Melio	Steelman
Birmelin	George	Michlovic	Steil
Bishop	Gigliotti	Micozzie	Stern
Blaum	Gladeck	Mihalich	Stetler
Boscola	Godshall	Miller	Stevenson
Boyes	Gordner	Mundy	Strittmatter
Brown	Gruitza	Myers	Sturla
Browne	Gruppo	Nailor	Surra
Bunt	Habay	Nickol	Tangretti
Butkovitz	Haluska	O'Brien	Taylor, E. Z.
Buxton	Hanna	Olasz	Taylor, J.
Caltagirone	Harhart	Oliver	Thomas
Cappabianca	Hasay	Orie	Tigue
Carn	Hennessey	Perzel	Travaglio
Carone	Herman	Pesci	Trello
Casorio	Hershey	Petrarca	Trich
Cawley	Hess	Petrone	True
Chadwick	Horsey	Phillips	Tulli
Civera	Hutchinson	Pippy	Vance
Clark	Itkin	Pistella	Van Horne
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Cohen, L. I.	James	Preston	Vitali
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Daley	Leh	Ross	Youngblood
Dally	Lescovitz	Rubley	Zimmerman
DeLuca	Levdansky	Sainato	Zug
Dempsey	Lloyd	Santoni	
Dent	Lucyk	Sather	Ryan,
Dermody	Lynch	Saylor	Speaker
DeWeese			

NAYS–0

NOT VOTING–0

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. For what purpose does the gentleman from Delaware County, Mr. Barrar, rise?

Mr. BARRAR. Mr. Speaker, I would like to submit remarks for the record, please.

The SPEAKER pro tempore. The Chair thanks the gentleman. The gentleman will submit his remarks to the clerk.

Mr. BARRAR. Thank you.

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

Thank you, Mr. Speaker.

HB 1375 proposes to extend for a period of 10 years Act 257 of 1982, the Commonwealth Agency Adjudicatory Expense Award Law, which will expire on June 30 of this year.

Act 257 helps protect small businesses from unreasonable and unjustifiable legal action brought by certain Commonwealth agencies. This act allows for the recovery of legal fees and other expenses when a private party prevails in a court action brought by an agency of the Commonwealth.

This act has served the small business community well and should be continued. I ask for an affirmative vote.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1414, PN 1752,** entitled:

An Act establishing the Export Financing Loan Fund in the Department of Community and Economic Development to provide financial assistance to small businesses; establishing a special account in the Treasury Department; and providing for special accounts in banks or trust companies.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS–199

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

Boscola	Godshall	Miller	Stevenson
Boyes	Gordner	Mundy	Strittmatter
Brown	Gruitza	Myers	Sturla
Browne	Gruppo	Nailor	Surra
Bunt	Habay	Nickol	Tangretti
Butkovitz	Haluska	O'Brien	Taylor, E. Z.
Buxton	Hanna	Olasz	Taylor, J.
Caltagirone	Harhart	Oliver	Thomas
Cappabianca	Hasay	Orie	Tigue
Carn	Hennessey	Perzel	Travaglio
Carone	Herman	Pesci	Trello
Casorio	Hershey	Petrarca	Trich
Cawley	Hess	Petrone	True
Chadwick	Horsey	Phillips	Tulli
Civera	Hutchinson	Pippy	Vance
Clark	Itkin	Pistella	Van Horne
Clymer	Jadlowiec	Platts	Veon
Cohen, L. I.	James	Preston	Vitali
Cohen, M.	Jarolin	Ramos	Walko
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Corpora	Kirkland	Rieger	Wilt
Corrigan	Krebs	Roberts	Wogan
Cowell	Laughlin	Robinson	Wojnaroski
Coy	Lawless	Rohrer	Wright, M. N.
Curry	Lederer	Rooney	Yewcic
Daley	Leh	Ross	Youngblood
Dally	Lescovitz	Rubley	Zimmerman
DeLuca	Levdansky	Sainato	Zug
Dempsey	Lloyd	Santoni	
Dent	Lucyk	Sather	Ryan,
Dermody	Lynch	Saylor	Speaker
DeWeese			

NAYS–0

NOT VOTING–0

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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.

LABOR RELATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery County, Mr. Gladeck, for the purpose of announcing a committee meeting.

Mr. GLADECK. Thank you, Mr. Speaker.

I would like to call a meeting of the House Labor Relations Committee in room 39 at the close of session today to consider two bills, HB 94 and HB 1475. Thank you.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 507, PN 1624,** entitled:

An Act regulating tanning facilities; providing for the registration of persons operating tanning facilities; requiring that certain warnings be given and safeguards be taken; providing penalties; and making a repeal.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the lady from Chester County, Representative Taylor.

Mrs. TAYLOR. Mr. Speaker, I will be very brief, but I feel that I should bring to the attention of the members the importance of this bill.

We have had an alarming explosion of skin cancers in recent years, and this bill is being offered as a means to regulate businesses who offer tanning facilities.

Understanding the risks associated with tanning is important, and I believe that we need to do everything we can to help with the health problems. Among the biggest group at risk are young people, and melanoma is more common than any non-skin cancer among people between the ages of 25 and 29.

There are many new cases of skin cancer diagnosed in the United States. Recent studies show perhaps even 1 million new cases.

We want tanning salons in Pennsylvania to be among the safest, and I would encourage an affirmative vote on this piece of legislation.

Thank you very much, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

YEAS–199

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

Boscola	Godshall	Miller	Stevenson
Boyes	Gordner	Mundy	Strittmatter
Brown	Gruitza	Myers	Sturla
Browne	Gruppo	Nailor	Surra
Bunt	Habay	Nickol	Tangretti
Butkovitz	Haluska	O'Brien	Taylor, E. Z.
Buxton	Hanna	Olasz	Taylor, J.
Caltagirone	Harhart	Oliver	Thomas
Cappabianca	Hasay	Orie	Tigue
Carn	Hennessey	Perzel	Travaglio
Carone	Herman	Pesci	Trello
Casorio	Hershey	Petrarca	Trich
Cawley	Hess	Petrone	True
Chadwick	Horsey	Phillips	Tulli
Civera	Hutchinson	Pippy	Vance
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Cohen, M.	Jarolin	Ramos	Walko
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Corrigan	Krebs	Roberts	Wogan
Cowell	Laughlin	Robinson	Wojnaroski
Coy	Lawless	Rohrer	Wright, M. N.
Curry	Lederer	Rooney	Yewcic
Daley	Leh	Ross	Youngblood
Dally	Lescovitz	Rubley	Zimmerman
DeLuca	Levdansky	Sainato	Zug
Dempsey	Lloyd	Santoni	
Dent	Lucyk	Sather	Ryan,
Dermody	Lynch	Saylor	Speaker
DeWeese			

NAYS–0

NOT VOTING–0

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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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BILLS PASSED OVER

The SPEAKER pro tempore. HB 558 and HB 162 will be over for the day.

* * *

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. Page 3 of today's calendar. HB 402 will be over temporarily.

* * *

The House proceeded to third consideration of **HB 231, PN 253**, entitled:

An Act amending the act of May 16, 1921 (P.L.579, No.262), referred to as the County Prison Board Law, further providing for the board of prison inspectors; and making editorial changes.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS–199

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

NAYS–0

NOT VOTING–0

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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.

MOTION TO SUSPEND RULES

Mr. WALKO. Mr. Speaker?

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

Mr. WALKO. Mr. Speaker, I rise to make a motion to suspend the rules to call up HB 1258 for a vote today. It was marked for a vote yesterday at 10:01 a.m., and at 2:14 p.m. it was marked on both calendars for a vote, and I would respectfully request that we vote on this bill, which is a Vehicle Code, which would enable us to undo some of the monster-truck provisions which were snuck into HB 67, which was the gas tax hike and registration fee hike.

I believe it is very important we act—

The SPEAKER pro tempore. Will the gentleman suspend until we get to that bill. There is still one more bill between where we are on the calendar and that bill.

Mr. WALKO. Thank you, Mr. Speaker.

At the appropriate time, I would like to object to going over the bill.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 270, PN 300,** entitled:

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

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that HB 270 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

HB 1258 PASSED OVER

The SPEAKER pro tempore. HB 1258, PN 1411. Without objection, the bill will be over for the day.

OBJECTION TO BILL PASSED OVER

Mr. WALKO. Mr. Speaker, I object.

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

Mr. WALKO. Mr. Speaker, I object to going over HB 1258 because it presents an excellent opportunity for this House of Representatives to rehabilitate itself, to address some of the many monster-truck provisions which were snuck into HB 67 on the late-night escapade in which we hiked gas taxes in Pennsylvania. I believe this Vehicle Code legislation would provide an excellent vehicle to allow us to recant, rehabilitate, and repeal those provisions which are due to kick in on June 17 of 1997.

As I had discussed, in reference to the city of Troy in Greece – not the University of Troy in Alabama – that that bill was snuck into this House like a Trojan horse, and out of that horse jumped a number of soldiers—

The SPEAKER. Will the gentleman suspend for one moment.

Since the bill is not on the voting schedule for today, the gentleman would have to move to suspend the rules to call the bill up.

PARLIAMENTARY INQUIRY

Mr. WALKO. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state the point.

Mr. WALKO. The bill was listed for a vote on yesterday's calendar at 12:01 and then again on the House calendar for a vote at 2:14 p.m. Does that not constitute the fact that it was prepared for a vote and we were ready?

The SPEAKER pro tempore. No. The bill is not on today's voting schedule. The gentleman would have to move to suspend the rules.

MOTION TO SUSPEND RULES

Mr. WALKO. Mr. Speaker, I would move to suspend the rules to allow us to vote upon HB 1258.

The SPEAKER pro tempore. The gentleman moves to suspend the rules of the House so that he may call up immediately HB 1258, PN 1411.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that motion, the Chair recognizes the majority leader, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, in my spare time yesterday, I was going through the Legislative Journals, and I saw that HB 5, conference committee report, 1983 – PN 1404, for the members – which

passed this House 136 to 59, with the Democrats being in charge, Mr. Speaker – Mr. Irvis was the majority leader at the time, I believe, or the Speaker; I forget which one – that was signed into law by Governor Thornburgh as Act 19 of 1983, and along with the provisions in that bill, Mr. Speaker, it allowed 53-foot-long trucks, 102 inches wide, on Pennsylvania interstates and designated highways, Mr. Speaker. It allowed tandem trucks, two 28½-feet-long trailers and tractors, on interstates and designated highways.

Five members of the current Democrat leadership here today voted for that conference committee report, Mr. Speaker, including the current minority leader, the whip, the Appropriations chairman, the caucus chairman, and the caucus secretary. I am not allowed to use their names, so I will not use their names. The question is, I do not know who has amnesia, Mr. Speaker. This passed 136, as I said, to 59, and that was 1983, Mr. Speaker, not 1997. I guess that some of the members on the other side of the aisle forgot that they cast that vote. We do have a list of everybody that voted for it, if they would like to take a look at that.

Mr. Speaker, the trucks that we keep talking about are no wider than any bus that is allowed to travel any highway in Pennsylvania. That is a fact, Mr. Speaker.

Locally, municipalities and townships can still ban any trucks from these roads. We have not changed that, despite what has been said here, Mr. Speaker.

Again, this bill passed 136 to 59, with the Democrats in charge. They put the monster trucks on the road, if that is what we are complaining about, Mr. Speaker.

I would ask for a "no" vote.

Mr. WALKO. Mr. Speaker, on the issue—

The SPEAKER pro tempore. Will the gentleman suspend.

Only the leaders can debate this, unless the gentleman, Mr. DeWeese, is willing to defer. Apparently the gentleman is. The gentleman, Mr. Walko, is in order.

Mr. WALKO. Thank you, Mr. Speaker.

On the issue of suspension of the rules, regarding past votes, in 1983 I was a general practicing attorney in the North Side of Pittsburgh, and I remember being opposed to those votes.

And I, again, think that the real issue here is, we acted hastily. Many of us did not understand those provisions. I supported a motion to recommit; many of my colleagues did not.

Now there is a presumptive change on the— The presumption is that if it is not posted, these big trucks can roll down those little roads. The presumption is against the safety of the public. I want the presumption to be for the safety of the public: You must have a map which says you can ride on that road or do not go down that road. Let us presume for the safety of the public.

PennDOT has an enormous administrative nightmare to accomplish by June 17. They are going to post 10,000 to 20,000 miles of rural roads in Pennsylvania. I do not believe they can do it. The presumption is, under this new law, that if a road is not posted, it is okay to drive down it. And if it was not posted and it should have been, because there is a nursing-care home, because there is a playground, if it should have been posted and it was not, then it is only a $50 fine. It used to be a $300 fine. Take your chances on a $50 fine, summary offense.

I think those are very dangerous provisions. Notwithstanding the whistles that I hear in the background, I think this is a very important issue that we must confront, because lives of Pennsylvanians are at stake and the safety of our families is at stake.

And I thank you, and I feel that it is very important that we suspend, vote HB 1258 and amendments. Thank you, Mr. Speaker.

Mr. PERZEL. Mr. Speaker?

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

Mr. PERZEL. Thank you, Mr. Speaker.

If it is safe for buses carrying people, it should be safe for trucks of the same size; if it is safe for Winnebagos to travel down those same highways with the same 102 inches, Mr. Speaker.

Again, this thing has passed in 1983 and it passed in 1997. I would strongly suggest that we oppose the motion to suspend the rules.

Mr. WALKO. On the issue of suspension, Mr. Speaker?

The SPEAKER pro tempore. Mr. Walko.

Mr. WALKO. Thank you, Mr. Speaker.

If there is a Winnebago, why add two trucks to it? If there are buses, why add trucks to it? Why make it less safe?

I feel it is very important that we recant, rehabilitate, and repeal. Thank you, Mr. Speaker.

I would like an affirmative vote.

The SPEAKER pro tempore. Those in favor of the motion to suspend the rules to allow the gentleman to call up HB 1258 will vote "aye"; those opposed to the gentleman's motion will vote "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS–102

Battisto	DeWeese	McCall	Shaner
Bebko-Jones	Donatucci	McGeehan	Staback
Belardi	Eachus	Melio	Stairs
Belfanti	George	Michlovic	Steelman
Bishop	Gigliotti	Mihalich	Stetler
Blaum	Gordner	Mundy	Stevenson
Boscola	Gruitza	Myers	Sturla
Brown	Haluska	Olasz	Surra
Butkovitz	Hanna	Oliver	Tangretti
Buxton	Herman	Orie	Thomas
Caltagirone	Horsey	Pesci	Tigue
Cappabianca	Itkin	Petrarca	Travaglio
Carn	James	Petrone	Trello
Casorio	Jarolin	Pippy	Trich
Cawley	Josephs	Pistella	Van Horne
Cohen, M.	Kaiser	Preston	Veon
Colafella	Keller	Ramos	Vitali
Colaizzo	Kirkland	Readshaw	Walko
Corpora	Laughlin	Rieger	Washington
Corrigan	Lederer	Roberts	Williams, A. H.
Cowell	Lescovitz	Robinson	Williams, C.
Coy	Levdansky	Rooney	Wogan
Curry	Lloyd	Sainato	Wojnaroski
Daley	Lucyk	Santoni	Yewcic
DeLuca	Manderino	Scrimenti	Youngblood
Dermody	Markosek		

NAYS–96

Adolph	Druce	Lynch	Schroder
Allen	Egolf	Maitland	Schuler
Argall	Fairchild	Major	Semmel
Armstrong	Fargo	Marsico	Serafini

Baker	Feese	Masland	Seyfert
Bard	Fichter	McGill	Smith, B.
Barley	Fleagle	McIlhattan	Smith, S. H.
Barrar	Flick	McNaughton	Snyder, D. W.
Benninghoff	Gannon	Micozzie	Steil
Birmelin	Geist	Miller	Stern
Boyes	Gladeck	Nailor	Strittmatter
Browne	Godshall	Nickol	Taylor, E. Z.
Bunt	Gruppo	O'Brien	Taylor, J.
Carone	Habay	Perzel	True
Chadwick	Harhart	Phillips	Tulli
Civera	Hasay	Platts	Vance
Clark	Hennessey	Raymond	Waugh
Clymer	Hershey	Reber	Wilt
Cohen, L. I.	Hess	Reinard	Wright, M. N.
Conti	Hutchinson	Rohrer	Zimmerman
Cornell	Jadlowiec	Ross	Zug
Dally	Kenney	Rubley	
Dempsey	Krebs	Sather	Ryan,
Dent	Lawless	Saylor	Speaker
DiGirolamo	Leh		

NOT VOTING–1

Mayernik

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

* * *

The House proceeded to third consideration of **HB 1341, PN 1623,** entitled:

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

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

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

The question is, shall the bill pass finally?

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

YEAS–199

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

NAYS–0

NOT VOTING–0

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome to the House four guests who are here today as guests of Representative Todd Eachus from Luzerne County. They are Anna K. Misiolek from Gorzow, Poland; Thomas Kopetskie and Henry and Leona Kreisl from Hazleton. Anna is here representing her city in Poland, which is a sister city of Hazleton. They are in the gallery. Would they please rise. Welcome to the hall of the House.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

VOTE CORRECTION

The SPEAKER. For what purpose does the lady, Ms. Youngblood, seek recognition?

Ms. YOUNGBLOOD. Mr. Speaker, I rise on HB 118, PN 1626. My button malfunctioned. I would like to be reported in the affirmative.

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

Ms. YOUNGBLOOD. Thank you.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1426, PN 1704,** entitled:

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, further providing for homeowner's emergency assistance.

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

Mr. **VITALI** offered the following amendment No. **A2099**:

Amend Bill, page 15, by inserting after line 30
Section 6. The act is amended by adding a section to read:
Section 509-A. Bond Services.–(a) Any and all bond services performed for the agency which cannot be performed by employes of the agency shall be contracted with and performed by the bond service provider submitting the lowest responsible bid.
(b) For each bond service required to be performed for the agency, the agency shall distribute a request for proposal requiring a written response.
(c) After each bond service provider is selected, the agency shall issue a written report of the selection of the service provider and the basis therefor. A copy of the request for proposal and the responses thereto shall be made a part of the report. This report shall be made available to the public.
(d) As used in this act, the following words and phrases shall have the meanings given to them in this subsection:
"Bond services." Legal, financial and other services by a bond service provider rendered in conjunction with any bonds issued.
"Bond service provider." Any bond counsel, financial adviser, underwriter, loan and transfer agent, verification agent or printer who provides bond services.
Amend Sec. 6, page 16, line 1, by striking out "6" and inserting
7

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

The SPEAKER. Will the gentleman, Mr. Vitali, come to the desk.

(Conference held at Speaker's podium.)

The SPEAKER. The House will come to order.

The Chair recognizes the gentleman, Mr. Vitali, on the amendment.

Mr. VITALI. Thank you, Mr. Speaker.

I will be brief.

This amendment involves competitive bidding for bond work issued by the Pennsylvania Housing Finance Agency.

As this House knows, the Pennsylvania Finance Agency is a substantial issuer of bonds. To date, unfortunately, these bonds have been given to those with political connections to the Governor's Office. Bond counsel fees for bonds issued by the Pennsylvania Housing Finance Agency have been issued at a rate that is, in my view, at least four times the rate that would be paid if these bonds were competitively bid.

What this amendment would do would be to require that all bond work – and there are six categories of bond work – all bond work that is not done in-house by the Pennsylvania Housing Finance Agency be put out to bid and that the lowest responsible bidder would need to be selected. "Lowest responsible bidder" does not mean lowest bidder, and it does give discretion to the Pennsylvania Housing Finance Agency in selecting among qualified bidders.

In 1996 – and I want to bring this point up, and I made allusion to it on the floor last week – in 1996 over $447,000 in bond counsel fees went to the law firm of Blank Rome. Now, I have spoken with the executive from the Pennsylvania Housing Finance Agency. I have spoken with the executive director of the Pennsylvania Housing Finance Agency, and he indicated to me that he was directed to choose Blank Rome by the chief counsel for the Governor. It was the chief counsel for the Governor – the General Counsel for the Governor, rather, who directed that Blank Rome be chosen. The General Counsel for the Governor is a former partner in Blank Rome. Another partner in Blank Rome was also head of the Ridge Transition Team and a substantial Ridge contributor. That partner also was instrumental in having the Governor's General Counsel appointed.

This raises a very disturbing appearance of self-dealing. This sort of political payback is the reason why, in particular with the Pennsylvania Housing Finance Agency, we need competitive bidding. But in addition to this political payback elimination, there is another very good reason for competitive bidding for the Pennsylvania Housing Finance Agency bond issues, and that is the cost of these bonds.

Another State which has competitive bidding, Maryland, caps bond counsel fees at about $15,000 per issue. I am looking at a printout for bond counsel fees paid to Blank Rome, and they range from $65,750 per issue to $92,300 per issue. We are paying many multiples more than we need to because we are not competitively bidding this work.

You may recall that the Legislative Budget and Finance Committee, a House-Senate joint committee, recently investigated another commission, the Pennsylvania Turnpike Commission, and in its April report concluded that competitive bidding was recommended for that agency.

I would submit that if we want to do a service to the taxpayers, if we want to save the taxpayers money, if we want to make the election process more fair, if we want to take politics out of this system, we have the Pennsylvania Housing Finance Agency bid out its bond work, so I would ask for a "yes" vote on this amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the Vitali amendment.

My constituents that buy State bonds, municipal bonds, et cetera, want to have a confidence not only in their broker but also in the law firm that draws the bonds up.

As chairman of the House Commerce Committee, I do not want to jeopardize the excellent sale we have of our State bonds; I do not want to have the people that purchase those bonds have a question in their mind about the confidence and the security and the credibility of our Pennsylvania municipal bonds. So I am asking for a "no" vote on this amendment.

The sale of our bonds with the Turnpike Commission, with the school municipalities as well, is very, very important, and it has been very, very successful on these tax-free State bonds. So I am asking for a "no" vote, Mr. Speaker. Thank you.

The SPEAKER. The gentleman, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I would like the members to take note of the fact that this particular amendment is offered to a bill that members of both parties on the Urban Affairs Committee and others in this Capitol and thousands of folks across the Commonwealth are concerned about this legislation.

Mr. Speaker, with so few legislative days left, I am opposed to any amendment that would jeopardize the passage of this bill, which serves to secure this particular housing program for thousands of Pennsylvanians who now participate in it and who will need to participate in it in the future.

This particular amendment is not new to us. We hear it over and over. Hopefully this House realizes that there is more going on in this Commonwealth, more going on in this legislative body, than the bidding of bond work.

It is time to move on, on everything we deal with in this House. This is not part of it. I would ask that we oppose this amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

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

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

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, I was wondering, has the gentleman from Delaware County ever confronted the Governor's chief counsel, or the Governor's General Counsel, and asked for an explanation as to how the bond work is given out?

Mr. VITALI. Mr. Speaker, I have spoken with the executive director of the Pennsylvania Housing Finance Agency, Mr. Brian Hudson, and he has explained his procedure for how they give out their work. I have spoken with the Turnpike Commission. They have explained to me how they give out their work. I have spoken with Art Heilman from the Governor's Office. He has explained to me how they give out their work. I have spoken with each of the agencies. I have spoken with PHEAA (Pennsylvania Higher Education Assistance Agency). They have explained to me how they have given out their work. So I am familiar with the process.

And what Brian Hudson, from the Pennsylvania Housing Finance Agency, has told me is that he basically gets direction from the Governor's chief counsel as to whom to select. There is no negotiation process; there is no bidding. It is simply, he is directed whom to pick; he is given one name and he picks it.

Mr. LAWLESS. Mr. Speaker, on the amendment, please?

The SPEAKER. The gentleman is recognized.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, I heard that the gentleman from Delaware County spoke to just about everyone except the person which he chooses to attack on this issue. We heard last week him mention the General Counsel's name, we hear again today in his opening statement where he goes after the General Counsel, but yet he has not addressed this issue with the General Counsel.

I rise in support of Representative Taylor, who suggested we should defeat this amendment today. I am a person who has supported Representative Vitali on this issue a number of times that he has brought this up before the floor. However, I do not believe that today is the time to be doing this type of business. And I would hope that he would take the first step and go to the Governor's Office and speak to the General Counsel, and perhaps we can take care of the matter outside of this House.

Thank you, Mr. Speaker.

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

Mr. DeWEESE. Thank you, Mr. Speaker.

Vis-a-vis the remarks of the previous speaker from Montgomery, I also have a very high opinion of the Governor's General Counsel, and I would like that remark to undergird my quick observation of this debate.

Competitive bid, competitive bid – I do not know what it is that you do not like. Is it the noun or the adjective?

How can you, Republican members, not be in favor of the competitive bid? You are achingly close, through the last 200 years, from the Federalists to the Reagan Revolution, to the business community, and good business principles inherently would favor the competitive bid.

Now, notwithstanding the protestations from the gentleman from Luzerne, the chairman of the Commerce Committee, who said that he was worried about confidence and credibility of buyers, this is a big State with a sound State government, with professionals at every level of Commonwealth employment, and the chairman's apprehensions could be allayed by a methodology whereby people who were involved in the competitive bid would be qualified, would be credible, would be people that your potential buyers would have confidence in. The gentleman's argument, the gentleman who chairs the committee's argument is worthwhile, but it becomes specious when you realize that we could have in this process a group of people who would make certain that all of the people that the gentleman from Delaware wants to have bidding competitively would be qualified.

Now, the gentleman from Philadelphia, a little while ago, said he did not want to jeopardize this bill. I do not either. The last time I checked, this was only the middle of May, and we are going to be around week after week after week after week, somewhere until the middle or later part of June. So that argument is not necessarily sound.

Competitive bid among qualified bidders, with the State of Pennsylvania deciding who is going to be qualified. At least, at least it is better than the system we have now, where they get one name from some group of political chieftains and that name is accepted.

The gentleman from Delaware County is trying to reform government. In fact, we had a few people on this floor that switched aisles because they wanted reform, they wanted to clean up government. Well, now is a good chance. You are probably, Mr. Speaker, not going to have the chance to clean up government in Pennsylvania any better, any better, than you will in the next few minutes.

The competitive bid for tens of millions of dollars at the turnpike or big construction problems throughout this State are right now in the hands of this man and our vote, and I would admonish the members of this Assembly to embrace the gentleman's effort.

Thank you, Mr. Speaker.

Mr. HASAY. Mr. Speaker? Mr. Speaker?

The SPEAKER. The gentleman, Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Fly-by-night law firms, fly-by-night law firms – is that who you want to issue those bonds? All we need is one financial crisis in the bonding market and Pennsylvania loses credibility.

So if you want fly-by-night law firms to draw these bonds up, that is your decision, but do not cause a crisis in this Commonwealth with the sale of our bonds.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Reinard.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, as the chairman of the Urban Affairs Committee, it is unfortunate that today's conversation is getting off the merits of HB 1426 and is continuing to reoccur on an issue that this House has faced many times before in the past, the Vitali amendment. I, for one, as a member of this House, as a Republican, have supported the Vitali amendment in each and every type of bill that he has brought before this House, on all previous occasions. However, sometimes there is a time to look at the bigger picture, sometimes you have to look at the issue that is before us in the legislature, sometimes you have to focus on the merit of HB 1426, and sometimes you just have to let something go.

And today is a chance to let it go. Today is an opportunity to do something for Pennsylvanians, not just in the urban cities but in the suburbs and all throughout Pennsylvania. It is an opportunity to address a piece of legislation that was bipartisan, between myself and the Democrat side of the aisle; something that was unprecedented in the Urban Affairs Committee, to really reach an agreement and consensus on this legislation, to bring it quickly to the House in order to put it in a position to be able to be implemented by the homeowners of Pennsylvania. It is an opportunity to get a quick vote today here, a vote in the Senate, and get something enacted into law.

Unfortunately, I disagree today with the maker of the amendment. I hope the House will see the bigger picture here, will vote to defeat the Vitali amendment, and pass HB 1426 on. Thank you.

The SPEAKER. The gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I would like to address a couple of points.

One, one of the previous speakers mentioned the bond rating and the quality of law firms, should it be competitively bid. Let me make a few points on that.

Maryland, which competitively bids its bond work, has a triple-A rating. Let me say that again. Maryland, which bids its bond work, has a triple-A rating.

Let me make another point.

I have spoken with the Governor's Budget Office and in fact received assistance in drafting legislation. They have told me that this language, the language in the legislation generally, gives them the flexibility to choose among qualified bidders. The term "responsible bidder" is a term of art that allows the selector of the bond service provider to take into consideration the size of the firm, the experience of the firm, the experience in the particular issue. That eliminates fly-by-nights.

The argument that we would have to take a $40-an-hour solo practitioner is just a false argument, it is not substantiated by the facts at all, and in fact, our own Legislative Budget and Finance Committee has recommended competitive bidding. We will get quality people at a lower price if we competitively bid this work. The reality is, what will happen is, we will get the same pool of people who do the work but they will be bidding against themselves, so we will get the same people doing the work with their same reputations on the line at a lower price, just as Maryland does it.

The second point I want to make is this: I am very concerned, too, about the work of the Pennsylvania Housing Finance Agency. If we pass this language, if we instill competitive bidding in the bond work, we will pay less in bond services, less in bond counsel fees, less in underwriting fees, and so forth and so on, and we will have more money available, more money from this bond issue, to aid the Pennsylvania Finance Agency in their efforts to help the people of Pennsylvania.

Mr. Speaker, any bill and every bill I have attached this language to has been important to some person or some group. The reality is, if we really want to do the right thing, if we really want to eliminate pay-to-play, if we really want to save the citizens of Pennsylvania money, at some point we just have to take a stand. And to those who say it is time to let it go, I say to you, I will let this go when Pennsylvania competitively bids its bond work. I urge a "yes" vote. Thank you.

The SPEAKER. The gentleman, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, would the sponsor of the amendment answer a few brief questions, please?

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

Mr. SERAFINI. Mr. Speaker, relative to your amendment, what qualifications would a person who completes an RFP (request for proposal) be required to have in order to bid on these bond issues?

Mr. VITALI. That is a question that is difficult to answer in a vacuum. I can tell you, by speaking with the executive directors of the various agencies and commissions I have talked with, that the characteristics they have frequently cited were the amount of experience in the particular area, the amount of experience with previous issues, the size of the firm, and so forth. But the legislation we are introducing does not set the criteria, to be clear. This gives the Pennsylvania Housing Finance Agency the flexibility, in issuing their request for proposal, to set that criteria itself and to interpret that language and select whom they consider a responsible bidder.

Mr. SERAFINI. Would this legislation have the potential to allow a group of young lawyers who previously had virtually no experience the opportunity to complete an RFP?

Mr. VITALI. In my view, no, because, again, what this does – and this has been told to me by the administration – what this does is simply allow the issuer of the bond to evaluate those who return their request for proposal and select based on experience, size of firm, previous experience in the particular area. So there is no more danger of that happening with this amendment than there is right now, when they select without any sort of criteria.

Mr. SERAFINI. Well, my experience with the requests for proposals is one whereby a request for proposal is completed, it is reviewed by a select independent committee, points are given for various parts of this request for proposal, and those firms who receive the highest number of points are allowed to bid. I cannot understand how we could eliminate many firms who perhaps would not have the qualifications nor the experience, under the request-for-proposal procedure, especially the way it is defined in this particular legislation.

Would a request for proposal be available to the Maryland firms that bid the $15,000 per bond issue?

Mr. VITALI. May I state that the Legislative Budget and Finance Committee has reviewed other States and does outline other States that do exactly this, and I hope, to some degree, that that does address your fears.

I am not sure if that answers your question.

Mr. SERAFINI. Let me see if I understand your response. Are you—

Mr. VITALI. I can tell you that the firm of Piper and Marbury does the Maryland work. They are a respected firm in the State of Maryland. Maryland does have a triple-A rating. Other States such as New Jersey and others have some strain of competitive bidding. There are variations from State to State. But there are a couple of States. Maryland seems to do it the best though. So this is something that does have precedent elsewhere.

Mr. SERAFINI. Are you saying then that the lowest responsible bidder, no matter what State they are from, would have the opportunity to be selected as bond counsel?

Mr. VITALI. There is no restriction in this amendment with regard to the site of the State. I can tell you that many of the bond firms we presently use have offices throughout the country; these are national firms. But there is no restriction with regard to the State of origin of the bond service provider. Again, this would be at the discretion of the issuer, as it is right now. Right now we can select anyone whom we choose, and we typically do, as I said, select firms who have branch offices and have bases outside of this Commonwealth.

Mr. SERAFINI. Mr. Speaker, currently, when a request for proposal is chosen to determine who is to receive a contract in the State of Pennsylvania, is it necessary for the department to file a written report that is made public, under the same provisions as your legislation?

Mr. VITALI. I know that various departments and agencies and authorities have various procedures. I cannot say for certain which agencies have that written request. In drafting this legislation, I took the "written report" language from the State of New Jersey, who does have such a requirement, and the reason for that "written report" language is to have some public accountability, allow the public to see what the basis for making that decision is, because you know, it is their tax dollars, they have a right to see, and it serves the check, to make sure things are as they should be, and if you are going to select someone, you better have a good reason.

Mr. SERAFINI. It just appears to me that bonds issued throughout the year, each individual bond requiring a request for proposal which would be made public, would initiate an unfair responsibility on the part of the State in giving that law firm's request for proposal to all of his competing law firms, so that in subsequent bids, an unfair environment of bidding would be created by the exposure of that RFP to the public and to competing law firms.

Mr. VITALI. Well, what may happen is that prices may go down and down and down because we know what the price is, and you know what? I think that is a good thing. I think that results in less tax dollars being spent, that results in less costs for the bond issue, and that results in more of the proceeds for the bond being used for the purpose for which it is intended.

Mr. SERAFINI. The only problem I find with that is that as the price goes down and the request for proposal is exposed to the competing law firms, the quality of those law firms with the benefit of those requests for proposals would also decrease.

Exactly what responsibility, Mr. Speaker, does a law firm have with regard to their position as bid counsel, bond counsel?

Mr. VITALI. I can say this because I have discussed that, I have discussed that issue with professionals in the field, and the consensus is that Blank Rome is not going to jeopardize its reputation, which it has taken years to build, or Ballard Spahr, or Wolf Block, or any of these other firms. If they bid it down a bit, they are going to do a Ballard Spahr or a Wolf Block or a Blank firm job. That is the consensus. They are not going to bid it down.

So I believe that if we get a quality firm, we are going to get a quality product. Just as if our salaries went down, your personal pride would continue to require that you give a quality day's work here.

Mr. SERAFINI. Mr. Speaker, I believe in the bid process. It is an exceptionally required process in State government. However, with the amendment currently in front of me, it would appear to me that so many areas of disparity would be created that the quality of bond counsel would not be ensured.

I believe that the amendment requires further work before it can be approved by this legislature and before we can put at risk our bonds in the hands of bond counsel which is not of the quality we require in this State of other bidding procedures on our contracts. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

Is it in order to request if a fiscal note has been prepared for this amendment? The reason I ask is, Mr. Speaker, what I was looking at was House rule 19, I think section (5).

The SPEAKER. We are familiar with the rule. Thank you.

Mr. Lynch, the information the Chair has available to it indicates that a fiscal note was delivered to the gentleman, Mr. Vitali, at 10 o'clock this morning from the majority Appropriations Committee and that the substance of the fiscal note was to the effect that it is impossible to determine if there is any discernible increase or decrease in cost by reason of that amendment. In essence, it is the same fiscal note that has been

attached to each and every other amendment that the gentleman, Mr. Vitali, has offered along these same lines. So he has complied with that rule.

Mr. LYNCH. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS–101

Baker	Daley	Markosek	Scrimenti
Barrar	Dally	Masland	Semmel
Battisto	DeLuca	McCall	Seyfert
Bebko-Jones	Dent	Melio	Shaner
Belardi	Dermody	Mihalich	Staback
Belfanti	DeWeese	Miller	Stairs
Birmelin	Donatucci	Mundy	Steelman
Bishop	Eachus	Myers	Stetler
Blaum	George	Oliver	Sturla
Boscola	Gordner	Pesci	Surra
Browne	Gruitza	Petrarca	Tangretti
Buxton	Haluska	Petrone	Thomas
Caltagirone	Hanna	Pippy	Tigue
Cappabianca	Itkin	Pistella	Travaglio
Carn	James	Platts	Trello
Carone	Jarolin	Preston	Trich
Casorio	Josephs	Ramos	Veon
Cawley	Kirkland	Rieger	Vitali
Cohen, M.	Krebs	Roberts	Walko
Colafella	Laughlin	Robinson	Washington
Colaizzo	Lescovitz	Rohrer	Williams, A. H.
Corpora	Levdansky	Rooney	Williams, C.
Corrigan	Lloyd	Rubley	Wojnaroski
Cowell	Lucyk	Sainato	Yewcic
Coy	Manderino	Santoni	Youngblood
Curry			

NAYS–96

Adolph	Fichter	Maitland	Schuler
Allen	Fleagle	Major	Serafini
Argall	Flick	Marsico	Smith, B.
Armstrong	Gannon	McGeehan	Smith, S. H.
Bard	Geist	McGill	Snyder, D. W.
Barley	Gigliotti	McIlhattan	Steil
Benninghoff	Gladeck	McNaughton	Stern
Boyes	Godshall	Michlovic	Stevenson
Brown	Gruppo	Micozzie	Strittmatter
Bunt	Habay	Nailor	Taylor, E. Z.
Butkovitz	Harhart	Nickol	Taylor, J.
Chadwick	Hasay	O'Brien	True
Civera	Hennessey	Olasz	Tulli
Clark	Herman	Orie	Vance
Clymer	Hershey	Perzel	Van Horne
Cohen, L. I.	Hess	Phillips	Waugh
Conti	Horsey	Raymond	Wilt
Cornell	Hutchinson	Readshaw	Wogan
Dempsey	Jadlowiec	Reber	Wright, M. N.
DiGirolamo	Keller	Reinard	Zimmerman
Druce	Kenney	Ross	Zug
Egolf	Lawless	Sather	
Fairchild	Lederer	Saylor	Ryan,
Fargo	Leh	Schroder	Speaker
Feese	Lynch		

NOT VOTING–2

Kaiser	Mayernik

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. We have members in our seat that are not voting, Mr. Speaker. That is a direct violation of the House rules, and I would bring it to your attention, sir.

The SPEAKER. God forbid anyone would break that rule.

Mr. DeWeese, you should call that to the attention of the Chair by name prior to the Chair closing the vote. You apparently knew that and should have done something about it. You know the rules.

Mr. DeWEESE. Mr. Speaker, it was brought to my attention just after the voting board was shut down, and with all due respect, I believe that those kinds of observations are more properly reposited at the dais, the Speaker's dais.

The SPEAKER. Well, you are wrong.

Mr. DeWEESE. I would commend you to another observation on that, sir.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group of visitors, who are the guests of Representatives Stevenson and Petrone, consisting of 80 seventh and eighth grade students from Sts. Simon and Jude School in Pittsburgh. Would the students please rise.

The Chair is pleased to welcome to the hall of the House today, as the guests of the gentleman from Allegheny County, Mr. Cowell, a group of Pennsylvania Citizens for Better Libraries essay contest winners and their families. The students are winners in grades K through 12 from across the State. Would these students please rise to be acknowledged.

CONSIDERATION OF HB 1426 CONTINUED

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

Mr. **REINARD** offered the following amendment No. **A2185**:

Amend Sec. 4 (Sec. 406-C), page 12, lines 3 through 5, by striking out all of said lines and inserting

(f.2) Every five (5) years, beginning in the year 2003, the General Assembly shall review the limit on the total assistance available under this act established in subsection (f) and the minimum monthly payment established in subsection (h).

Amend Sec. 4 (Sec. 406-C), page 12, line 6, by striking out "RAISE THE LIMIT" and inserting

increase either or both

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

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

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment, A2185, is a technical amendment which addresses the provision of legislative review every 5 years for this legislation.

I would like to ask the House for their support.

The SPEAKER. The gentleman, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

This is an agreed-to amendment, Mr. Speaker.

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

The following roll call was recorded:

YEAS–198

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

NAYS–0

NOT VOTING–1

Flick

EXCUSED–4

Evans	LaGrotta	Pettit	Roebuck

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

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the majority whip, who asks that the gentleman, Mr. FLICK, be placed on leave for the balance of today's session. Without objection, the gentleman is placed on leave. The Chair hears no objection.

CONSIDERATION OF HB 1426 CONTINUED

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

AMENDMENT A2099 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel, who moves that the vote by which the amendment to HB 1426, PN 1704, being amendment A2099, 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–186

Adolph	Dent	Lynch	Schroder
Allen	Dermody	Maitland	Schuler
Argall	DeWeese	Major	Scrimenti
Armstrong	DiGirolamo	Markosek	Semmel
Baker	Donatucci	Marsico	Serafini
Bard	Druce	Masland	Seyfert
Barley	Eachus	Mayernik	Shaner
Barrar	Egolf	McCall	Smith, B.
Battisto	Fairchild	McGeehan	Smith, S. H.
Bebko-Jones	Fargo	McGill	Snyder, D. W.
Belardi	Feese	McIlhattan	Staback
Belfanti	Fichter	McNaughton	Stairs
Benninghoff	Fleagle	Melio	Steelman
Birmelin	Gannon	Michlovic	Steil
Bishop	Geist	Micozzie	Stern
Blaum	George	Miller	Stetler
Boscola	Gigliotti	Mundy	Stevenson
Boyes	Gladeck	Nailor	Strittmatter
Brown	Godshall	Nickol	Sturla
Browne	Gordner	O'Brien	Surra
Bunt	Gruitza	Olasz	Tangretti
Butkovitz	Gruppo	Oliver	Taylor, E. Z.
Buxton	Habay	Orie	Taylor, J.
Caltagirone	Haluska	Perzel	Thomas

Cappabianca	Harhart	Pesci	Tigue
Carn	Hasay	Petrarca	Travaglio
Carone	Hennessey	Petrone	Trich
Casorio	Herman	Phillips	True
Cawley	Hershey	Pippy	Tulli
Chadwick	Hess	Pistella	Vance
Civera	Horsey	Platts	Van Horne
Clark	Hutchinson	Preston	Veon
Clymer	Itkin	Ramos	Walko
Cohen, L. I.	Jadlowiec	Raymond	Washington
Cohen, M.	Jarolin	Reber	Waugh
Colafella	Kaiser	Reinard	Williams, A. H.
Colaizzo	Keller	Rieger	Wilt
Conti	Kenney	Roberts	Wogan
Cornell	Krebs	Robinson	Wojnaroski
Corrigan	Laughlin	Rohrer	Wright, M. N.
Cowell	Lawless	Rooney	Yewcic
Coy	Lederer	Ross	Youngblood
Curry	Leh	Rubley	Zimmerman
Daley	Lescovitz	Sainato	Zug
Dally	Levdansky	Santoni	
DeLuca	Lloyd	Sather	Ryan,
Dempsey	Lucyk	Saylor	Speaker

NAYS–12

Corpora	Josephs	Mihalich	Trello
Hanna	Kirkland	Myers	Vitali
James	Manderino	Readshaw	Williams, C.

NOT VOTING–0

EXCUSED–5

Evans	LaGrotta	Pettit	Roebuck
Flick			

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

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

The clerk read the following amendment No. **A2099**:

Amend Bill, page 15, by inserting after line 30
Section 6. The act is amended by adding a section to read:
Section 509-A. Bond Services.–(a) Any and all bond services performed for the agency which cannot be performed by employes of the agency shall be contracted with and performed by the bond service provider submitting the lowest responsible bid.
(b) For each bond service required to be performed for the agency, the agency shall distribute a request for proposal requiring a written response.
(c) After each bond service provider is selected, the agency shall issue a written report of the selection of the service provider and the basis therefor. A copy of the request for proposal and the responses thereto shall be made a part of the report. This report shall be made available to the public.
(d) As used in this act, the following words and phrases shall have the meanings given to them in this subsection:
"Bond services." Legal, financial and other services by a bond service provider rendered in conjunction with any bonds issued.
"Bond service provider." Any bond counsel, financial adviser, underwriter, loan and transfer agent, verification agent or printer who provides bond services.
Amend Sec. 6, page 16, line 1, by striking out "6" and inserting

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

The SPEAKER. On the question of reconsideration, the Chair recognizes the gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Just in summary, this House has passed this amendment on occasion unanimously time after time. It is an important amendment, and it is an issue that is not going to succeed unless we do take tough votes. Your constituents are watching. I just ask you to do the right thing. Thank you, Mr. Speaker.

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

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, not to belabor a point over and over again, but just so the House is aware, we are talking about the Mortgage Assistance Program, a program that is used in all of our districts, a program that has been very successful, but a program where, quite frankly, we would like to see more funds go to our own constituents for help, and the way to do that is to come up with a rescue plan, and that is what we have before us right now. We have a Red Cross rescue plan for the Mortgage Assistance Program that enjoys bipartisan support. It came out of the committee as a joint-sponsored Republican-Democrat piece of legislation. The amendment that you have as a bill today came out of the committee with two sponsors – one from this side, one from that.

We know that time is a problem on this. We want to get this program working for your constituents as well as ours. We want people that need the assistance to get it as quickly as possible, and the only way they are going to get that is if we in the House finally deliberate correctly on an issue without adding issue upon issue upon issue into a bill. The Vitali amendment is something that I agree with, but the Vitali amendment is not something that I agree with in this piece of legislation.

I again ask you to reconsider your votes, those that did not vote correctly supporting our position the first time, to please look a little bit deeper and vote for this legislation without amendments. Thank you.

The SPEAKER. The gentleman, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, this legislation is ill drafted. No matter what the purpose, whether it is good or bad, we on the floor of this House should not vote for a piece of legislation that has not been drafted properly and does not reflect the better interests of the people of Pennsylvania in the preparation of an RFP. The procedure is not proper, the way the bill is drafted, and it could lead to a situation where only the lowest bidders, no matter what their qualifications are, would receive the agreement via a contract. An express side to that is, I contracted with the lowest bidder for a roof a year ago. I am still waiting for my roof. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. I would remind the previous speaker from Lackawanna that a few hours ago in the Rules Committee we voted on a bill that had only been here a few minutes, and it was poorly drafted and everybody agreed it was poorly drafted, and we still voted it out. So I hope that the gentleman's perspective on

ComPAC 21, the reassignment of many political positions in Allegheny County, will be perceived and voted upon the same way by the gentleman. I hope that he maintains that continuity.

But on the Vitali amendment that we are reconsidering, the chairman of the Commerce Committee from up in the coal region a little bit ago came to the microphone, Mr. Speaker, and he said that he did not want anything done fly-by-night; he did not want anything done fly-by-night. We do not either. We just want to have bids by day – bids by day, Mr. Speaker.

There is no doubt about it. You have a chance to reform government in our State in the next few minutes. You have a chance to competitively bid multimillion-dollar construction projects both on the turnpike and by other Commonwealth agencies, or, or you can do business as usual. You can give those bids to high-priced law firms around the State – as the gentleman from Delaware said, are probably going to get these contracts anyway – but if you have 10 or 15 monolithic law firms that are going to be engaged as underwriters and bond counsel, why not make them compete against each other? Why not make them compete against each other?

You folks were very aggressive on attacking Federal mandates and even State mandates to our local school districts. You want the repository of power to be at the local level. The competitive bid should be a part of your political pedigree. I cannot fathom Republicans, conservatives, advancing a system of 20 or 30 or 40 or 50 years ago. This is pure, pure politics.

As the gentleman, Mr. Evans, said on another debate several months ago at this dais, let us not make any mistake about it. People in the very highest echelons of both chambers of this House participate in law firms that are the beneficiaries of these kinds of bids. We should all do everything we can to countervail this system.

The gentleman from Delaware has a good idea, and it should be supported right now. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS–97

Battisto	Dally	Lucyk	Rubley
Bebko-Jones	DeLuca	Manderino	Sainato
Belardi	Dent	Markosek	Santoni
Belfanti	Dermody	Mayernik	Scrimenti
Birmelin	DeWeese	McCall	Shaner
Bishop	Donatucci	Melio	Staback
Blaum	Eachus	Michlovic	Steelman
Boscola	George	Mihalich	Stetler
Browne	Gigliotti	Mundy	Sturla
Buxton	Gordner	Myers	Surra
Caltagirone	Gruitza	Olasz	Tangretti
Cappabianca	Haluska	Oliver	Thomas
Carn	Hanna	Pesci	Tigue
Carone	Horsey	Petrarca	Travaglio
Casorio	Itkin	Petrone	Trello
Cawley	James	Pistella	Trich
Cohen, M.	Jarolin	Platts	Veon
Colafella	Josephs	Preston	Vitali
Colaizzo	Kirkland	Ramos	Walko
Corpora	Krebs	Rieger	Washington
Corrigan	Laughlin	Roberts	Williams, A. H.
Cowell	Lescovitz	Robinson	Williams, C.
Coy	Levdansky	Rohrer	Wojnaroski
Curry	Lloyd	Rooney	Yewcic
Daley			

NAYS–98

Adolph	Fargo	Major	Seyfert
Allen	Feese	Marsico	Smith, B.
Argall	Fichter	Masland	Smith, S. H.
Armstrong	Fleagle	McGeehan	Snyder, D. W.
Baker	Gannon	McGill	Stairs
Bard	Geist	McIlhattan	Steil
Barley	Gladeck	McNaughton	Stern
Barrar	Godshall	Micozzie	Stevenson
Benninghoff	Gruppo	Miller	Strittmatter
Boyes	Habay	Nailor	Taylor, E. Z.
Brown	Harhart	Nickol	Taylor, J.
Bunt	Hasay	O'Brien	True
Butkovitz	Hennessey	Orie	Tulli
Chadwick	Herman	Perzel	Vance
Civera	Hershey	Phillips	Van Horne
Clark	Hess	Pippy	Waugh
Clymer	Hutchinson	Raymond	Wilt
Cohen, L. I.	Jadlowiec	Reinard	Wogan
Conti	Keller	Ross	Wright, M. N.
Cornell	Kenney	Sather	Youngblood
Dempsey	Lawless	Saylor	Zimmerman
DiGirolamo	Lederer	Schroder	Zug
Druce	Leh	Schuler	
Egolf	Lynch	Semmel	Ryan,
Fairchild	Maitland	Serafini	Speaker

NOT VOTING–3

Kaiser	Readshaw	Reber

EXCUSED–5

Evans	LaGrotta	Pettit	Roebuck
Flick			

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Mr. PETRONE. Mr. Speaker?

The SPEAKER. The gentleman, Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, I rise and ask for support of HB 1426, which is probably one of the most important pieces of legislation that we have ever crafted here in the House of Representatives, and approximately, it is about 14 years old. When it was first done, it was done to help a lot of people who could not defend themselves. They were losing their homes because of closing mills in places like Braddock, Homestead, Duquesne, and other parts of the State.

This legislation was crafted in a bipartisan fashion, and the money was put into the Pennsylvania Housing Finance Agency to administer it. It has been one of the most successful programs in America and the only one in America. I am happy to say that our staff of both sides, including the prime sponsor, Representative Taylor, worked very, very, very hard on this piece of legislation.

I ask for everyone's support. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Kaiser.

Mr. KAISER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1426.

As someone who lost their job in the early 1980's, I think this is one of the most valuable programs that ever came out of this institution. In 1980 I worked for U.S. Steel and we had 25,000 employees; 5 years later, U.S. Steel had 5,000 employees in the Mon Valley. I was very fortunate when I lost my job. I could still scrape together enough money where I could make my mortgage payment, but it was very, very difficult. At that time my wife did not work. She went out and between the two of us, we could get enough money together to pay the mortgage and the utilities. I was very fortunate. Some of my workers who worked for U.S. Steel or J&L Mesta, makes no difference – white collar, blue collar – we all lost our jobs. This was a valuable program.

Last year I had the opportunity to talk to an individual from western Pennsylvania who works for HEMAP (Homeowners' Emergency Mortgage Assistance Program), and I asked him straightforward, what do you think about this program? Is it good, bad? How does it really work? And he says, this is an excellent program. His geographical area is from Greene County up to Mercer County, and anytime someone is at risk of losing their mortgage, he goes and talks to that family and makes arrangements for them to keep their mortgage, keep their house.

I know sometimes people knock us and say that we do nothing to help people. Maybe at times they are right, but what we are doing today, believe me, we are helping people. There are people right now that are behind the eight ball – they have lost their job, they have nowhere to turn to – and that is the purpose of government – to help people when they are at risk.

I fully endorse this bill. I know there was bipartisan support in committee, and please vote for it. Thank you very much, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, since 1982 this House has voiced its overwhelming support for this particular program. The bill before us restructures it in a way to make it viable and stable for decades to come.

I just wanted to voice my appreciation to Chairman Reinard and Chairman Petrone and their staffs, and to Representative Thomas for his cooperation in crafting this legislation, as well as the Philadelphia Unemployment Project, the Pennsylvania Low-Income Housing Coalition, and the staff of PHFA.

I ask everybody for their affirmative vote on this legislation.

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–198

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

NAYS–0

NOT VOTING–0

EXCUSED–5

Evans	LaGrotta	Pettit	Roebuck
Flick			

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.

CONDOLENCE RESOLUTION

The SPEAKER. The House will come to order.

The Sergeant at Arms will close the doors of the House. All members will please take their seats. We are about to take up a condolence resolution on the death of a former member. Members will take their seats.

The clerk will read the resolution.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA
THE HOUSE OF REPRESENTATIVES

RESOLUTION

WHEREAS, Peter R. Vroon, former Pennsylvania State Representative, passed away April 4, 1997 at the age of eighty; and

WHEREAS, Mr. Vroon served with distinction in the Pennsylvania House of Representatives for eighteen years after being elected in 1974. He represented the 157th District and served as chairman of the Finance Committee and a member of the Insurance Committee. He was also a member of the Pennsylvania State Republican Committee from 1992 until 1996; and

WHEREAS, A United States Navy veteran of World War II, Mr. Vroon was a graduate of New York University and served his community as a trustee of the Great Valley Presbyterian Church in Malvern, a board member of Operation Mobilization, a trustee of the World Relief Commission and former chairman of the Pennsylvania Christian Coalition; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania note with deep sadness the passing of Peter R. Vroon, a distinguished public servant and dedicated former member; extend heartfelt condolences to his sons, Donald, Robert and Richard; and five grandchildren; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representatives Carole Rubley, Robert J. Flick, Timothy F. Hennessey, Arthur D. Hershey, Chris Ross, Curt Schroder and Elinor Z. Taylor be transmitted to the Family of Peter R. Vroon.

Carole Rubley
Sponsor

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

On the question,
Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will rise and remain standing as a mark of respect for the deceased former member. Guests will also please rise.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Peter R. Vroon.)

The SPEAKER. The resolution has been unanimously adopted.

The Sergeant at Arms will open the doors of the House.

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 329, PN 1794,** entitled:

An Act amending the act of July 28, 1953 (P.L.723, No. 230), known as the Second Class County Code, requiring a jointly appointed tax collector for a certain home rule municipality and school district in counties of the second class; further providing for the membership of boards of managers for monuments and memorials to war veterans; and providing for charters in second class counties.

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

The SPEAKER. On that question, it is moved by the gentleman, Mr. Snyder, that the House do concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate?

On that question, the Chair recognizes the gentleman from Allegheny County, Mr. Gigliotti.

Mr. GIGLIOTTI. Mr. Speaker, I will yield to— What is your name?

Mr. PISTELLA. Mr. Pistella.

Mr. GIGLIOTTI. Mr. Pistella.

Mr. PISTELLA. I understand, Mr. Speaker, we both look alike.

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

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, it is my understanding that my standing to explain the changes that have been offered will constitute my speaking for the first time on the bill. I would like to explain the changes put in by the Senate, make a brief comment for the record, and then yield the floor for the purpose of debate at that time.

Thank you, Mr. Speaker.

Mr. Speaker, I would like to draw your attention to the contents of HB 329. When this legislation left this chamber, the intention of that legislation was to do two things. The first thing that it was going to do was to restructure the board of directors of Soldiers and Sailors Memorial Hall in Allegheny County by increasing the number of veterans groups on that board from 15 to 21. The change that was offered in the Appropriations Committee changed the language to remove from three members of the Italian American War Veterans down to one and also to include a member of the Black Vietnam Veterans Association. When that legislation moved to the Senate, that was changed. It was changed to increase back to the number of three the Italian American War Veterans, so the overall composition of the board is moving now from 15 members up to 23 again.

The second thing that was done was that there was an amendment that was offered by Representative DeLuca that affected only the municipality of Penn Hills. That portion of the legislation that was adopted by this chamber by an overwhelming vote provided for a procedure of arbitration should the municipality of Penn Hills and the School District of Penn Hills be

unable to determine what organization would serve as the tax collector. There apparently had been some problem and some confusion on the part of the constituents of that community because each of those entities each had a separate tax collector under contract. As a result, Representative DeLuca's legislation attempts to amend that, to address that to provide that both the municipality and the school district must agree, and failing to agree, there is an arbitration process. That has not been changed.

What has also been inserted into this legislation is a major change in how Allegheny County government under the Second Class County Code is going to be structured. I want you to think for a minute of three portions of this proposal. One part is going to provide for a mechanism to develop a county charter; one portion of this is going to provide for a mechanism to establish an apportionment commission that will determine the boundaries of a new county council; the third part – and I want to mention this portion of it – is going to be a laundry list of things that will not be affected by county government under this proposed change.

With the indulgence of the Speaker, I would like to address, if I could, and draw the attention of the members to pages 10, 11, 12, and 13 of the bill. This provides for a list of things that the home-rule-charter committee cannot do or should not affect. It will not affect the assessment limitations, the hotel room tax, the integrity of municipal boundaries. It shall not prohibit the county from exercising any other functions that the municipalities should and currently do under existing codes of townships and boroughs that exist in Allegheny County. It is also going to be subject to those limitations that are spelled out in the home-rule-charter statute.

It also provides that if there are any services or any authority that will be undertaken by the county, each municipality must decide by a positive vote of its governing body to give up that responsibility to Allegheny County. It does not touch or affect the filing and collection of municipal tax claims or liens or eminent domain. It does not affect the boundaries of any school districts, municipalities, the conduct of elections, et cetera.

That, more or less, Mr. Speaker, is setting out for you the boundaries under which the home-rule-charter study committee should work.

Given that, there are two remaining portions of the statute to be addressed and explained. The first of those remaining two is the composition of the Charter Drafting Committee. Under the amendment that was adopted by the Senate, the county commissioners will appoint eight members by unanimous vote. Four of these members will be appointed by the commissioners— I am sorry; I have the wrong— I apologize, Mr. Speaker.

The county commissioners will appoint the members. However, this is broken down into two categories. One category will be four members that will be appointed by the county commissioners by unanimous vote. Four members will be nominated by the President pro tem and Speaker. They will be chosen from names submitted by individual members of each caucus. No member of the committee can be a candidate for the office of county executive for a 5-year period. Vacancies that exist will be filled in a 20-day period. The committee has 3 months in which to prepare a charter, and should there in fact be the need to extend that amount of time again, it would require a vote of five of the eight members to extend that for an additional 3-month period. The finished product of the charter must be adopted by a supermajority of six of the eight members of that charter study committee.

Now, when we address the issue of the Apportionment Commission, this portion of the legislation provides that five members must be appointed by a unanimous vote of the county commissioners. Four of the five members will be appointed by the President pro tem and the Speaker of the House, and that will come from a list of names that are submitted by the representative caucuses. The fifth member shall be selected by those four that are appointed. There is no provision that there will be involvement of the courts of the common pleas in this process.

There is also a provision for an advisory committee to be established that will consist of appointees from the three COG's (councils of government) in Allegheny County, three from the city of Pittsburgh, and one representing any borough, township, or city of the third class that is not a member of the COG. The final vote on the apportionment shall be by a majority, and there is no need for a supermajority for an adoption of that proposed change.

That, Mr. Speaker, explains the content of the amendment that was adopted by the Senate.

I would like to, for the record, I had submitted to the majority leader's office a form asking that my name be removed as the prime sponsor of the legislation. I would like to have that read into the record. I understand that, under the rules, that could only be provided for to have taken place should this be amended or changed and reprinted in our chamber. The Rules Committee failing to do that, I would like to entertain that to be put upon the record at this time, Mr. Speaker, and if there are any questions, I would be happy to try to answer those.

Now I will yield the floor for the purpose of debate.

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

Mr. GIGLIOTTI. Thank you, Mr. Speaker.

Mr. Speaker, I rise strongly to oppose this legislation for three or four different reasons, and please hear me out because it is very important. Just imagine yourselves if we were doing it to every county, all 67 counties. If this is so good for Allegheny County, why are we not doing it for the whole State of Pennsylvania?

Just imagine yourselves, for 60 years or 100 years we had a three-commissioner rule in Allegheny County. Two years ago the Republicans took over the commissioners. There were two Democrats and one Republican. Now there are two Republicans and one Democrat. Now, in 2 years we are going to change that again, but because of the mistrust that all of the commissioners have for each other, they cannot agree on anything, so they came up with this idea, and they are asking us to change the rules and regulations of the State.

Just close your eyes for a minute, Mr. Speaker, and see one executive, chief executive officer, 15 councilmen elected at large or by district; nobody gets paid, no staff. Can you imagine what is going to happen to Allegheny County? We will not agree on anything. We do not agree on anything now, but at least we can debate it.

I am asking you— They are trying to do this. They are saying that they are going to save money. All they are going to save here is two commissioners' pays, which is $66,000 a year each commissioner, and they are going to pay a chief executive officer probably about $120,000 and the county manager about $120,000. They are not going to save anything.

If they truly want to reform Allegheny County to make us one metropolitan county, all 20 legislators vote for the issues like Philadelphia does and Delaware County does for their counties. We have 6 legislators that represent the city, 14 legislators that represent the county. We have five or six row officers. We have a dumb mayor and the dumb council people in the city of Pittsburgh. If you truly want to do reform in Allegheny County, then vote for metropolitanism – vote for metropolitanism. I am for metropolitanism, but I am against this.

Let me say this: If you vote for this— You know, this organization, I am proud to be a member of this House because it is a people's House, and we compromise on a lot of things. I voted for a lot of things for Delaware County, Montgomery County, Washington County. I can go on and on and on, and if you do this to us in Allegheny County, let me tell you, I look like an elephant, I will be like an elephant, and I have a memory like an elephant. I will come back and I will get you. Thank you.

The SPEAKER. The gentleman, Mr. Trello.

Mr. TRELLO. Thank you, Mr. Speaker, and I will be brief.

Mr. Speaker, like many of the members of this General Assembly, especially the members from Allegheny County, I have received a number of phone calls and letters telling me how wonderful this plan is and how badly we need this in Allegheny County. And like the previous speaker indicated, if this was such a wonderful idea, why does not the language of this legislation include all 67 counties in the State of Pennsylvania?

But what concerns me the most, Mr. Speaker, is the fact that these 13 or 15 council members will have no staff and no pay. Now, I am a great believer in public servants getting paid adequately and a number of other things I am a great believer in, too, but the fact that they do not get paid really concerns me. If they do not get paid, why do they want to run for the job, and if they do run for the job, who is going to finance their campaign?

I say, if you follow this legislation closely, just follow the money. All the people that I have received letters from were the people that are in the, oh, $4- or $5-million-a-year bracket. They are from the Mellon Banks, the PNC Bank; they are from Duquesne University, from U.S. Steel. They are all supporting this program, and if you work as an elected official for nothing, that means you have to work for somebody to support your family.

There is no doubt in my mind that these elected members of this council will be working for some of those entities, and their vote will not be their vote. Their vote will be of their employer's vote. You have all read some articles about the legislators in other States that work for $5,000 a year but they work for this university, they work for this hospital, they work for banks, and the only legislation they support is one that favors their employer, and that is what will happen here.

If you follow the money, you can see through this, because there is a lot of economic development that is going to take place in Allegheny County. There are going to be bond issues floated, there are going to be construction contracts, and those are the people that are going to control all of that.

Our Constitution dictates that there will be no kings, no monarchs, just representatives of the people and by the people like we do here. They will take away most of our authority from Allegheny County, and the small cases, like raising fees for the register of will's office, the prothonotary's office, the chief clerk or whatever they want to call this guy that is going to head everything, will dictate policy and will take it away, and that is not government by the people.

I think this is a very bad deal for the citizens of Pennsylvania. It is going to take away our authority and their authority and leave it to the people, and if you follow the money, you will know who those people are.

In the interest of justice and good government, I ask all of my members to defeat this proposal. Thank you very much.

The SPEAKER. The gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, this bill on concurrence is obviously the domain of the members from Allegheny County, but all of us have to vote on it, and as you look at the structure of this government, I would not impose this form of government on anyone – on any township, borough, municipality, or county.

In establishing this county council, which I think is pretty much already ordained to be impotent, I think that the people of Allegheny County or any county that had this form of government would not be well served. It also leaves in place what probably should be abolished through any home-rule reorganization of any county, and that is the administrative row offices, which exist in all of our counties.

If there is going to be home rule and restructuring of this our second largest county in the Commonwealth, this form of government that has been sent to us in this bill on concurrence does not deserve our support. Certainly if a county is going to send something to us already established – I have no idea what this charter study commission is going to do, because it already has in the legislation the outline of the form of government that is to be created – but I think this House should stand up today and say that this form of government that has been sent to us to be imposed on one of our 67 counties is not good enough. They did a sloppy job; they did a very inadequate job. In creating a county executive, that is probably a good idea. The council that they have established is inadequate, in my view, and leaving in place the row offices, which probably should have been the first things to be abolished, and placed underneath the executive of the county, was not accomplished.

So I would hope that this House would follow the lead of the two previous speakers and say that the work product that has been sent to us in this legislation does not pass muster, is not good enough, is really convoluted and screwy, and should not be approved by this House.

So I would ask the members for a negative vote.

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

Mr. ROBINSON. Thank you, Mr. Speaker.

Mr. Speaker, let me first say that certainly in Allegheny County there is a need for improving our county government. That has been evidenced by the many requests that have been made over the last 9 years that I have been here in the House to alter, to change, to rework the Second Class County Code. In fact, I have offered several amendments and several bills to have our Second Class County Code reworked because it is archaic.

Our former commissioners recognized that when they put together what is now known as ComPAC 21, when they asked some civic leaders and some business leaders to look at how we could improve our county. I think all of my colleagues in Allegheny County recognize that we need to improve. We need to

improve the way we deliver services. We need to improve the manner in which our county is managed, and we also need to establish a different kind of relationship among the 130 political subdivisions in our county.

As Representative Blaum said, this is a matter that all members of this House from all counties are going to have to vote on, and I think it does reflect a concern for county government, for regional government, and I would hope that all members would look at it not only as an Allegheny County issue but as an issue that affects the future of government in our State.

We are all here representing counties. County government, as you know, is a creature of State government and primarily was designed to carry out State functions. We are now, today, presented with an opportunity to give to a county legally the authority to do things that they have not been authorized to do in the past but have assumed responsibilities, and by changing the county code, we have authorized them to do so.

For those who are interested in home rule for Allegheny County, let me suggest to you that those who are promoting this idea probably have given you a scenario something such as this, that we need home rule in Allegheny County so that the people in Allegheny County can make decisions for themselves. Two-thirds of all the people who live in Allegheny County live in communities that are governed by home rule. So two-thirds of Allegheny County is already governed by home rule, and people at the local level can exercise their option to make decisions for themselves.

You probably also have been told that this is going to save money, that we can look at other counties across the country, and in those counties, they save money by eliminating the three-commissioner form of government.

In five or six counties that have been used as part of the rationalization for this particular legislation, you would be surprised to know that in all of those counties, all of those counties – and I will read some names to you here shortly – in all of those counties, there is an elected executive, an appointed manager, and a council. And even if that council is part time, every employee who is elected, every public official who is elected, is compensated. Allegheny County is no different than those counties in terms of needing people who are going to be working and being compensated to serve the people, not special interest groups.

Let me just give you a couple examples, if I might, Mr. Speaker, and this is for the benefit of those who have heard a rationalization as to why HB 329, with the amendments, is going to benefit those of us who live in Allegheny County.

In King County, which encompasses the city of Seattle, you have 13 full-time council members; all are elected by district. Each council member is paid $85,000 a year, and the executive is elected countywide. This is one of the counties that Allegheny County has been compared to. If it is good enough for King County, why is it not good enough for Allegheny County?

Milwaukee County, Milwaukee, Wisconsin – 25 members on their board of supervisors. The chairman of the board is paid $62,000 per year, each member is paid $40,000 per year, and the vice chair is paid $40,000 per year; members are elected by district, and each one of these members is allowed to hire an aide.

The point I am trying to make is, at least in two examples of counties that have been compared to Allegheny County, it is kind of obvious that the citizens and the civic leaders and the corporate leaders in those communities felt that it was in the best interest of their county to hire full-time people, to elect full-time people, and to give them full-time salaries.

If I might, Mr. Speaker, just one more example of one other county that was used as a comparison to Allegheny County. That county is Davidson County, Nashville, Tennessee. There are 40 – 40 – part-time council members. Each member is paid $5,400 per year, and they also have staff. So there are a variety of approaches to whether or not council should be part time or full time and what they should be compensated, but it is clear that the most progressive counties in this Nation, as identified by those who support ComPAC 21, are counties in which the executive is paid, the manager is paid, and the council members are paid.

My preference would be, if I had an opportunity to amend this bill, would be to suggest to those who did amend it and might have a chance to amend it again that there be nine council members in Allegheny County – nine council members – and each of those council members be paid $45,000 a year. I think that way you get the best mix of civic leadership, people who are interested in government, and people who can spend some full time trying to help manage a county that by several analyses have some severe economic and social dynamic problems.

Mr. Speaker, there is also, I think, another reason why this particular bill should probably be held over and reworked. The question has been raised about economic development and whether or not HB 329 will provide for Allegheny County an opportunity to move into the 21st century as a leader in economic development and be more competitive with some of the counties that I have already referenced. There is no evidence that a county like Allegheny, with its severe economic problems, its economic disparity based on race and geography, is going to be brought out of its economic doldrums by creating a new structure for government. We need much more than that, Mr. Speaker, much more.

Some of you have probably been convinced that the reason we ought to do this is that it is going to foster more cooperation in our county, that people will get along better and will all work cooperatively. I do not think that is going to happen. I think one of the things that is going to happen if you create a council that has 13 to 15 members in a county that has 130 political subdivisions, that has 44 school districts, I think what you are going to end up doing is exacerbating tensions between the 30 or 40 ethnic groups that already live in our county. It is no secret that we have had many problems in Allegheny County. We are a county in transition. One big evidence of that is for 60 years, Mr. Speaker, my party, the Democratic Party, dominated Allegheny County. Last year that was all changed, and now the county is dominated not so much by Republicans but by three distinct ideologies, three distinct approaches, by our three commissioners. Both parties, Republican and Democrat, are having their internal problems.

But first and foremost, Mr. Speaker, HB 329 should not be attempting to address the political turmoil in our county. It should be attempting to address what kind of structural changes, what kind of substantive changes, are needed in my county, Allegheny County, to move all of its citizens into the 21st century, regardless of their political affiliation. I do not believe that this bill will do that.

I believe that this bill ought to go back, we ought to revert to a prior printer's number, to give us the chance to send it back to

committee to include a police civilian review board, and I use that as one example of something that could be included in a restructuring of Allegheny County government to probably begin to address some of the concerns. Some of you have probably been told that, well, we do not need to do anything in Allegheny County on the specifics; we can do it later. We have 119 police departments, Mr. Speaker – 119 police departments in Allegheny County. We probably have more police departments in Allegheny County than exist in many States. We obviously have some concerns.

One of my distinguished colleagues, Mr. Tangretti, on several occasions has suggested to this House, both Democrats and Republicans, that we do something to help local police departments, not only in terms of training and equipment but in terms of better preparing them to serve their people. Mr. Speaker, 329 does not address that crucial issue, and to leave it to the drafters of a charter, I think, is absolving ourselves of our primary responsibility, and that is to make sure that our counties serve the people of this Commonwealth.

Let me close, Mr. Speaker, by indicating that there are existing procedures in the law that would allow our commissioners in Allegheny County and the people of Allegheny County to change the form of government. I see no sound reason not to involve the people of Allegheny County in a more thoughtful process of how our county government should be reshaped. The people who served on the ComPAC 21 committee are to be commended for taking time from their busy schedules to try to improve our county, but their work is no substitute for the thoughtful deliberation of this legislature, the thoughtful deliberation of experts in this area. I do not think we do ourselves well to rush through this, to pass something, to put something on the ballot, and then ask the people of Allegheny County to try to figure it out.

I would daresay there are very few members in this Assembly who have really considered what impact 329, if they vote for it on concurrence, might have on their county. Today it is Allegheny County, tomorrow it is Bucks County, and then it is going to be Pike, and then it is going to be Chester, and then it is going to be Delaware. Those of you from Erie County have had the experience of having your government changed in a fashion similar to what is being proposed for Allegheny County. I ask you one question: Are you any better off today than you were 5 or 6 years ago? Are you any better off today under your reorganized county government than you were under the previous system? Has Erie County prospered any more under the present system than it did before?

Mr. Speaker, I ask each and every member of this Assembly to give thoughtful consideration to my concerns, and I reluctantly – reluctantly – as someone who is very much interested in change in Allegheny County, ask you to not concur in HB 329. This is the wrong bill at the wrong time. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I rise as a frustrated member from a small county. I understand that the word in the Republican Caucus is that everybody on this side is going to be solid because this is good for the Republican Party, and I do not know if it is or not. We can make lots of forecasts of what is going to happen in the local elections, and I know there are enough people on this side of the aisle who are going to vote "yes." So this bill is probably going to pass.

This is the kind of issue on which most of us would defer to people we respect in Allegheny County. I have got good friends on both sides of this issue on the Democratic side of the aisle. My frustration is what this is going to do to the property tax homestead exemption referendum question that is going to be on the ballot in November.

Now, anybody who has ever watched a fight about a charter change or any other change in the way government operates knows that the opponents ultimately end up saying, this is going to cost you more money; your taxes are going to go up, and you know that is going to happen. You know there is strong difference of opinion in this Assembly, and there is going to be in Allegheny County, and you know that argument is going to be made. You know that there is a fight going on in Allegheny County about freezes on assessments and whether that was fair or whether it was not fair, and you know that is going to fold into this debate.

A number of years ago, 6 or 8, we passed a sales tax for Philadelphia to bail out Philadelphia so they could get back on an even keel, and I voted for that. And 4 years ago we passed a sales tax for Allegheny County, and I voted for that. And both times I thought to myself, when is it going to be our turn? When are these people from these big counties going to worry about those of us who represent small counties who want tax reform? And now it looks like when we are on the brink of having a question, which was defeated the last time and is going to need the cooperation and strong support of everybody in this Capitol, that we are on the brink of that vote which probably will determine whether we have tax reform over the next 10 years, and we are going to mess it up because of some parochial fight in Allegheny County.

I guess it is going to happen, Mr. Speaker. I hope I am wrong. I hope the architect of this plan in the Senate will go back to Allegheny County and campaign hard for both referendum questions, and I hope she will be successful. I hope that the Governor, who has not taken a position strongly in support of tax reform, will come out and campaign hard for it, because if those things do not happen, what I am worried about is going to come true.

Mr. Speaker, I think we ought to vote this down, and I am just sorry that apparently we are not going to. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Walko, from Allegheny County.

Mr. WALKO. Thank you, Mr. Speaker.

I am opposed to concurrence on HB 329, but I want to make a few points.

I am strongly in favor of the executive council form of government. There are a number of reasons, not the least among which is you need a strong executive, and what we have now is a three-headed monster feeding upon itself. Moreover, I believe that the executive council form of government would bring meaningful checks and balances to Allegheny County's government. Finally, I believe it would improve input and accountability for the citizens and to the citizens. However, HB 329, while it would address the strong executive voice, it fails to address the other two important reasons to support that general form of government.

Let me ask my fellow Representatives, Mr. Speaker, would any of you serve or be able to serve the 58,000 people in our districts with no paid staff? Would any of you be able to serve and do the

job to be a meaningful check on the Governor of Pennsylvania if you were only paid a stipend? Well, that is what HB 329 would do. You would not be an effective check on government, on the Governor, on the administration, nor could county council members, who would represent 100,000 people in Allegheny County, be able to be an effective check, an effective representative in that system of government.

Moreover, I have a big problem with the whole process in developing what we are voting on today. There were many well-intentioned individuals who participated, and I think that in a democracy, process is extremely important. That is what separates us from many other forms of government. The process used here, I believe, was not correct. How many township commissioners sat on the group that drafted this legislation? None. How many borough council members participated in developing this legislation? None. How many city council members, how many mayors, how many elected officials other than the Senators who were involved and now today us? None. I do not believe that is an appropriate way to force a procedure on the people of Allegheny County, by totally involving power brokers and others and not the elected officials who are going to have to live with the system.

MOTION TO RECOMMIT

Mr. WALKO. I think we must go forth through the county before we take this important step. Therefore, I would make a motion to recommit HB 329 to either the Urban Affairs Committee or the Local Government Committee. Let us do this right. Let us involve our local officials. Thank you, Mr. Speaker – a motion.

The SPEAKER. Would the gentleman please specify one or the other of the committees?

Mr. WALKO. I would like it to go to the Urban Affairs Committee, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Walko, moves that HB 329 be recommitted to the Urban Affairs Committee.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of recommittal, the gentleman, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to recommit.

I think this is a very important piece of legislation. Although I am in disagreement with a lot of the aspects of this, I believe that the people in Allegheny County should have a right to determine if they want this type of government or they do not want it. It is time that we quit playing games up here and give the people the right to what government they want to represent them, and that is why I oppose this motion to recommit.

The SPEAKER. The gentleman, Mr. Trello.

Mr. TRELLO. Mr. Speaker, I support the motion to recommit for these reasons.

There is not one member of this Allegheny County delegation from the House that participated in drafting this piece of legislation. Two or three members of the Senate – and two or three members only – and not one of us here in this House from Allegheny County was involved in participating in this program, and we want to have that opportunity. By recommitting this bill, it will give us the opportunity for some input.

I support the motion to recommit. Thank you, Mr. Speaker.

Mr. WALKO. On the motion, Mr. Speaker?

The SPEAKER. The gentleman, Mr. Walko.

Mr. WALKO. Thank you, Mr. Speaker.

To the public of Allegheny County, the only games being played were played in the Senate on this piece of legislation. What we have is a piece of legislation which will set forth the process which will be used in adopting a home-rule charter or a new form of government in Allegheny County. It is only process, but it is very important process. And I correct myself; it is more than process, because one Senator from out east somewhere put in a provision in an amendment that would be very substantial – that no council member shall have paid staff. This is very important. This is not simply procedure. This is not a mechanism to give the citizens of Allegheny County a voice. This is a mechanism to give them something to vote on, yes, but the mechanism is very important, and we have not used the right process in developing it.

Let us send it to Urban Affairs; that is where it belongs, and let us take our time and do it right. Thank you.

The SPEAKER. The gentleman, Mr. Kaiser.

Mr. KAISER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to recommit this legislation to the Urban Affairs Committee. The purpose of this legislation is very simple: It will allow the residents of Allegheny County to determine the type of government that they want. That is very plain and simple. And how will that occur? By referendum; that simple.

You know, Mr. Speaker, all three county commissioners of Allegheny County realize that the present form of government is not working. They are all in favor of this legislation. This morning I got a phone call from Tom Foerster, who was a county commissioner in Allegheny County up until 1995 for 28 years. Seven terms he was county commissioner, and he called me today and said, please vote for this legislation; what we have in place is not working. I do not know what more of an endorsement you need from local officials. They are eliminating their jobs; that is what they are doing, but they are doing it because they need this vote so Allegheny County can move forward. That is plain and simple.

One of the prior speakers said we have a three-headed monster in Allegheny County. He is right; we do. Nothing is accomplished now in Allegheny County. Everything is pushed on the side.

Mr. Speaker, I am from Allegheny County. What I am asking the members of this institution is very simple: Let me and my fellow citizens of Allegheny County determine the type of government we want. It is that plain and simple. We are doing this not only for ourselves but for our children. We want economic development, we want fairness in government, and most important with this legislation, we want to lead Allegheny County in the fast track and the good track for the year 2000 and beyond.

One prior speaker said this may gum up the works on election day in the fall regarding homestead exemption. Well, I think the voters in Allegheny County are smart voters. They are voters who will educate themselves on this issue, and if this is on the ballot along with tax reform, I believe they can handle both those issues.

So I rise to oppose the motion to recommit. The bottom line is, let us decide what type of government we want in Allegheny County, and I can assure you, we will never come back to you again. You will never get involved in our issues. We will settle everything at home. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I do not have any intense emotional perspective on this, and I, like the gentleman from Somerset County, have good friends on both sides of the issue. I just want to talk about, for 2 or 3 minutes, the process.

Last night, very important legislation dealing with slot machines came over from the Senate, and last night, information reached us that this proposal was also on its way. They are both of substantial magnitude relative to our business at hand here in May and June.

The gentleman from Philadelphia, the majority leader, through a spokesperson, was quoted this morning in the Philadelphia Inquirer relative to the slot-machine bill, saying that it was not on a fast track and, quote, unquote, "We have to take some time and look at the bill very carefully." If you have to look at the slot-machine bill very carefully that just flew over here pell-mell last night – and I think you should – if we are going to have committees and committee chairmen, committee members, I cannot figure out why—

The SPEAKER. Mr. DeWeese, I know you are not intentionally misleading anyone, but that bill did not come over last night. It did not make it in the Senate.

Mr. DeWEESE. My staff just corrected me one moment ago, and I would apologize for that. However, however, the point remains the same, Mr. Speaker, and you are correct to bring that out. If and when the measure does reach us, the gentleman's remarks are applicable, that he wants to take some time to look at it. And again, due to a good economy, thanks to Dwight Evans and Bill Clinton and others, we have a budget passed on time. We have several weeks here between now and the middle of June to do the business of the Assembly, and quite frankly, what the gentleman from Pittsburgh, the members are asking for, at least many of them, is only for some time to look at this. We just got it last night.

In the Rules Committee today – and this hearkens to the comments that the gentleman from Somerset County made a little bit ago when he talked about those of us from small rural counties wanting to avail ourselves of the chance to realize a successful vote on the homestead exemption – when the Rules Committee met a few hours ago and this measure was catapulted to the floor, the majority leader, from Philadelphia, was there leading the charge on what we were going to do in Pittsburgh. At his side, the honorable gentleman, the Speaker of the House, from Delaware County, making a decision on what we were going to do with the Greater Pittsburgh area. The Appropriations chairman, from Lancaster County, from the 100th District, was there deciding what we were going to do with the city of Pittsburgh. The gentleman from Mercer, from the Eighth District, was there. The gentlelady from the 156th, from Chester, was there. The gentleman from the Lehigh Valley, who is the whip, was there. The administrator, from Northumberland, was there. The chairman of the Welfare Committee, from Montgomery, was there, et cetera, et cetera, et cetera. We had almost 20 people in the room, but only one was from Allegheny County – the Democratic whip, from Squirrel Hill. So only about one-twentieth of that deliberative process was representative of Allegheny County.

Now, you are asking us, as we debate whether to recommit or not, you are asking us to vote on something that is going to have a very substantial impact on Allegheny County and Pittsburgh. You are asking us to do it after we have had it for a couple of hours, and you are asking us to do it because the Rules Committee, with only one member from Allegheny County, voted in the affirmative. All we are asking by the gentleman's motion to recommit to the Urban Affairs Committee is for a little bit of time to study the issue – a week, a week and a half, 2 weeks. We are not going home until the middle of June. We have a month. What is the hurry? What is the hurry? Are we going to be a deliberative body or not? Are we going to avail ourselves of our committees or are we not?

I would ask that the gentleman's motion to recommit be sustained. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Williams, desire recognition?

Mr. WILLIAMS. Yes; I do, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. WILLIAMS. Thank you, Mr. Speaker.

While the previous speaker, Mr. Speaker, spoke to a lack of passion with regard to this issue, I do have strong passion. And for those who wonder how members from Philadelphia County feel about this, I have personal friends on both sides of the issue, but I come from a county which still feels the sting of how we moved gun control from a local county issue to a State issue. I come from a county that still stings from the feeling with regard to what happened with Temple University. I come from a county, Philadelphia County, that still has some strong feeling about how we pushed the sales tax in this—

The SPEAKER. The gentleman will yield.

Mr. WILLIAMS. Thank you.

The SPEAKER. Members will take their seats. Conferences in the rear, please break up. Sergeant at Arms, keep the area behind the rail clear. Thank you.

Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Speaker.

I come from a county that has had specific experience when local issues become State issues, and the precedent of the State, frankly, speaks louder than some of those local communities.

While I respect that there is a split of opinion with regard to Allegheny County, it was not difficult for me to count that the overwhelming members from the Allegheny County delegation were not in support of this proposal. So I do not want to see Allegheny County, Lackawanna County, Beaver County, or any other county in the Commonwealth of Pennsylvania feel the sting that we felt in Philadelphia County, and that was, our opinion was superseded by those of the State.

I received an interesting note the other day. A gentleman wrote to me about self-interest. His note said to me something along the lines of our self-interests seemed to supersede those of the majority. I thought it was kind of funny, because frankly, that is why we are all sitting here. Self-interest is the reason why we are sent here, and the self-interests of Allegheny County should not be superseded by those of us who have a difference of opinion. And there are many philosophical and technical reasons that I guess you could be against this or for this, but I reside with what has been

basic to Philadelphia County, and that is, we have felt the sting of when people supersede our self-interests.

So therefore, Mr. Speaker, I stand in support of recommittal. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Snyder.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, through this debate so far we have heard a lot of concern and criticism raised, and we have not yet had the opportunity during our debate to rebut some of those concerns.

Presently we are considering a motion to recommit HB 329. Some of the concerns for recommitting this bill are that we need more time to review this legislation, yet during some of the early debate we heard concerns that this should be a local issue, that his should be something that is driven by the local community. Mr. Speaker, the reason this bill is being moved today is at the request of Allegheny County, the county commissioners, who fully support this legislation. In fact, Mr. Speaker, we have a letter that was sent to the majority leader dated May 12 from the three commissioners – Larry Dunn, Bob Cranmer, and Mike Dawida. I would like to read it into the record:

> We are writing to express our unanimous support for H.B. 329 as amended with the Second Class County Charter legislation.
>
> The Allegheny County Board of Commissioners, as the governing body of Allegheny County, is fully committed to establishing the Charter Drafting Committee called for in H.B. 329. We plan to establish the committee by ordinance as soon as the legislation is signed into law by Governor Ridge. In addition, we plan to act unanimously to make the appointments to the Charter Drafting Committee, including the legislative nominees, so that the Committee can begin its work as soon as possible.
>
> As members of the board, we are committed to the county charter effort. This is a bipartisan effort. It is not based on politics. It is based on making Allegheny County government function more efficiently.
>
> Thank you for your consideration.

Mr. Speaker, time is of the essence, which is why this bill needs to be approved this afternoon by this legislature.

Mr. Speaker, one of the provisions of this bill is to provide for an expeditious home-rule-charter process, and while all the safeguards of home-rule-charter legislation are protected – the existing law is protected in this bill – we are basically allowing the study commission to begin its work immediately instead of waiting for another election cycle.

Mr. Speaker, if we do not act on this bill this afternoon, the opportunity for the voters of Allegheny County to determine what their future government will be could be postponed up until the year 2004. That is because, Mr. Speaker, under the regular process, it could take at least through the year 1999 before this goes to a referendum. Under existing law, Mr. Speaker, anybody who is elected into county office – and there is the county commissioner election in 1999 – must remain in office during their full term, which means that at the earliest, any plan that might be approved by the voters cannot be implemented until the year 2004 because of the election cycle process.

Mr. Speaker, this process has not been one quickly considered by this House. It is a process that has been going on for several years in Allegheny County. It is a process that has provided many opportunities for citizens in Allegheny County to have input into this process.

Mr. Speaker, just an example, the Post-Gazette in Allegheny County ran four Sunday series detailing and commenting on these recommendations. Over 70 presentations by ComPAC 21, which consists of citizens, the business community, municipal officials, county officials, have been made to a wide variety of groups over the last year. Commissioner Dawida held public hearings around the county last year. There are more than 6,500 copies of the proposed report that have been distributed in terms of what this means to Allegheny County, and the list can go on of the amount of information that has already been provided to the citizens of Allegheny County.

Mr. Speaker, I would like to just note that the Pittsburgh Tribune-Review in an editorial on Monday, May 12, commented on the need for this legislation to be considered this week. The Tribune admits that it has not been a supporter of many of the efforts and the proposals for reform, but let me read a couple of the citations from their editorial from Monday, May 12: "...should the...General Assembly fail to approve placement of the home-rule question on the November ballot before it adjourns at mid-week, voters will have been needlessly denied pursuit of better government." They are saying that if we delay this, the voters are the ones that will lose. It says also that because of the commitment by the ComPAC 21 group, "...that the Senate committee was able to report out a very palatable piece of legislation that should kill any perception that home rule's being proffered in ram-rod fashion." Finally, Mr. Speaker, the editorial reads that "We implore the full Senate and House to work diligently through Wednesday's adjournment to place home rule on Allegheny County's ballot this fall. The county's 1.4 million residents deserve the opportunity to adopt a government of, by and for the people."

Mr. Speaker, I ask for a "no" vote on the motion to recommit so that we can fully debate this issue and bring it to a vote and provide the citizens of Allegheny County the opportunity to determine their own future. Thank you.

The SPEAKER. The gentleman, Mr. Melio.

Mr. MELIO. Mr. Speaker, I just want to make some comments.

Number one, I do not think that Allegheny County is going to go down the tubes by the year 2004 if they do not pass this amendment. I also think that the county commissioners have not been in touch with the delegation that sits here in this hall of the House or they would have more people from Allegheny County supporting this thing.

I think it is a disgrace that we should try to shove something down Allegheny County's throat without giving them the opportunity to recommit this. I ask for a vote to recommit.

The SPEAKER. The gentleman, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, if you examine the bill, there is no real reason why we have to vote the bill finally today. Let me explain to you the timetable.

The bill allows for this charter proposal to go on either a municipal election ballot or a general ballot. That means it can go on in November of 1997; it can go on in May of 1998. The referendum would have to be provided 60 days before the election so that the Department of Elections would have that time to put in the bill.

In addition, the Charter Drafting Committee has a timeframe of 3 months in order to do their work. If the Charter Drafting Committee takes the full 90 days to do its job, then it is problematic whether or not the bill can be placed on the November ballot. But there is no requirement that the Charter Drafting Committee has to take 90. It can take 80; it can take 70, and if it takes 80 days or 82 days or 84 days, there is time to deal with this when we come back in the first week of June and still meet at least 80, 82 days.

The bill also has another provision that says that if the Charter Drafting Committee in its wisdom wants to take another 3 months, it may vote to do so, and if that Charter Drafting Committee takes an additional 3 months, it is far beyond the November 1997 election anyway. So there is really no reason to hurry. The only reason that I can think of is to prevent enough notice to the residents of Allegheny County to allow them to comment on the process.

Mr. Speaker, I heard the former speaker read into the record a letter from the three county commissioners, how they support this bill, but I can assure you that if the bill had a prohibition from them being able to seek the office of county executive that this bill proposes, that you would have a big stall, because we know what this is all about. This is about personal ambition and a desire to acquire— Conceivably, it could be the second most powerful position in the Commonwealth of Pennsylvania from a political perspective.

Mr. Speaker, I am from Allegheny County, and I would wager to say that most of your colleagues from Allegheny County do not support this bill in its current form. I would urge all of you to vote for recommittal, because if this were you, you would not want us to steamroller you. I ask for your indulgence, I ask for your consideration, and I ask for your support. Please vote to recommit. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, one of the previous speakers, the gentleman from Lehigh, made some comments about the people of a particular county having a choice. I think what this bill does is impose upon the people of Allegheny County a choice between an antiquated form of government and one that simply is not good enough, one that does not work.

The genius of the American experiment in setting up our form of government from the Federal level on down has always been a system of checks—

The SPEAKER. Mr. Blaum, recommittal.

Mr. BLAUM. I understand.

The SPEAKER. The question is recommittal. I allowed the two leaders some leeway, but I am going to try and hold the others on the question of recommittal.

Mr. BLAUM. That is what I am speaking to, Mr. Speaker.

—is a system of checks and balances, which does not exist in the legislation that is before the House, and I think by recommitting it, we can give the committee the time that it needs to work on this legislation and come up with a good piece of legislation, a good form of government, to send to the people of Allegheny County for them to vote on.

The choice right now is inadequate for the people of western Pennsylvania. It is a choice between an outmoded form of government and an inadequate work product which is here, put on our desks. We should not accept it. We should recommit it and ask the Urban Affairs Committee to come back to us with something that we can be proud to send to the people of Allegheny County for them to vote on.

So I would ask that the members recommit this legislation. Thank you, Mr. Speaker.

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

Mr. TRELLO. Mr. Speaker, the gentleman from the other side of the aisle from Lehigh indicated the Post-Gazette and how strongly they support this by advertising these meetings. Well, my office has never been notified of any ComPAC 21 meeting in Allegheny County, number one, Mr. Speaker. And number two, as far as the Post-Gazette is concerned, during the last election during the endorsement thing, they asked two questions: Do I support ComPAC 21, and I said no; my opponent said yes. They asked me if I supported privatizing liquor stores. I said no; my opponent said yes. Guess who they endorsed? My opponent. That is the only two questions they asked.

So so much for the Post-Gazette, and I say let us vote to recommit this turkey. Yeah, and guess who won; that is right.

The SPEAKER. On the question of recommittal, those in favor of the motion to recommit will vote "aye"; opposed, "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS–84

Battisto	Daley	Lucyk	Staback
Bebko-Jones	Dermody	Manderino	Steelman
Belardi	DeWeese	McCall	Stetler
Belfanti	Donatucci	Melio	Sturla
Bishop	Eachus	Michlovic	Surra
Blaum	George	Mihalich	Tangretti
Butkovitz	Gigliotti	Mundy	Thomas
Buxton	Gordner	Myers	Tigue
Caltagirone	Gruitza	Olasz	Travaglio
Cappabianca	Haluska	Oliver	Trello
Carn	Hanna	Pesci	Trich
Casorio	Horsey	Petrone	Van Horne
Cawley	Itkin	Pistella	Veon
Cohen, M.	James	Preston	Vitali
Colafella	Jarolin	Ramos	Walko
Colaizzo	Josephs	Rieger	Washington
Corpora	Kirkland	Roberts	Williams, A. H.
Corrigan	Laughlin	Robinson	Williams, C.
Cowell	Lescovitz	Santoni	Wojnaroski
Coy	Levdansky	Scrimenti	Yewcic
Curry	Lloyd	Shaner	Youngblood

NAYS–112

Adolph	Egolf	Major	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler

Armstrong	Feese	Masland	Semmel
Baker	Fichter	Mayernik	Serafini
Bard	Fleagle	McGeehan	Seyfert
Barley	Gannon	McGill	Smith, B.
Barrar	Geist	McIlhattan	Smith, S. H.
Benninghoff	Gladeck	McNaughton	Snyder, D. W.
Birmelin	Godshall	Micozzie	Stairs
Boscola	Gruppo	Miller	Steil
Boyes	Habay	Nailor	Stern
Brown	Harhart	Nickol	Stevenson
Browne	Hasay	O'Brien	Strittmatter
Bunt	Hennessey	Orie	Taylor, E. Z.
Carone	Herman	Perzel	Taylor, J.
Chadwick	Hershey	Phillips	True
Civera	Hess	Pippy	Tulli
Clark	Hutchinson	Platts	Vance
Clymer	Jadlowiec	Raymond	Waugh
Cohen, L. I.	Kaiser	Readshaw	Wilt
Conti	Keller	Reinard	Wogan
Cornell	Kenney	Rohrer	Wright, M. N.
Dally	Krebs	Rooney	Zimmerman
DeLuca	Lawless	Ross	Zug
Dempsey	Lederer	Rubley	
Dent	Leh	Sainato	Ryan,
DiGirolamo	Lynch	Sather	Speaker
Druce	Maitland		

NOT VOTING–2

Petrarca	Reber

EXCUSED–5

Evans	LaGrotta	Pettit	Roebuck
Flick			

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

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

The SPEAKER. The Chair recognizes the lady from Allegheny County, Miss Orie.

Miss ORIE. Mr. Speaker, I rise in support of HB 329. The drafters of the Pennsylvania State Constitution had the foresight and the vision to provide public input and public vote on significant issues. This is historical legislation for the citizens of Allegheny County, because it affords the citizens of Allegheny County, after 200 years of one form of government, the opportunity to vote on what type of government they choose to lead them into the 21st century. I feel that the citizens in Allegheny County, the 1.4 million citizens in Allegheny County, have the right to decide what form of government they want to lead them into the 21st century.

More importantly, this legislation will provide that the citizens will have local control of issues concerning Allegheny County.

The SPEAKER. The lady will yield.

Members will please take their seats. Conferences on the floor, please break up.

The Chair recognizes the lady.

Miss ORIE. Thank you.

More importantly, this legislation will provide the citizens of Allegheny County an opportunity to obtain local control and allow Allegheny County local controls over administrative as well as county operations. Instead of allowing legislators from 66 counties voting on Allegheny County matters, it will put the voice back to the people of Allegheny County.

I strongly support the safeguards in this legislation as well. It will not encroach on the 130 municipalities, creating a metropolitan area. It will maintain a cap on county taxes. It will limit property assessments. There will be a nonpaid council, nonpaid personal staff, which will save taxpayers, and there will be a voice for the elderly on the charter committee in regard to drafting. This is important, because Allegheny County has the second largest elderly population in the Nation, only behind Dade, Florida.

Mr. Speaker, this amendment provides the necessary vehicle for reform, and the reform should be by nobody else but the citizens of Allegheny County. Mr. Speaker, the time is right, and there is no better time for reform in Allegheny County, there is no better means for reform in Allegheny County, and I ask for concurrence on HB 329. Thank you.

The SPEAKER. The gentleman, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, the preceding speaker talked about the drafters of our Constitution and their wisdom in providing a process for home rule, and that process should be used in this case. I want you to understand, what you are doing is circumventing the process, the wisdom that those drafters came up with. We are moving ahead that process. We are choosing the drafters of this new home-rule charter for Allegheny County rather than going by the process of allowing them to be elected, rather than allowing the people of Allegheny County to make that decision for themselves. We are not – we are not, I repeat – aligning with the makers of our Constitution; we are circumventing it.

And why are we doing that? What is the rush? A gentleman talked about, almost in a panic, if we do not do this by 1999, the Allegheny County elections will come up and we will not be able to change the government there until the year 2004. I notice he was not talking about his own county. There could be a county election in his county. There could be a county election in your county. Are you panicked about that? More than 60 of the 67 counties across the State have three county commissioners. Are you worried about the county election in 1999? What is the problem? The problem is, the current county commissioners – and it is all political – the current county commissioners are Republican. They have messed things up so badly in Allegheny County that the Republican powers that be in the county with a lot of the wealth understand that they are going to get kicked out of office by 1999, so let us change that form of government. Let us make a balanced, let us make a balanced arrangement in Allegheny County.

Well, I remind you, Mr. Speaker, there are 1.3 million people in Allegheny County, and there are 2½ times the number of Democratic registered voters in Allegheny County than Republican. It is not a balanced county, but that is part of the State politics. Allegheny County is strongly Democrat, Philadelphia County is strongly Democrat, and many of your regions in the middle part of the State are just as strongly Republican. There is

a balance in that whole process. We are changing the balance, and the votes up there on that board against recommitting reflect that.

I understand why that side of the aisle would vote not to recommit. I understand why you are going to vote, to a man and woman, to pass this legislation. It is to your political advantage, but it is not the right way to do business, and the people of Pennsylvania, and particularly the people of Allegheny County, must learn that.

This bill was not a part of the process of this august body. We took this bill through the Veterans Committee, and then we voted it on Soldiers and Sailors Hall and added an amendment by the gentleman, Mr. DeLuca, on Penn Hills to the Second Class County Code and sent it off to the Senate. It comes back with a whole, a whole renewed way of doing business in Allegheny County, without any committee hearings, without any meetings by any of us. And in fact the newspapers for the last several weeks have talked about the meetings of the Senators over there in the Senate with some of the people from the ComPAC 21 commission and the proponents of this legislation. They never talked about any such meetings with House members. We do not need those House members; we will jam this baby through, and today we are watching it. It is happening. It is going to happen, but it is not right, and the people of Pennsylvania ought to know and learn that it is not right and who is responsible and who votes for that kind of thing, and the people of Allegheny County assuredly will be watching about who votes for that kind of thing.

Earlier we talked about the drafters of the Constitution. Let us talk about the drafters of our Constitution for the National Government, and one of the very principles that is imbued across that whole process in our National Government is the principle of checks and balances. You have heard earlier from other members about the lack of really the check on the power of the elected executive in this process here – unpaid, part-time, volunteer council people from 11 or 13 different districts across Allegheny County, each representing approximately 100,000 people. That is almost twice the size of our legislative district. In the legislation, they are not allowed to have personal paid staff. How are they going to know what business went on during the day between the elected county king and his manager? How are they going to know that? This is a $750-million budget representing 1.3 million people. How are those folks who spend all day working, coming back from their work, tired, going to go to a meeting and keep a real check and balance on that process? They are not, and that is part of the real problem with this arrangement.

Earlier we heard a gentleman talk about, the need for passing this legislation and why we must pass this legislation is because we want the people of Allegheny County to determine their own future. It is simple; it is simply that, he said. Well, let me tell you, that document that this drafting committee comes up with is not going to be simple. If you take a look at the Second Class County Code, it is not a simple document, but this charter is going to replace that code. And I will grant you, a lot of it is going to replicate that code, but some of it will not. And the people, when they are voting that referendum up or down, are not going to know a lot of the complexities of that code and what it really means for them. It is going to be anything but simple. It is going to be a very complex vote with lots of different implications on their lives and the services they normally receive every day, and they are going to be voting on it probably not knowing all of what those implications are going to be. It is not going to be simple, and they are going to get a chance to vote on that whole thing with one single vote.

I know many of you are tired on this floor of listening to problems from Allegheny County and different issues that we have had to deal with in our Second Class County Code, and I know many of you have stayed here for hours as we debated the fine points of one process or one part of that code or another. Can you imagine voting all of that in one fell swoop and knowing what you are doing? That is ultimately what this vote is going to come down to on the final code, and frankly, I think it is a scary thought.

Mr. Speaker, the county that we are talking about here has one of the finest bond ratings in Pennsylvania. In fact, its bond rating is better than the Commonwealth of Pennsylvania. It is better than the cities of Pittsburgh and Philadelphia and better than many of the municipalities in your and my district. That is because over the last number of years, we have worked hard trying to get our act together. Now, I am not going to stand here and contend to you that everything in that county is run smoothly or has run smoothly. It has not. We have our problems like every government, but nevertheless, the fiscal matters are in order, and that is a big part of this.

Over the last 2 years we have watched this group of county commissioners come in and spend nearly a $78-million surplus. That bond rating is most certainly going to drop. It is going to go down. This charter requires that there be caps placed on all the taxes. As we pay more money for the bonds and as we attempt to pay for county services, something has got to give, and I suggest to you that it is going to be some of those county services.

County services, after this charter, are not going to be the same. In fact, some of them are going to disappear. We had a small delegation from out of the Democratic House Policy that went around Allegheny County holding hearings on Kane Hospital because the county commissioners wanted to privatize Kane Hospital. I submit to you that that will be a target under this new charter. The very institution for which this bill was drafted, the Soldiers and Sailors Hall, one of the most important protections that that board has in that hall, and they had a huge fight over this some years ago when the county commissioners tried to deny them funding. They went to the Second Class County Code that was controlled by the State legislature, and they got their funding. But one of the real protections for the Soldiers and Sailors Memorial Hall in Allegheny County is the fact that it is in the Second Class County Code. As the pressures for that budget will increase against those caps that are put in here to save the reputations of the drafters – that is why those caps are in there; they contend that it is really to spare the taxpayers, but believe me, it has a lot more to do with their reputations – this budget will become unmanageable, and Soldiers and Sailors Hall, like Kane Hospital, will become more and more of a target to be an expendable item.

Mr. Speaker, I talked a little bit about the politics of this, and it is politics. The drafters of this ComPAC 21, well meaning as they are, do not have the experience and the depth and the breadth that you have in that politics, and you understand. I think we have a great understanding of what the different philosophies of the Democrats are and the Republicans, and we live with it every day, and we become kind of immune to those differences but we understand them; we realize them. People drafting this ComPAC 21 did not. It is quite obvious they did not, and they have allowed

themselves to be put into a position of drafting a document they do not really understand, and that document is being foisted on us tonight, drafted in one body of the Pennsylvania legislature and with an almost unanimous vote. Several of the votes from Allegheny County from the Democratic side in support of it may well be contenders in that chief county executive race. There is a lot of political ambition embroiled in this whole process, and I contend to you, that is what is driving this whole process – individuals' political ambitions, not government reform.

If they wanted to talk about government reform, if they were serious about talking about government reform, they would really address the issue as Erie did in part with their county row officers. It has long been acknowledged that we do not need a prothonotary, a register of wills, a clerk of courts, and all of those offices, but they specifically avoided going into that, because they knew politically that was a loser, and they got a problem with trying to address the real government reform in the government, putting that under the authority of the chief administrative officer of the court.

So I contend to you, Mr. Speaker, this is not driven by good government; this is driven by individual political ambition, and we ought to reject this effort and come back with a real effort that makes sense and that will truly serve government reform in Allegheny County and all the citizens of the Commonwealth. I urge disapproval and a negative vote on HB 329. Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh County, the majority whip, Mr. Snyder.

Mr. SNYDER. Thank you, Madam Speaker.

Madam Speaker, as a resident of Lehigh County, I can relate to much of the debate that is going on in this chamber this afternoon, because in the 1970's Lehigh County decided to become a home-rule county. We went through the charter study commission process and allowed the voters the opportunity to determine whether or not they wanted to have government by three county commissioners or government by a county executive, a nine-member board of commissioners very similar to the proposal that is being set forth under HB 329.

Madam Speaker, in Lehigh County, the county commissioners receive a $2,500-a-year stipend, and yet, every election there are contested races for those positions. We have teachers; we have farmers; we have union workers; we have business representatives. We have a wide diversity of our community represented on that board of commissioners, because many of those people are not looking to make a career out of politics but they are looking to make a contribution to their own community. Madam Speaker, HB 329 will give Allegheny County voters the same opportunity that five other counties in Pennsylvania have already accepted – to become home-rule-charter counties.

Madam Speaker, this chamber has always been a very strong supporter, overwhelmingly voting for bills that give local control and provide for local option. Madam Speaker, this legislation provides the opportunity for the voters of Allegheny County to determine their own destiny.

We have heard many comments this afternoon, and I am not going to try to rebut each one of them, but first of all, let us look at the process. The process is going to be very open to the public. Under this legislation, there will be at least 15 public hearings on different aspects of the proposal. Within the organization of the eight-member drafting committee, there will be five public hearings held within a month. Following the committee's draft and publication of their proposal, there will be an additional minimum of five public hearings. There will also be five public hearings after the apportionment plan has been drafted.

Madam Speaker, the bill provides for input in many ways from various aspects of the community. We are not forcing anything upon the residents of Allegheny County. This is their choice. They are asking for this opportunity, and all we are doing is giving them the same opportunity that the other counties that have gone to home rule have been provided, to be provided to them.

Madam Speaker, this is an opportunity for Allegheny County to study self-government and make a decision. If they decide to reject their charter, at least they have had the opportunity to look at the alternatives. Many of the arguments we have heard on this floor this afternoon are arguments that can be presented back home in the county to the voters, once they have a draft in front of them. Also, many of the issues that have been raised or may be raised – for instance, such as the executive's ability to run for other office – many of the other issues that may be brought up will be addressed by the charter committee. It is not for us as a legislature to draft a charter for Allegheny County. That is why we had the opportunity for citizens of Allegheny County to do that.

Madam Speaker, this legislation is a good proposal. It has been worked on since 1993. We feel it is the time for support, to allow the Allegheny voters an opportunity to vote for their home rule.

Madam Speaker, I also want to make into the record and I will submit for the transcript the fact that this legislation, while it addresses many issues, is really codifying, in this particular bill, current law dealing with home-rule-charter limitations, and it is our intent to retain all of the limitations that are placed on home-rule municipalities and to have them included in the proposed charter. Some of the limitations that are found in the Pennsylvania Home Rule Charter and Optional Plans Law, Act 62 of 1972, as they apply to counties, have been included, word for word, in this proposed legislation. Furthermore, Allegheny County is the only county right now that is not subjected to tax limitations following reassessment, and to make Allegheny County uniform with the other 66 counties, that provision is in here also.

Madam Speaker, this is a good proposal, and we ask for support of the members of this House. Thank you.

The SPEAKER pro tempore. For the information of the members, the following members are scheduled to speak: DeLuca, Habay, Waiko, Itkin, Levdansky, Pippy, Pistella, and Olasz.

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

Mr. DeLUCA. Thank you, Madam Speaker.

Madam Speaker, I reluctantly rise to concur on HB 329, and I do that mainly because of the fact that I think that we could have come up with a better proposal than we have here today and because I think that the citizens of Allegheny County should have an opportunity to vote on legislation that is going to affect them.

Now, saying this, let me state that as a member of a home-rule-charter committee that had 63,000 people in its municipality, that studied our government for 2 years, I think we make a mistake when we dictate, that we dictate up here, what and

how the people should be governed. This is truly, in the long run, this is truly not giving the people their choice.

We state in here that we should have a county-elected executive. That is not the people's choice. The only way they are going to have a choice is if they vote it down.

We say it should be an elected council, nonpaid. That is not the people's choice; that is our choice up here.

We tell them how many districts there should be. Maybe they want to have 5 or 7 districts, but we mandate 13 to 15. That is not their choice.

But I believe that the people of Allegheny County should have that opportunity to show the individuals who came up with this plan that they are not stupid, that they know what is going on. This plan was initiated by Duquesne University's president, by business CEO's (chief executive officers), by civic CEO's, by labor leaders – not rank and file – by school administrators, and by university CEO's. Where was the general public in here? There was not any.

I think under Act 62, the home-rule-municipality act, that we want to give people the choice, how do you run your government and how is it decided? We have taken that away from them here. And that is why, reluctantly, I reluctantly – I support this but very reluctantly, because I believe that the citizens of Allegheny County will have their say and address this issue when they go to the polls and let the labor leaders know and the CEO's know that they are average citizens out there and they know what is good for them. Thank you.

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

Mr. HABAY. Thank you, Madam Speaker.

Today is a choice that we make in Allegheny County and across Pennsylvania to let the 1.3 million residents of Allegheny County choose for themselves how they are going to be governed well into the 21st century.

We look at the arcane, stale form of county government that we have now; it has to be changed. I look out over Allegheny County, and I see a public high school that I went to, a pretty good public high school in the North Hills, and 50 percent of our young people have left, they are gone, and they are not coming back. If you look up at the makeup of our delegation on our side of the aisle, we are between 26 and 42 years old. We know what it is like to try to deal with an environment where young people are denied economic opportunities. We have to look and have vision for the next 200 years, now that we have passed 200 years in our history in Allegheny County.

There is a narrow window of opportunity that we are passing today to change the structure of our government if it is to be done by the year 2000. This legislation is just the first step in a very complex process that will prepare Allegheny County to be an economic leader in the next century. At this time we have a bipartisan coalition of community leaders – not only three of the county commissioners, two Republicans and one Democrat, but we have people from your side of the aisle, the Democratic side of the aisle, and the Republican side of the aisle. We must move this forward to change our government for the better.

This legislation essentially lays the groundwork for county leadership in economic development. Together with State and other elected officials, the new county leader will work to retain and grow existing business and attract new businesses and good-paying jobs to our region.

With three commissioners, each one of them doing their own thing, there is no clear leadership within the government. I talk to people within the county, and they are not sure exactly where they stand on an issue. That era will end, and it will provide not only to have one elected county leader – at least we will know who the leader will be – it provides a check-and-balance system, which does not currently exist in our county.

The commissioner system is obviously inefficient, fractious, and very expensive. The new structure will be less costly, more efficient, and will enable the county to promote economic development more efficiently than it has ever done before. Furthermore, a single executive and a county council will separate executive and legislative powers with appropriate checks and balances, much like we have on the State level and the Federal level.

A county council will provide representation for many parts of the county that have never had a representative in county government. Living and growing up in the North Hills, we have never had, in recent history, a representative in county government to help us in our region, and we had constantly been ignored for over 68 years.

The citizens of Allegheny County will be best represented by an unsalaried council with a limited staff. That is what I hear from my constituents who write me – and not the moneyed ones; the average Joe and Mary who go to work every day in Shaler Township and write or stop by my district office to tell me that. A paid council with a large staff would be costly and would bloat county government. We want citizens to be able to sit on council as they do in many other urban communities.

An appointed county manager with professional management skills and true statutory authority is necessary to run the county's day-to-day operations. To give you a good example of that, when the county commissioners and the mayor went to Japan, to meet in Tokyo when the Steelers went to play over there, they met on a number of economic issues between Allegheny County and Japan. The Japanese leaders did not know whom to deal with. Which one of these commissioners do we deal with? Do we deal with the mayor? Who is the leader of this region? And that is constantly the problem when we try to not only attract other development from the United States or from Canada or any of the European communities that come and visit my district and tour our industrial sites; they do not know who is in charge and they do not know whom to work with. We have to streamline this to bring businesses here and make us competitive like Charlotte or Minneapolis or any areas of the country that have been similar to Pittsburgh in the past but have grown.

Allegheny County is a very diverse county, with the distinction of being the most fragmented governmental structure in the Nation. The county has 130 municipalities and 43 public school districts, not to mention all of the authorities that we have.

Of the 130 municipalities, 72 have populations of 5,000 or less. One municipality even has a grouping of 100 or less people, and we have the city of Pittsburgh with about 350,000 people.

This is the change in Allegheny County, and this is why I believe this system is necessary.

In 1950, 45 percent of the county's population was centralized in Pittsburgh. Today, only 28 percent of the county's residents live in Pittsburgh, with 72 percent residing somewhere else in Allegheny County. In 1949, 74 percent of the county's business

activity was done in Pittsburgh, mainly in the Golden Triangle in downtown Pittsburgh. By 1985, only 38 percent of the county's business activity was from Pittsburgh, and the other 62 percent of the county's business activity had shifted to the rest of the county.

Today we live in a world where regions are fiercely competing, not only here but abroad, and economic development is necessary to expand our job base, to help pay for the senior citizens and keep our young people from leaving our area. Those regions which have been most successful have recognized the importance of regional cooperation and a centralized, efficient government.

In addition to those challenges presented by the competition among regions, Allegheny County needs government modernization and focused economic development. These forces will work to bring strong, forward thinking as well as centralized administrative policy and political authority.

Additionally, Allegheny County needs an effective spokesperson who can speak constantly and confidently about our role in economic development. The county's executive branch must be able to speak with a strong, single, united voice, not the fractured voice that we have now in the county, to represent our regional, State, and Federal interests abroad in the United States.

However, it is also essential for our local government, like the Federal Government, to have that system of checks and balances.

I thank you, Madam Speaker. This is a good opportunity to move Allegheny forward. If any of you have wondered what this is about, this is essentially about allowing the voters of Allegheny County to chart their own destiny, and that is what we are talking about.

Thank you very much, Madam Speaker.

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

Mr. WALKO. Thank you, Madam Speaker.

This is, in large part, about process and about involving people in their governmental processes, and in a democracy, process is extremely important.

Now, keep in mind, if the county commissioners wanted to go to a home-rule system and wanted to adopt a new form of government, they would not need this legislation; they could use the home-rule law. I will tell you what the problem for the commissioners is under the home-rule law.

Under the home-rule law, John and Mary and other typical citizens could have a real meaningful role. They could be elected to the Charter Drafting Commission. The Charter Drafting Commission would not be political appointees from people up here in Harrisburg or from the commissioners; they would be elected by citizens of Allegheny County. That would be real involvement for the people of Allegheny County, not giving them a document which has more limitations than I can count on two hands.

We are setting down limitations on the people of Allegheny County. We are restricting what the people of Allegheny County can do with their government. We are setting up a system where the committee responsible for proposing the charter is appointed by political people; they are political appointments rather than elected. And I think it is very important, if John and Mary, the average citizens of Allegheny County, are going to have any chance of being involved— They are not going to have it. We are going to have to have a home-rule process.

Now, what we have before us is not meaningful check and balance, it is not opening the doors of government for the citizens through a council; it is simply window dressing. What we are not having is real checks and balances in a governmental structure. We are simply providing rubber stamps in Allegheny County. And finally, what we have is not reform; it is deform.

Thank you, Madam Speaker.

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

Mr. LEVDANSKY. Thank you, Madam Speaker.

Madam Speaker, I have heard a number of speakers here today as well as the Democratic county commissioner in the last couple of weeks basically talk about how they should not have to come to Harrisburg on bended knee to have the Second Class County Code amended when they need something changed for Allegheny County. I have been here for 12½ years, for 6½ terms, and I can tell you, not once have a majority of the Allegheny County commissioners ever requested a change to the Second Class County Code that this legislative delegation, Republican and Democrat, did not act on that swiftly. So that is just an excuse. It does not happen. It is not true. This delegation, Republican and Democrat, has been very sensitive to the recommendations of the majority of county commissioners in Allegheny County when they have requested changes to the Second Class County Code.

Another issue I want to touch on a little bit is about the issue of reform. Now, reform is something that I have spent the largest part of my career on; government reform is an issue that I have largely been focused on for my 6½ terms as a legislator. And I can tell you, most of the time – not most of the time; when you talk to taxpayers about reforming county government, they think about ways in which you reduce the cost of government. They think about cutting government spending; they think about cutting patronage jobs. That is what they think about. They think about a more cost-effective county government.

But what will we get from ComPAC 21? ComPAC 21, this report, let me read to you verbatim: "Allegheny County has ten row offices which are held by 11 independently elected individuals (the office of Jury Commissioner is held by two people). Except for those offices which provide a governmental oversight function, there is no need for the independent election of offices such as the Register of Wills and the Recorder of Deeds. The continued existence of such separate entities is inconsistent with the adoption of a strong executive form of government. These functions should be under the control and responsibility of the executive branch."

It goes on to recommend that the controller and the district attorney continue to be elected separately because these offices are responsible for the legal oversight of county government activities. And let me quote finally: "The remaining row offices should be eliminated and their duties assumed under the executive branch of county government."

This is the recommendation of ComPAC 21, that we eliminate the row offices in Allegheny County in order to bring about a more cost-effective approach to government in Allegheny County. Yet, despite this report, which we are all fond of quoting today, despite that, in the bill before us, on page 10, subsection (C), quote, "THE CHARTER ADOPTED BY THE COUNTY SHALL NOT ELIMINATE ANY ELECTED COUNTY OFFICERS OTHER THAN THE COUNTY COMMISSIONERS."

So there you have it. On one hand, the report recommends the elimination of the county row offices, because they are redundant, because they are basically repositories of patronage jobs, they represent the height of fiscal irresponsibility at the county level, yet we have in the bill a protection of those patronage positions. This bill ducks the tough issue of how you reduce the costs of county government. It ought to be rejected on that alone.

Let me also point out, over the last several weeks and the last month, like most of my colleagues, I have received 50 to 100 letters and faxes from people urging me to vote for this. But I look at the return address, I look at the phone numbers; not one citizen from my district has called or written to me to indicate to me that this is an issue which they think I ought to spend any legislative time addressing.

It seems to me, Madam Speaker, that in the end, this proposal, this bill, is not about reforming Allegheny County government. This is not reform. It is really nothing but an elitist proposal concocted by the pointy-headed intellectuals in the academic and editorial boardrooms who have nothing better to do but think about the failures of county government.

Madam Speaker, this is an elitist attempt to ramrod an imaginary solution to an imaginary problem in Allegheny County. We do need to reform Allegheny County, but I submit to you that the language contained in this bill will get nowhere near bringing the kind of reform that the taxpayers in Allegheny County want and truly deserve.

For those reasons, Madam Speaker, I urge a "no" vote on the bill. Thank you.

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

Mr. PIPPY. Thank you, Madam Speaker.

Madam Speaker, I have heard this term "the people" used a lot lately, and I was wondering who these people were. Are they the same constituents I have, and I think they are. And they even gave them names. They named them John and Mary, maybe even Jane Q. Citizen. Well, what do these people of Allegheny County want? That is our concern.

Let me tell you what the people, the people I represent, the hardworking people, want. In the latest poll, done by the Tribune-Review, 92 percent of the people want their local legislator to support a bill that will offer them the opportunity to address change. Now, we may not agree on every issue that will be addressed; we may not even vote for the final passage as citizens of Allegheny County, but if we do not make this vote today, we will never give those citizens the opportunity to make that decision. That is what the people want.

We have also heard, well, do they even know what this is about? The Post-Gazette – and I remember my colleague who I share a district with; I, too, did not receive the Post-Gazette endorsement, and I, too, am standing here right now today – but they went and they asked, do the people support this amendment, specifically with this information? Sixty-two percent of those people supported it. Only 19 percent of John and Mary, the hardworking citizens of Allegheny County, did not support it. The rest were undecided. What we will do with this legislation is take the argument from the floor of the House and bring it into Moon Township, bring it into Shaler, bring it into Coraopolis, and let the townhalls and the people decide what is going to happen with Allegheny County.

Now, I was very proud, working with my Democratic colleague, to offer this bill, HB 329, that dealt with our veterans, and I say that that was an example of bipartisanship, people working together. This amendment now has the support of both Democratic and Republican Senators and legislators. This is not about business as usual, this is not about politics; this is about letting the people of Allegheny County decide. And what we will do now is we will vote for this issue, we will let them decide, and then those people will come to me and you as legislators and say, John or Jane or Fred or anyone else, what is this about, and we will do the best job we can to give them all the information we can and let them make a good decision. But if we do not do this now, it will not happen. And I am someone who believes that we are losing our younger generation – my generation – to other States, to other cities, and if I do not do something, who will? We have to step up and we have to bring this argument back to Allegheny County, and let us make a difference. This, if done properly, will be the first step in a better future for not only Allegheny County but our entire Commonwealth. If not done properly, then the voters will know that and they will vote it down in November. But give them that choice; let them make that decision.

I heard one argument which concerned me; it was that this is big business, receiving these faxes, or this is a Republican or even a commissioner's idea. Let me tell you, this is a letter I got from the League of Women Voters of Greater Pittsburgh, who will have constituents that live within your district. The League of Women Voters studied Allegheny County government back in 1969 and determined at that time, at that time, the citizens would be better served with a change in the structure to include a county executive, a county council elected by districts, and an appointed professional manager.

So I ask you now, just give us the opportunity to make that decision in our county, to let our voters bring up their concerns, and if they do not like the way the council will run or if they do not like the way the staff will work, then let them vote it down, but we have to let them have that choice and that decision. This is bringing government back to the people, and that is why I ran. Thank you.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Itkin, who requests that the gentleman, Mr. PRESTON, be placed on leave for the remainder of the day.

CONSIDERATION OF HB 329 CONTINUED

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

Mr. PISTELLA. Thank you, Madam Speaker.

I realize that the hour of the day is very late. I also realize there is probably very little that I could say or do to change anyone's mind or to convince them that my point of view is in fact appropriate. I think it is appropriate, however, to stand here and correct a few things that were said that I think may mislead some people as to the direction of this debate and the course of action on this legislation.

Let me give you a couple of examples.

My dear friend and fellow colleague from Lehigh Valley stood before you today and said that not too long ago, Lehigh County went through this exact same process; that five other counties have chosen to go through this process; that it may in fact be painful, but he feels, in his opinion, that it was something that was decided in Lehigh County by Lehigh Countians. That is correct, Madam Speaker, except for one thing: That is not the process in HB 329.

One of my colleagues, the lady from Allegheny County, stood and said that senior citizens in Allegheny County would be represented on this drafting committee; their concerns would be well taken care of. The actual language of the bill provides that "IN MAKING THE APPOINTMENTS, THE GOVERNING BODY...SHALL CONSIDER THE RACIAL, GEOGRAPHIC, AGE AND GENDER DIVERSITY OF THE COUNTY." That is the language of the bill; it shall be considered but it is not mandatory.

Getting back to the remarks that my colleague from Lehigh County made earlier, he cited a letter, he cited a letter signed by all three county commissioners in Allegheny County, dated May 12, saying they were ready to make the appointments to the committee to draft the charter; support HB 329; that is good. HB 329 was only amended with this language on May 7 in a committee of the Senate. If they are ready to make the appointments now, they knew all along who the charter study committee was going to be. They have those people standing in the wings.

My good colleague from Lehigh County also stood up and invoked a quote, a quote that was given by the Pittsburgh Tribune-Review not citing another politician we know as a contemporary but citing one who said, give Allegheny Countians a chance for government "of the people, by the people, and for the people." They are great words, spoken by President Lincoln at Gettysburg.

Let me tell you about "of the people, for the people, and by the people" in Allegheny County and ComPAC 21. Here are the members of the group that drafted this document: one university president, four professors of universities, one president of a foundation, one vice president of an insurance company, one lawyer, one labor leader, one CEO of a major utility company, and two executives that are directors of community groups. "Of the people, by the people, and for the people."

The same language contained in this legislation is not – I repeat, it is not – what is proposed in ComPAC 21's report that has been cited to you today. The actual language of the implementation that is recommended on page 23 is that there are many ways to adopt these proposals. It could be done on the county level. As a matter of fact, the mayor of the city of Pittsburgh, just last week, announced a program to merge the efforts of the economic development organization in the city of Pittsburgh, the Urban Redevelopment Authority, and the Allegheny County Urban Redevelopment Authority; one of the recommendations that were made in consolidating services. Is that appropriate? Yes. Is it admirable? Yes.

In addition, this same report, in another section, in the beginning of the report, recognizes and admits that in order to address the concerns that were expressed by my colleague from Allegheny County about executives from foreign countries not knowing whom to go to, this report admits, the bulk of economic development activity in Allegheny County takes place among private organizations – not Allegheny County government, not the city of Pittsburgh, not the 127 municipalities in Allegheny County. "Of the people, by the people, and for the people."

When we look at the process that those five counties had to follow in order to achieve home-rule status, they used the home-rule-charter statute. They had to go about putting on the ballot a question of whether or not there should be a referendum. They had to elect people – of the people, by the people, and for the people – to serve on that board. What we are doing here is we are abrogating that responsibility. We are taking that process and we are bastardizing it and we are compacting it and we are short-circuiting it so that the county commissioners and the leadership of the House and the Senate will appoint those people. They will not be elected of the people, by the people, and for the people.

What does that represent? Well, the Constitution of Pennsylvania was cited and the wisdom that was shown in 1968 of the drafters of that Constitution. They provided for choices to be made and the processes to be used. Another Constitution was cited, the Constitution that took place at the Constitutional Convention. If we turn around and we adopt this proposal, this would be analogous to the Founding Fathers of this Nation turning to King George III and saying, you tell us what we should do; you tell us what our constitution should be, what it should do. If we follow that analogy, Madam Speaker, today we would be standing here saluting the Union Jack and not pledging allegiance to the United States flag, we would be celebrating Guy Fawkes Day instead of the Fourth of July, and we would be standing here singing "God Save the Queen" instead of singing our national anthem.

There is a distinct difference in what the five counties have done in the history of this Commonwealth to achieve home-rule status and what is being proposed here today. This legislation does not even follow the recommendations of ComPAC 21.

I respectfully request that the members vote in opposition to this legislation, vote not to concur, because my fear is that somewhere along the line, not too far from now, we may be called upon to visit this issue again, because some of the constraints that have been spelled out in this legislation may prove difficult for the people that are responsible for drafting this document to fulfill their obligation, if we so give it to them today.

Thank you, Madam Speaker.

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

Mr. OLASZ. Madam Speaker, is Representative Mayernik on there? I defer to him if he is next. Let him speak; then I will go after him. Thank you.

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

Mr. OLASZ. Well, in his absence, Madam Speaker—

The SPEAKER pro tempore. Let us go back and again recognize Mr. Olasz from Allegheny County.

Mr. OLASZ. Thank you very kindly. As you can see, Representative Mayernik – I am not allowed to use names – is not in his seat.

You know, I have been here for weeks and I have heard a lot of talk about high-speed rail, but I do not remember us voting on high-speed rail. But I have seen the bullet train run through here in the last 2 weeks by way of the gas tax, and now I see the bullet train delivering this ComPAC 21 today. When did we vote on it?

The southerners have a saying, you can put earrings and lipstick on a pig and call her Peggy Sue, but you are going to have to put a lot of rouge on this pig to sell it to the voters of Allegheny County, telling them that this is in their best interest. Wait till they get a load of this hog and the people that support it.

You have heard all the speeches. I think I am giving you the best one for the reason to vote "no." Think about it and vote "no." Thank you very much.

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

Mr. MAYERNIK. Thank you, Madam Speaker.

To date, this General Assembly has spent over 4 hours of time regarding the issues that are pertinent to Allegheny County. This debate today is an example of why we need to change Allegheny. We need to permit the people of Allegheny to make up their own minds regarding how they will be governed instead of letting this General Assembly act to micromanage it. We have many things to do for the people of Pennsylvania here today. We should not be spending over 4½ hours on this issue.

HB 329 eliminates the three-commissioners form of government, provides for a single county executive, provides for 13 to 15 members of county council, and 1 to 3 members elected at large. I personally believe that this is too large of a government; that I am for smaller government – smaller government, less government, and reduced size of government. But in order to guarantee minority representation, both racial minority representation and political representation, minority political representation, it is necessary to have this size of a county council. Even though we are not exactly happy with the total structure and the number, it is essential to have minority representation.

Earlier today we talked about the Charter Drafting Commission. There will be eight members. Our Representative from Point Breeze expressed his concern of why we have to do it so quickly. There is a time line here, the time line of 90 days from the time of impanelment to prepare and to report back. They can have one extension of time. But it is the intent, the intent to have the Charter Drafting Commission report back with the final document so it can be placed on the November ballot. It is necessary.to put it on the November ballot so the people, yes, the people of Allegheny County, can vote and decide what form of government they will have to move it forward into the new millennium.

Members of the Charter Drafting Committee cannot be a candidate for county council, single county exec. There will be conflicts avoided.

Members of this General Assembly, both in the House and Senate, do not have to worry about them running against them, the new members of county council, because there is what we call the Philadelphia Rule. You are protected, Madam Speaker; you are protected, because if they run for office, they will have to resign their position on county council or as single county exec. There are protections for us in there. Be not afraid; move forward.

As we talked about the public hearings, this bill provides for five public hearings within the first 4 weeks of organization. It provides for five additional public hearings from the time the drafting is adopted for the proposed charter. As the gentleman from the Hill District that always wears the corsage on his left lapel stated, let the people have input, and they shall, and they shall have input if we place this on the ballot for them to decide.

The gentleman from South Side who says "I'm going to get you if you vote for this," I respectfully disagree with you. He stands corrected that no one can agree in Allegheny County what to do. We always agree, Madam Speaker; we agree to disagree. And that is what we call democracy – democracy of the people, by the people, and for the people – and that is why we are elected to office.

There is a story that is told by Commissioner Dawida how when he was a State Senator here, he wanted to pass a very simple piece of legislation that was needed in Allegheny County to increase the dog license fees by $2. It took him 2 years to do this. And during that period of time, he had to go to the Democratic leadership in the Senate chamber, who at that time wanted to make sure that they would vote for that dog license increase as long as he voted for the $150- to $200-million appropriation for the Philadelphia Convention Center. Now, that is fair. We are trying to avoid this type of legislation and this type of bartering.

The gentleman from Somerset, the Harvard graduate, with the tinge for agriculture, says that this legislation will be better for the GOP. I submit to you today, this is not better for the GOP, this is not better for the Democratic Party; this is better government for 1.3 million people in Allegheny County.

The gentleman from Somerset also expressed his concerns regarding property tax and how it will affect the homestead exemption. I, too, share his concerns and so do many of the people in this chamber. It is a very difficult issue in Allegheny County. There is an express provision, express provision in this legislation, that provides for a property tax freeze.

HB 329 has meaningful checks and balances, provides for input and accountability, and moves Allegheny County and its government away from the 200-year-old, three-headed bureaucratic system.

Today I received a call from the former commissioner for 28 years of Allegheny County, Commissioner Tom Foerster. He encouraged and supported that we change Allegheny.

There are problems in Allegheny County. As the gentleman from North Side who has the insatiable desire to see his name in the newsprint and see his handsome face on all the TV stations in the Pittsburgh area stated, we have problems in Allegheny County. Yes, we do, but if we go to this form of government, we will deal with it ourselves instead of dealing with it in this chamber today.

We need to change the form of Allegheny County government. It is essential, as the lady from the North Hills stated from the GOP, essential in changing the form of government to permit the people to have a say-so; yes, the people – the taxpayers, the voters – to have a choice in their form of government that will oversee them for the next several years.

There was also a question by the gentleman from North Braddock that we need more public input, we need to have hearings. I submit to you that in the past 2 years, there have been over 70 hearings and public meetings regarding ComPAC 21 in Allegheny County, conducted by Dr. Murray of Duquesne University; over 70 hearings and meetings. Then last fall, Commissioner Dawida – majority commissioner, soon to be – of Allegheny County conducted five hearings. With the legislation that is drafted in front of you today, it will require 10 additional hearings. That will be for a total of 85 hearings having public input within the past 2½ years regarding this issue.

I submit to you that it is time to change Allegheny. I ask for an affirmative vote on HB 329 for the single county exec and county council and ask for your help again to change Allegheny. Thank you very much, Madam Speaker.

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

Mr. READSHAW. Thank you. Thank you, Madam Speaker.

I rise in support on this legislation, and it is really time to cut to the chase here.

We have heard a myriad of opinions and concerns, many of them legitimate. The fact remains that this legislation provides the people of Allegheny County with the ability to make a choice via referendum, a referendum choice as to what type of government they want – they want.

I say, let us give them the opportunity to express what they want on a referendum. Vote "yes" for this legislation.

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

Mr. GIGLIOTTI. Thank you, Madam Speaker.

You know, I was going to sit down and let everybody vote, and I guess you want me to do that, but I just want to correct the record here.

You know, I get very excited when I get on this microphone, and I look around here and I see a lot of friends I made over the 9½ years that I have been here, and I never threatened anybody. I just want to correct the record that when I said that I was going to get even, it was not personally. It is that when your county is up for a vote and you come over and ask Allegheny County or Frank Gigliotti to vote in favor of your county, I am going to answer with the vote that you give me today.

So that is what I meant, and I just wanted to correct the record, Madam Speaker.

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

Mr. ITKIN. Madam Speaker, I think we are about winding down, and I really appreciate that the House has spent so much of its valuable time listening to the subject matter.

As you can see, this issue is controversial. It is controversial not only in Allegheny County, but obviously it has excited some of our other colleagues to get up and speak on the issue.

I will be finished in a few minutes, and I assume that is when the vote is going to be held, so if you just be patient, I will try to conclude my remarks as expeditiously as possible.

Just yesterday, our majority leader stood on this floor and said the metroliner was a thing of the past. Well, apparently that metroliner has been recommissioned for one more run, and it is on track to run right over the people of Allegheny County.

This bill is not about good government. It is about a concentration of power that is the exact opposite of good government.

The supporters of this bill are spreading distortions and innuendo to get people on their side.

Distortion number one: This bill gives the county greater ability to tax and raise revenue.

That is just not true. If this bill had been law when the regional asset district was formed, Allegheny County still would have had to come to Harrisburg.

Yes, as a former speaker said, this bill allows Allegheny County to change dog license fees by itself. But the tax caps in the bill are those that are in place the day it becomes law. If the legislature raises those limits, guess what? Allegheny County officials would not be able to take advantage of new revenue opportunities without coming to Harrisburg.

This is not taxation self-determination. This is just dog-law self-determination.

Plus, this bill does not ward off tax increases. Actually, it could result in automatic tax increases by allowing each year's property reassessments to rise to the specified 105-percent limit. What had been a ceiling could become a floor, with year after year, property tax assessments rising by 5 percent.

Will the people of Allegheny County not love that, and will it not be great for Pennsylvania when families start fleeing to Ohio and West Virginia to escape the insatiable tax monster?

Distortion number two: The county executive and the county council created under this legislation will be coequal branches of government.

Wrong. This bill places all the power – all of it – in the hands of a single county executive. The county council members are unpaid. They do not have individual staff. The council will be more like a civic improvement board, made up of good citizens with a lot on their minds.

This council will be responsible for a three-quarters-of-a-billion-dollar budget, and they do not have the staff to help them sort it out. Would we pass a budget without Mike Rosenstein and Mary Soderberg to advise us? Of course we would not. We are responsible for the taxpayers' money, and we want the best people possible advising us. So why should this council, responsible for a heck of a lot of money, be any different?

Here is how it will work: On Thursday evenings, council members will run home for dinner, dash to their parish council meeting, make an appearance at their kid's Little League game, and then show up at county council meetings. All the time, they will be thinking about taking care of some overdue paperwork for the family plumbing business. They will walk into the county council chambers, and they will turn to the county executive, and they will say, "What's on the agenda tonight?" And the executive will tell them, and they will say, "That sounds good." They will ask a couple of questions, and then they will vote for whatever the executive, in his or her wisdom, deems appropriate.

The county council is a rubber stamp, just like a puppet government under a Third World dictator.

Distortion number three: This change will be good for the whole county.

That is not true, because this bill is bad, very bad, for the city of Pittsburgh. With a council of 13 to 15 districts, maybe, at most, 4 districts will be in Pittsburgh. The all-powerful executive, in the meantime, will have run for office on a platform appealing to suburban voters, because the suburbs are where the voters are.

Obviously, there is nothing wrong with addressing suburban concerns, but not at the expense of urban concerns. And Pittsburgh is the hub of Allegheny County's wheel. Without the hub, the whole thing collapses. If the suburbs are the bedroom communities to the city, they will soon be bedrooms to a bunch of shacks.

Frankly, I do not understand why Mayor Murphy is not screaming bloody murder about this bill. It ignores the 370,000 people that he is supposed to represent. It creates an uneven

balance of power within the county, making the city a poor beggar at the county's door.

Is this any way to treat the city of Pittsburgh, the city we have all praised as a sparkling example of urban progress?

There is no reason we have to vote this bill now. The whole issue could be on the spring 1998 referendum ballot, and there would still be time to implement a new government before the next county commissioners' campaign.

The people of Allegheny County are being sold a bill of goods. They are told this is about good government and anyone who is against it must be corrupt and reactionary.

Well, call me corrupt and reactionary, but I happen to believe that this bill should serve the people of Allegheny County and not a few politicos, academics, and business people trying to snag more power for themselves.

Automatic tax increases and concentration of power – is this what the voters want? If it is, I have not heard about it.

Do not be bamboozled by the good-government hucksters. A bill on the metroliner is bound to run down a lot of people. Sure, changes are needed in Allegheny County government, but this really is not the way. Let us take some time to craft a really good bill, not this legislative equivalent of a jar of snake oil.

Thank you, Madam Speaker, for your patience – Mr. Speaker.

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

The SPEAKER. The Chair thanks the gentleman.

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–121

Adolph	Eachus	Lynch	Saylor
Allen	Egolf	Maitland	Schroder
Argall	Fairchild	Major	Schuler
Armstrong	Fargo	Markosek	Semmel
Baker	Feese	Marsico	Serafini
Bard	Fichter	Masland	Seyfert
Barley	Fleagle	Mayernik	Smith, B.
Barrar	Gannon	McGeehan	Smith, S. H.
Benninghoff	Geist	McGill	Snyder, D. W.
Birmelin	Gladeck	McIlhattan	Stairs
Boscola	Godshall	McNaughton	Steil
Boyes	Gruitza	Micozzie	Stern
Brown	Gruppo	Miller	Stevenson
Browne	Habay	Nailor	Strittmatter
Bunt	Harhart	Nickol	Taylor, E. Z.
Cappabianca	Hasay	O'Brien	Taylor, J.
Carone	Hennessey	Orie	Tigue
Chadwick	Herman	Perzel	True
Civera	Hershey	Petrone	Tulli
Clark	Hess	Phillips	Vance
Clymer	Hutchinson	Pippy	Van Horne
Cohen, L. I.	Jadlowiec	Platts	Waugh
Conti	Kaiser	Raymond	Wilt
Cornell	Keller	Readshaw	Wogan
Cowell	Kenney	Reinard	Wright, M. N.
Dally	Krebs	Rohrer	Zimmerman
DeLuca	Laughlin	Rooney	Zug
Dempsey	Lawless	Ross	
Dent	Lederer	Rubley	Ryan,
DiGirolamo	Leh	Sainato	Speaker
Druce	Lescovitz	Sather	

NAYS–74

Battisto	Daley	McCall	Staback
Bebko-Jones	Dermody	Melio	Steelman
Belardi	DeWeese	Michlovic	Stetler
Belfanti	Donatucci	Mihalich	Sturla
Bishop	George	Mundy	Surra
Blaum	Gigliotti	Myers	Tangretti
Butkovitz	Gordner	Olasz	Thomas
Buxton	Haluska	Oliver	Travaglio
Caltagirone	Hanna	Pesci	Trello
Carn	Horsey	Petrarca	Trich
Casorio	Itkin	Pistella	Veon
Cawley	James	Ramos	Vitali
Cohen, M.	Jarolin	Rieger	Walko
Colafella	Josephs	Roberts	Washington
Colaizzo	Kirkland	Robinson	Williams, A. H.
Corpora	Levdansky	Santoni	Williams, C.
Corrigan	Lloyd	Scrimenti	Wojnaroski
Coy	Lucyk	Shaner	Youngblood
Curry	Manderino		

NOT VOTING–2

Reber	Yewcic

EXCUSED–6

Evans	LaGrotta	Preston	Roebuck
Flick	Pettit		

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.

RULES SUSPENDED

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

Mr. ROSS. Mr. Speaker, I move that the rules of the House be suspended to permit the offering of a concurrent House resolution, HR 167, immediately.

On the question,

Will the House agree to the motion?

The SPEAKER. The gentleman, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I would like to—

The SPEAKER. For what purpose does the gentleman rise?

Mr. STURLA. Suspension of the rules. Is that what this—

The SPEAKER. That is not debatable.

Mr. STURLA. Okay. Thank you, Mr. Speaker.

The SPEAKER. I am sorry. Mr. DeWeese, of course, has the right to debate it, if he yields to the gentleman, Mr. Sturla.

Mr. DeWEESE. Mr. Speaker, I was momentarily distracted. What is the matter of business?

The SPEAKER. The gentleman, Mr. Ross— And I am just, frankly, steamrolling it myself. It is a concurrent resolution, HR 167, that requires a suspension of the rules to roll it. It requires the creation of a task force to study the cost, effectiveness, and equity of alternate means of providing law enforcement within Commonwealth municipalities.

Mr. YEWCIC. Mr. Speaker?

The SPEAKER. The gentleman, Mr. Yewcic.

The question before the House is suspension of the rules, which is not debatable.

Mr. YEWCIC. Mr. Speaker, the reason I am standing is, the last vote, I am trying to press my button to vote and it will not register. I am just wondering—

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

On the question of suspension of the rules, those in favor will vote "aye"; opposed, "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS–189

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

NAYS–7

Carone	Hanna	McGill	Steil
Fichter	Krebs	Steelman	

NOT VOTING–1

Reber

EXCUSED–6

Evans	LaGrotta	Preston	Roebuck
Flick	Pettit		

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 C

RESOLUTION

Mr. ROSS called up **HR 167, PN 1773,** entitled:

A Concurrent Resolution requiring creation of a task force to study the cost, effectiveness and equity of alternative means of providing law enforcement within Commonwealth municipalities.

On the question,

Will the House adopt the resolution?

The SPEAKER. On the question of the adoption of the resolution, Mr. Sturla, do you desire recognition?

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this resolution, and I believe that there are a couple of things that the resolution talks about. It talks about there being in excess of 2,000 municipalities in the State and that there is great diversity which exists among those municipalities and then goes on to appoint four members from the General Assembly. What I would like to do at this point in time is suspend the rules in order to offer an amendment which would allow that to be eight members from the General Assembly so that we can in fact adequately represent that diversity which is pointed out in this resolution.

It is a pretty benign amendment. It simply tries to get more participation from the members so that we can adequately represent that diversity.

The SPEAKER. The gentleman, Mr. Snyder.

Mr. SNYDER. Mr. Speaker, I would oppose the gentleman's amendment, and not because of the substance, but to let the member know that the legislation before us, HR 167, will provide for eight legislators. Four legislators are appointed by the Local Government Commission, and four are appointed by the respective caucuses. So there is a total of eight legislators, four of which come from the Local Government Commission and four that come from each of the caucuses.

The SPEAKER. Mr. Sturla.

Mr. STURLA. Mr. Speaker, if I could, most of the committees in the House have upwards of 24 members, 25 members,

somewhere in that neighborhood, so that it can have in fact a diverse representation. Given the fact that there are over 2,000 municipalities and the fact that the types of diversities listed numbers eight or nine just in the resolution itself, I would hope that we could expand that just slightly. All I am looking for is four more members to be able to be appointed to this so that we can adequately represent the types of diversity that there is within municipalities in the State of Pennsylvania.

The SPEAKER. It was not necessary to suspend the rules. They had been suspended.

Will the gentleman send his amendment to the desk.

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

Mr. **STURLA** offered the following amendment No. **A2275**:

Amend Second Resolve Clause, page 2, line 12, by striking out "four" and inserting

eight

Amend Second Resolve Clause, page 2, line 13, by striking out "one" and inserting

two

Amend Second Resolve Clause, page 2, line 14, by striking out "one" and inserting

two

Amend Second Resolve Clause, page 2, line 15, by striking out "one" and inserting

two

Amend Second Resolve Clause, page 2, line 16, by striking out "one" and inserting

two

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

The SPEAKER. On the question, are you satisfied with the explanation you have already given?

Mr. Snyder, on the question of the amendment.

Mr. SNYDER. Mr. Speaker, we would oppose the amendment.

As we explained, there are eight legislators on here, in addition to the fact that there will be representatives from the State Police, the Attorney General, from counties, from district attorneys, from the municipalities, from sheriffs, and other agencies. There will be a cross-representation of people on this task force, and I think that if we would increase the representation of legislators, it would outweigh the very people that the sponsor of this amendment would like to have represented.

Furthermore, Mr. Speaker, this has gone through the Local Government Commission. Bipartisan members of the House and Senate on that commission have agreed to this resolution. This is what the Senate has also agreed to support, and I would hate to jeopardize this resolution by making amendments at this time.

The SPEAKER. The Chair thanks the gentleman.

Mr. Sturla.

Mr. STURLA. Mr. Speaker, I would just ask for an affirmative vote on this.

I cannot imagine that anyone would oppose more representation from different municipalities in this State. There are many diverse issues, as was pointed out in the resolution itself, some of those that deal with population. There are large municipalities in the State that have no police departments, large ones that do have police departments, small ones that do, small ones that do not from various parts of the State. All this is trying to do is to get a better representation of those kinds of municipalities on this commission to look at what is probably one of the most critical issues in the State of Pennsylvania – local police enforcement. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS–95

Battisto	Dermody	Manderino	Scrimenti
Bebko-Jones	DeWeese	Markosek	Shaner
Belardi	Donatucci	Mayernik	Staback
Belfanti	Eachus	McCall	Steelman
Bishop	George	McGeehan	Stetler
Blaum	Gigliotti	Melio	Sturla
Boscola	Gordner	Michlovic	Surra
Butkovitz	Gruitza	Mihalich	Tangretti
Buxton	Haluska	Mundy	Thomas
Caltagirone	Hanna	Myers	Tigue
Cappabianca	Horsey	Olasz	Travaglio
Carn	Itkin	Oliver	Trello
Casorio	James	Pesci	Trich
Cawley	Jarolin	Petrarca	Van Horne
Cohen, M.	Josephs	Petrone	Veon
Colafella	Kaiser	Pistella	Vitali
Colaizzo	Keller	Ramos	Walko
Corpora	Kirkland	Readshaw	Washington
Corrigan	Laughlin	Rieger	Williams, A. H.
Cowell	Lederer	Roberts	Williams, C.
Coy	Lescovitz	Robinson	Wojnaroski
Curry	Levdansky	Rooney	Yewcic
Daley	Lloyd	Sainato	Youngblood
DeLuca	Lucyk	Santoni	

NAYS–101

Adolph	Druce	Maitland	Semmel
Allen	Egolf	Major	Serafini
Argall	Fairchild	Marsico	Seyfert
Armstrong	Fargo	Masland	Smith, B.
Baker	Feese	McGill	Smith, S. H.
Bard	Fichter	McIlhattan	Snyder, D. W.
Barley	Fleagle	McNaughton	Stairs
Barrar	Gannon	Micozzie	Steil
Benninghoff	Geist	Miller	Stern
Birmelin	Gladeck	Nailor	Stevenson
Boyes	Godshall	Nickol	Strittmatter
Brown	Gruppo	O'Brien	Taylor, E. Z.
Browne	Habay	Orie	Taylor, J.
Bunt	Harhart	Perzel	True
Carone	Hasay	Phillips	Tulli
Chadwick	Hennessey	Pippy	Vance
Civera	Herman	Platts	Waugh
Clark	Hershey	Raymond	Wilt
Clymer	Hess	Reinard	Wogan
Cohen, L. I.	Hutchinson	Rohrer	Wright, M. N.
Conti	Jadlowiec	Ross	Zimmerman
Cornell	Kenney	Rubley	Zug
Dally	Krebs	Sather	
Dempsey	Lawless	Saylor	Ryan,
Dent	Leh	Schroder	Speaker
DiGirolamo	Lynch	Schuler	

NOT VOTING–1

Reber

EXCUSED–6

Evans	LaGrotta	Preston	Roebuck
Flick	Pettit		

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

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

The SPEAKER. The lady, Mrs. Cohen, on the resolution.

Mrs. COHEN. Thank you, Mr. Speaker.

The SPEAKER. On the resolution.

Mrs. COHEN. On the resolution.

Mr. Speaker, I rise to oppose this resolution.

I represent five municipalities, and I think that I could stack up my local police against any others, and I am sure that there are many other Representatives in this chamber that could say the same thing about the police departments that they represent.

I understand the intention of this resolution, but the wording and the language is very, very broad, and it really empowers this task force to examine and go into all local police forces and perhaps not only make suggestions but impose its will upon local police forces existing and operating efficiently, well, and, in many respects, magnificently. I take umbrage at the fact that such a task force would come into any one or all of my five municipalities with exemplary police forces and impose their will upon my police.

One of the beauties of our form of government is indeed local control and local government and local operations of our police forces, and this resolution and this task force worries me that such a case may happen where this task force may indeed be able to impose its will upon the five municipal police forces that I represent. I think it is unnecessary, and I think it may be indeed the State's imposition where it simply does not belong.

Therefore, I urge my fellow Representatives to vote "no" on this resolution. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Ross.

Mr. ROSS. Mr. Speaker, I rise to reassure the gentlelady from Montgomery County that that is not at all the intention of this task force. The reason this task force was originally considered was due to concerns that came out of the budget this year about the provision for the State Police and also the State Police in municipalities where local police forces were not currently functioning.

We are concerned about the interaction between the local police forces and the State Police and also how to properly provide for the State Police, but we have no intention in this task force to interfere in any way with the operation of the local police forces. That is not going to be part of our brief and not our intention at all, and actual local police will be part of the task force, and we will have a chance to get their input as well.

MOTION TO RECOMMIT

The SPEAKER. The lady, Mrs. Cohen, for the second time on the issue.

Mrs. COHEN. Thank you, Mr. Speaker.

I certainly have full respect for the maker of this resolution and the intention of the resolution, and I think I said that originally. However, good intentions are not spoken as the way I read the language of this resolution. I agree with the intent of the resolution. I just do not think that the language says what the intention is.

Therefore, Mr. Speaker, I would like to move to recommit this resolution to the Local Government Committee.

The SPEAKER. The lady from Montgomery County, Mrs. Cohen, moves that HR 167 be recommitted to the Committee on Local Government.

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

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

Mr. ROSS. Mr. Speaker, with all due respect, the hope was that we might be able to proceed under this policy or under this task force so that we had the opportunity to get the information we needed prior to the creation of next year's budget. We had 23 municipalities that were particularly singled out in the budget this year for extra charges, and there was considerable concern about that coming up and perhaps coming up again next year. We would like to use this summer to work to try and come up with alternative proposals and to provide adequate information so that we might come up with a more agreed-to solution to State Police funding in the future. We need to have this move and we need to be able to get the task force run this summer.

I respectfully ask that we not recommit to the Local Government Committee and that we vote tonight.

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

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I join with the gentleman and ask for a negative vote on the motion to recommit.

This is a resolution. The purpose of recommitting a bill to a committee is for further study. That is exactly what the resolution seeks – further study. The resolution seeks to appoint a task force to study an issue which we, many of us, believe needs further study. The resolution does not appoint a committee that can change law or make law. It appoints a task force which can study an issue and make recommendations about what we consider to be a continued problem.

I would ask the members of the House to vote against the motion to recommit so that we can get on with the establishment of the task force that is recommended by resolution. Vote against the motion to recommit, Mr. Speaker.

The SPEAKER. On the question, the gentleman, Mr. Gannon, desires recognition. The gentleman is recognized.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I very reluctantly support the motion of Representative Cohen.

The language in this resolution is just much too broad based on the explanation and the goal and the mission that was explained to us here today. I think that perhaps a suggestion would be to hold the bill over to come up with an amendment that would be acceptable to everyone, that would narrow this down so that we could focus on the real problem and not find ourselves in a very tangled web of an investigation of the police departments of this Commonwealth.

The SPEAKER. Apparently there has been a change in signals. It is the understanding of the Chair that— Am I right or wrong?

The change of signals consisted of my not being able to read them.

The question before the House is the motion to recommit. On that question, is there anyone that desires recognition?

PARLIAMENTARY INQUIRY

The SPEAKER. Mr. Pistella.

Mr. PISTELLA. Mr. Speaker, may I ask a parliamentary inquiry?

The SPEAKER. You may.

Mr. PISTELLA. Thank you.

Mr. Speaker, I have some questions in regard to the resolution itself. I do not know if it would be appropriate to ask at this time of the prime sponsor or if I should defer until a later time.

The SPEAKER. Yes, you should defer.

Mr. PISTELLA. Thank you very much.

The SPEAKER. On the question, Mr. Tangretti.

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the motion to recommit.

I have some comments to make on final passage on this resolution. I will reserve those for now, but I would ask all those individuals who have an interest in this topic to vote against this motion to recommit. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS–22

Allen	Corpora	Manderino	Seyfert
Argall	Fichter	McGill	Smith, B.
Bishop	Gannon	Myers	Stuma
Buxton	Gruitza	Oliver	Thomas
Casorio	Haluska	Pistella	Van Horne
Cohen, L. I.	Lucyk		

NAYS–174

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

NOT VOTING–1

Reber

EXCUSED–6

Evans	LaGrotta	Preston	Roebuck
Flick	Pettit		

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

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Tangretti, at this time.

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, for the last 2½ to 3 years the Democratic Policy Committee has held hearings and a study on local police issues and their needs, and we have, as you all know, from time to time dealt with those issues in one form or another on this House floor. We have sent to the Senate on no less than four occasions one of those bills in which we all agreed almost unanimously that the local municipal police departments need help, need the attention of the State, and we have been able to piece together at various times plans of actions to help them. But as with everything else, when it gets to the Senate – just about everything else – we have difficulty in getting it through for one reason or another.

When this session started, it occurred to me that spinning our wheels and sending bills to the Senate to die in that boneyard over there did not make much sense, and so I introduced a resolution to create a House select committee to do the exact same thing that this resolution does from the Local Government Commission. I approached our majority leader and I asked that he consider the possibility of that resolution coming to the floor and would he support it, and he graciously agreed to do that, and that resolution was scheduled for a vote and ostensibly a House select committee would have been appointed for that purpose.

As a result of the budget situation, as the gentleman from the other side of the aisle, the chief sponsor of this resolution, stated a little bit ago, and the Governor's proposal relative to the 23 townships who do not have police departments and the Governor's proposal to surcharge them, parallel to my efforts with respect to the House select committee, their efforts approach the Local Government Commission to do the same thing. Upon learning of that fact, it only made sense that it would be much better to have a joint select committee to do this study as opposed to a single House committee, so I defer to that. I think we need it. We have discussed the needs of the local municipal police departments in this House for a lot of years and we need to do something about that, and this very comprehensive, systematic approach to that study and recommendations to this House – and I want to underscore recommendations – should be made.

And so I stand here today asking you to support this concurrent resolution for the purposes of studying the needs of our local municipal police departments and providing recommendations to help them. So I ask your support in passage of this concurrent resolution. Thank you.

The SPEAKER. The gentleman, Mr. Pistella.

Mr. PISTELLA. Thank you, Mr. Speaker.

I was wondering if the gentleman, the prime sponsor, would be kind enough to answer some questions.

The SPEAKER. The gentleman, Mr. Ross, indicates he will stand for interrogation.

Mr. PISTELLA. Thank you, sir.

If I am not mistaken, I believe we met at one of the meetings of the Local Government Commission. It was, I believe, your first meeting and my last meeting serving on that group, and my question involving the resolution deals with the development of it.

It is my understanding that the process that is used oftentimes by the Local Government Commission is that they work with the associations, different local governments across the State to develop resolutions or legislation at their request. Did this particular resolution come from the request of any statewide organization?

Mr. ROSS. Mr. Speaker, I am not sure exactly which particular group did specifically request this. The Second Class Township Association is what I gather it did, but it did come up through the ranks of the Local Government Commission.

Mr. PISTELLA. Okay.

I realize it came up from the commission because I recognize the sponsors being members of the commission. I was not sure. There has been some concern expressed to me by some of the members as to the development of the resolution.

The second question that I had was, as I understand reading this very briefly, we are merging together the efforts or the makeup of the membership to be the members of the commission and then other members that would be appointed. Is that correct?

Mr. ROSS. Actually, the makeup of this task force would be four members from the commission representing each of the four respective caucuses, then four members from the caucuses at large that would not be on the commission, and then a broad sampling of other people involved in the law enforcement community and representing all of the constituencies that we were able to come up with that might be interested or involved with this kind of a subject.

Mr. PISTELLA. The legislation, upon page 2, does not seem to delineate the number of people to being four from the Local Government Commission. My reading of it is that it says the Local Government Commission shall appoint the membership, but then it goes on to say there shall be four other members of the Assembly. Are you saying that the commission itself decided to only appoint four members?

Mr. ROSS. That was the intent of the commission. We did have a commission meeting where we specifically discussed that, and that was the sense of the commission, that they wanted just four members, not the entire— This is a task force set off from the commission rather than being the entire Local Government Commission.

Mr. PISTELLA. Okay.

The next question is in regards to the staffing of this organization, the task force. Is the work to be undertaken by the executive director of the Local Government Commission and their staff in assisting this?

Mr. ROSS. The staff of the Local Government Commission will be involved. We also have committed a sum of $50,000, which was in the budget of the Local Government Commission, that will be available to hire outside experts. There was a consideration particularly of having a person who is quite familiar with law enforcement actually serving as a paid consultant to help pull this project together.

Mr. PISTELLA. Okay.

The other question I have is, it is my understanding that in terms of reporting, it says "That the Local Law Enforcement Task Force report its findings to the General Assembly as soon as may be possible as determined by the Local Government Commission." My question, Mr. Speaker, is, who would oversee this? It sounds as if we are authorizing a task force to conduct this and then pass it on to the Local Government Commission, which may or may not then release it to the membership of the Assembly at large. Is that accurate?

Mr. ROSS. It is my understanding that we will form the task force. The task force will do its job and try and come forward with a report which will be reported back to the Local Government Commission and also to the General Assembly in due course.

Mr. PISTELLA. Thank you, Mr. Speaker.

I have concluded my interrogation, Mr. Speaker. I appreciate the gentleman's patience.

Having served on the Local Government Commission, I think that they have oftentimes worked to try to develop as bipartisan a standard as possible in their efforts. I think what was confusing to some members was the scope of involvement to which this task force would be involved. I think, however, that the gentleman has explained that when we look at an appropriate standard or chain of command, if you will, that the task force will follow, that it will

actually serve as a temporary wing or temporary arm of the Local Government Commission in its efforts and in its deliberation, and that the final work product will be worked through that commission, and my presumption, of course, being that the commission could then review it and make further recommendation to the General Assembly of actual legislation to be introduced, which is the standard operating procedure and has been the standard operating procedure of that commission.

I think that what that in fact will do, will give our membership on both sides of the aisle an opportunity to address the issue; at least when the presumed finished product in the form of legislation is ever presented to us, it would give us at least another opportunity to review this in addition to that which takes place under this process.

I would encourage the members to support this, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Sturla.

Mr. STURLA. Mr. Speaker, will the gentleman, Mr. Ross, rise for a brief interrogation?

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, earlier it was indicated that this task force was going to focus on the problem that arose in this year's budget and the past year's budget dealing with State Police operations in townships of a certain size. Is that what you— You intend to limit the focus basically to that issue?

Mr. ROSS. Mr. Speaker, no. Basically, the—

The SPEAKER. Will the gentleman yield.

Mr. ROSS. Thank you.

The SPEAKER. The noise level is entirely too high.

Mr. Ross.

Mr. ROSS. Mr. Speaker, the problems that occurred with the debate this year really highlighted some general concerns about the interaction between the State Police, how the State Police should properly be funded, and the correct provision of police protection in townships, municipalities, and boroughs across the Commonwealth, particularly those that were relying on the State Police. So it will have a bit broader scope than the gentleman from Lancaster County had indicated.

Mr. STURLA. Mr. Speaker, is it your intention that the task force would at all look at those municipalities which currently have their own police departments but may not have enough funds to run those police departments that do not ask for the State Police to intervene? Would this task force be touching on that issue, or is this basically, more or less, the relationship between the State Police and the local municipal police and how that interaction occurs and who pays for what?

Mr. ROSS. There is a potential for some consideration of municipalities in the degree that even though they sometimes have their own police force, they also will from time to time call on the State Police either for particularly serious crimes where they need assistance or as backup when they are short-staffed. So there may be some consideration in that area, but generally we have no interest in interfering with those municipalities that are using local police effectively right now.

Mr. STURLA. So the intention of the task force or the purpose of the task force is not at all to look at funding for local police departments, local municipal police departments. Is that correct?

Mr. ROSS. Was that a question or a statement? I am sorry.

Mr. STURLA. Will the task force— Is it your intention to have the task force look at the funding of local municipal police departments that are paid for with local tax dollars?

Mr. ROSS. My understanding is that local police forces which are funded by local tax dollars are local matters, and I would not think in the ambit of this particular report.

Mr. STURLA. Okay. Thank you, Mr. Speaker.

If I could make a brief comment?

The SPEAKER. A brief comment would be in order.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I had hoped that this resolution was a little more broad in its nature, but I will still support it in its looking at this sort of one issue but would hope that perhaps the majority leader could be convinced to perhaps take up Representative Tangretti's resolution, which would do a broader look at some of the other issues facing municipal police departments in the State of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Tangretti, for the second time, for a brief statement.

Mr. TANGRETTI. Mr. Speaker, well, I appreciate your interest in brevity, but I, quite frankly, am confused now by the gentleman's answer to the last question.

My understanding was and my agreement to withdraw my resolution with the majority whip was based on the fact that we were in fact going to look at law enforcement needs across this Commonwealth beyond the townships that had the proposal of the budget. Maybe I misunderstood the gentleman's answer, but in fact, there are police departments in this Commonwealth whose difficulties associated with funding as well as other kinds of issues need to be addressed by virtue of this task force.

I would ask for a clarification on that, if I may.

The SPEAKER. The gentleman, Mr. Ross.

Mr. ROSS. Mr. Speaker, I am sorry if I was confusing a minute ago.

We certainly are not merely limiting it to the 23 municipalities that were under consideration in the budget before. We are talking about something much broader than that. And in fact, what I was trying to say a minute ago was that even those municipalities that do have local police forces sometimes do rely on the State Police, so there is a moment when in fact actually they would even be involved, but we did not mean to interfere with local police forces.

Mr. TANGRETTI. If I may, Mr. Speaker, just for further clarification. Are you suggesting, sir, that municipalities who do not in any aspects deal with the State Police are beyond the scope of this investigation or this task force?

Mr. ROSS. I am sorry; I think you should ask that question one more time.

Mr. TANGRETTI. Are you limiting, if I may, are you limiting, in your interpretation of this resolution, the task force's investigation just to those municipalities who have some tangential relationship to State Police?

Mr. ROSS. No. We are looking at law enforcement broadly across the Commonwealth.

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

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

The following roll call was recorded:

YEAS–185

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

NAYS–9

Boyes	Fichter	McGill	Seyfert
Casorio	Gannon	Orie	Thomas
Cohen, L. I.			

NOT VOTING–3

Bishop	Kenney	Reber

EXCUSED–6

Evans	LaGrotta	Preston	Roebuck
Flick	Pettit		

The majority of the members elected to the House 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.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 402, PN 1197**, entitled:

An Act requiring identification tags for providers of direct patient care.

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

Mr. **O'BRIEN** offered the following amendment No. **A2205**:

Amend Bill, page 1, lines 5 through 15; page 2, lines 1 through 30; page 3, lines 1 through 24, by striking out all of said lines on said pages and inserting

Section 1. Short title.

This act shall be known and may be cited as the Direct Care Provider Identification Act.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Department." The Department of Health of the Commonwealth.

"Health care facility." Any agency licensed by the Commonwealth as defined by the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

"Professional licensing board." A licensing board within the Bureau of Professional and Occupational Affairs in the Department of State that licenses health care practitioners.

Section 3. Identification tag.

When delivering direct patient care in a health care facility and when clinically feasible, the following shall wear an identification tag which displays the name and professional designation of the health care practitioner or health care provider:

(1) All health care practitioners licensed by Commonwealth agencies.

(2) All health care providers employed by health care facilities.

Nothing in this act shall affect, impair or hinder the responsibility of the facility or the employer from taking appropriate action with employees or staff who fail to wear the required identification tag.

Section 4. Information on tag.

(a) General rule.–The identification tag under section 3 shall include the practitioner's or provider's full name. Abbreviated credentials may only be used when the designation indicates licensure or certification by a Commonwealth agency.

(b) Exception.–When treating patients who are irrational or who may be violent, such as prisoners or patients being treated or observed for mental health disorders, the last name of the practitioner or provider may be omitted or concealed. The Secretary of Health may determine other areas for exemption from this requirement.

Section 5. Violation and penalties.

(a) Violation by individuals.–A violation of this act by a licensed individual whose actions violate related health facility policy shall be

considered unprofessional conduct and subject to disciplinary action or civil penalty as provided in respective licensing acts.

(b) Violation by facilities.–A violation of this act by a health care facility shall subject the facility to the actions and civil penalties of the act of July 19, 1979 (P.L.130, No.48), known as the Health Care Facilities Act.

(c) Second and subsequent violations.–Repeated violations by practitioners or facilities may constitute grounds for the suspension or nonrenewal of any license issued by the licensing agencies.

Section 6. Effective date.

This act shall take effect in 60 days.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman, Mr. O'Brien.

Mr. O'BRIEN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment will create the Direct Care Provider Identification Act. Very briefly, this amendment has the following provisions: All individuals providing direct care in health-care facilities, with the exception of doctors' offices, must wear identification clearly stating their full name and professional designation. The wearer's last name may be omitted or concealed when caring for an irrational or violent patient or at other times as designated as appropriate by the Secretary of Health. All health-care facilities licensed under the Health Care Facilities Act are included, again with the exception of doctors' offices. Abbreviations can only be used when it denotes a professional license issued by the Department of State or is a State-recognized designation. Responsibility for wearing identification lies with both the wearer and the health-care facility. Penalties for failure to wear identification would be a finding of unprofessional conduct with up to a $500 fine for the individual and fines up to $500 a day for the facility and a requirement that the facility institute a plan for compliance. Habitual offenses could constitute grounds for revocation of both the individual and facility's license.

Keeping patients informed and knowledgeable is an obvious goal in providing quality health care. Requiring identification will help avoid confusion for patients as to who their caregivers are.

I ask for your support of this amendment. Thank you.

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–192

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

NAYS–4

Dempsey	Feese	Krebs	Lynch

NOT VOTING–1

Reber

EXCUSED–6

Evans	LaGrotta	Preston	Roebuck
Flick	Pettit		

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–192

Adolph	DeWeese	Manderino	Scrimenti
Allen	DiGirolamo	Markosek	Semmel
Argall	Donatucci	Marsico	Serafini
Armstrong	Druce	Masland	Seyfert
Baker	Eachus	Mayernik	Shaner

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

NAYS–4

Dempsey	Feese	Krebs	Lynch

NOT VOTING–1

Reber

EXCUSED–6

Evans	LaGrotta	Preston	Roebuck
Flick	Pettit		

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. There will be no further votes. Tomorrow is a token session.

The Chair is about to recognize the gentleman, Mr. DeWeese, so if any of you are leaving, leave quietly, please.

Mr. DeWEESE. Mr. Speaker, I yield to the gentleman, Mr. Gannon, momentarily.

The SPEAKER. Thank you.

JUDICIARY COMMITTEE MEETING

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

Mr. Gannon is calling a Judiciary Committee meeting immediately—

Mr. GANNON. Immediately in the rear of the House.

The SPEAKER. —in the rear of the House.

HOUSE BILL INTRODUCED AND REFERRED

No. 1502 By Representatives PETRARCA, BARLEY, OLASZ and GEIST

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for contributions to the Organ Donation Awareness Trust Fund.

Referred to Committee on JUDICIARY, May 13, 1997.

VOTE CORRECTION

The SPEAKER. Ms. Williams.

Ms. WILLIAMS. I would like the record to report that on HR 170 I was recorded as not voting. I would like to be recorded as voting in the affirmative.

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. Trich.

Mr. TRICH. Thank you, Mr. Speaker.

I would like to offer remarks for the record.

The SPEAKER. The gentleman is in order. Send them to the desk.

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

In a year of near-record State surplus tax dollars, this budget should be an easy one. It could have been an automatic fiscal package – one that everyone could easily embrace. Unfortunately, today's budget, a budget designed by the Governor and his political party, is not one that I can support.

Only a few weeks ago, this Governor saw fit to go after and push through a gas tax increase. He and his legislative leadership saw fit to increase fees as much as 50 percent. All this was done while the State surplus continued to grow. That surplus then, as it is now, was beyond the half-billion dollar mark. Today, with virtually no input from members on our side of the aisle, we are asked to support a budget bill which shortchanges college-bound students and that leaves too many of Pennsylvania's children without health-care coverage. State funds for the WIC (women, infants, and children) program are eliminated. State funds for the very successful Head Start Program are gone. These areas, and more, are overlooked and abandoned – even though we enjoy an enormous surplus.

Even when we attempted not once but twice to reduce taxes today, the other side of the aisle, with marching orders from the Ridge

administration, prevented us from doing so. Today we could have reduced the personal income tax. Today we could have used a portion of the State surplus to reduce the burden of property taxes back home. In both cases, the amendment opportunities failed. This budget could have been made better, but it was not.

In large part, the surplus was made possible because of our underfunding of basic education 1 year ago. It was made possible by cuts in a number of State human service programs over the past 2 years. Rather than helping those who were previously hurt, it seems that the Governor and his party are more inclined to "hoard the surplus" and make tax cuts in an election year. That is unfortunate and unfair to Pennsylvania taxpayers.

I will not support that agenda. I will vote "no" on the budget presented and would urge all members to do the same.

STATEMENT BY DEMOCRATIC LEADER

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

Conferences in the vicinity of the gentleman, Mr. DeWeese, please move to a different spot.

Mr. DeWEESE. Thank you, Mr. Speaker.

I have one observation to make before we go home for the election that deals with the new Secretary of Agriculture.

Tom Ridge needs Sam Hayes a lot more than Sam Hayes needs Tom Ridge. Sam Hayes is doing the Governor a big favor by accepting this new job as Secretary of Agriculture. As a legislator, Sam served as an advocate for agriculture and he left a record of distinction in that regard. He brings to the table a measure of credibility with the agriculture community, and obviously, Mr. Ridge has very little credibility with the agriculture community tonight.

By this time in the Casey administration, Governor Casey had created the largest farmland preservation program in the world. Number two, he had set forth a framework for a state-of-the-art animal health system, and number three, Governor Casey had worked on a giveback to the farmers of control of their product promotion contracts. In all of the above agricultural efforts, Mr. Speaker, Sam Hayes was a very important nonpartisan advocate.

Retrospectively, during the early years of the Ridge administration, the Governor got a guy named Charlie Brosius, and Charlie was like Nolan Ryan – he was a fastballer – but the Governor asked him to throw curveballs all the time and then they fired him because he did not have enough strikeouts.

As my friend and our former colleague, Sam Hayes, Mr. Speaker, takes the helm as the new Secretary of Agriculture, one big question will remain: Who is going to be calling the pitches? Hopefully, it will be Sam Hayes. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

I echo the remarks of the minority leader about Representative Hayes. He did an excellent job when he was here. He was a very, very good, dedicated public servant.

But I did want to mention the fact that so far the Republican side of the aisle has provided $1 billion in tax cuts over the last several years. There has been a 25-percent reduction in workers' compensation rates in Pennsylvania. Since April of 1995, there have been 163,000 new jobs created in Pennsylvania, and right now, Mr. Speaker, we are at an all-time high with 5.4 million people working in the Commonwealth of Pennsylvania. I would just like to share that for the record, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Now, while the two leaders are on the floor, do they have anything further to add prior to my declaring a recess?

The gentleman, Mr. DeWeese.

Mr. DeWEESE. Well, I do not want, Mr. Speaker, I do not want the gentleman to anesthetize the members with all of these ostensible accomplishments without at least reminding them again, since we have the opportunity, that under his stewardship and on his watch, we have raised the price of dog tags, we have raised the price of fishing licenses, we are getting ready to raise the price of hunting licenses, we have raised the prices of automobile and truck and bus registrations, we have raised the price of gasoline, we have given tax breaks to big business, but we have not really done much for the little guy.

So we can go on and on and on and we can parlay all night, but at least he and I have both been deferential to our colleagues and allowed them to abscond from the chamber, but it should be noted that these tax-and-hoard members of the majority have a lot of money in reserve and at the same time have been raising fees and raising taxes with great – with great – alacrity.

The SPEAKER. Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

With the budget that we passed last week, Mr. Speaker, there are 170,000 additional Pennsylvanians that will pay no personal income tax in this Commonwealth, Mr. Speaker, and last week we provided additional millions of dollars for higher education and for basic education and secondary education, Mr. Speaker. We did an excellent job making sure that the people of the Commonwealth of Pennsylvania will not be paying higher fees next year when they go to college or higher property taxes, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. PERZEL. I apologize, Mr. Speaker; I thought we were going to talk about the monster trucks again. I had a monster truck speech prepared.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 762, PN 862 By Rep. REBER

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, providing for financial assistance.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1476, PN 1809 (Amended) By Rep. REBER

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for Underground Storage Tank Indemnification Board and its powers and duties, for the Underground Storage Tank Indemnification Fund, for

eligibility of claimants including certified tank installers and for audit, sunset and performance reviews; and providing for Underground Storage Tank Environmental Cleanup Program and the Upgrade Loan Program.

ENVIRONMENTAL RESOURCES AND ENERGY.

HB 1502, PN 1811 By Rep. GANNON

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for contributions to the Organ Donation Awareness Trust Fund.

JUDICIARY.

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 762;
HB 1476; and
HB 1502.

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 762;
HB 1476; and
HB 1502.

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

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 tabled bill calendar:

HB 465;
HB 959;
HB 960;
HB 961;
HB 963; and
HB 964.

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 465;
HB 959;
HB 960;
HB 961;
HB 963; and
HB 964.

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

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 329, PN 1794

An Act amending the act of July 28, 1953 (P.L.723, No. 230), known as the Second Class County Code, requiring a jointly appointed tax collector for a certain home rule municipality and school district in counties of the second class; further providing for the membership of boards of managers for monuments and memorials to war veterans; and providing for charters in second class counties.

SB 184, PN 1060

An Act redesignating the Pullman Viaduct (SR 3001) in Butler County as the Picklegate Crossing; and redesignating the Fifth Street Bridge (SR 0065) in Ellwood City, Lawrence County, as the Lincoln High School and Veterans Memorial Bridge.

SB 869, PN 874

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1997, to June 30, 1998, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1997.

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

SENATE MESSAGE

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

The clerk of the Senate; being introduced, returned **HB 132, PN 1589;** and **HB 133, PN 948,** with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

ADJOURNMENT

The SPEAKER. Do the Republican or Democratic floor leaders have any further business? Any further reports of committees, announcements?

Hearing none, the Chair recognizes the gentleman from Delaware, Mr. Barrar.

Mr. BARRAR. Mr. Speaker, I move that this House do now adjourn until Wednesday, May 14, 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 6:47 p.m., e.d.t., the House adjourned.