

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 3, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 37

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (J. SCOT CHADWICK) PRESIDING

PRAYER

REV. KENNETH R. ARTHUR, Chaplain of the House of Representatives and executive director of the United Methodist Home for Children, Mechanicsburg, Pennsylvania, offered the following prayer:

Let us pray:

Almighty God, we gather this morning in gratitude of another day of life, thankful that our opportunity is to live life in all its fullness. We are grateful for the love of family, the warmth of friendship, and the challenges of life that make us stronger and able to reach higher achievement.

We pray today for our Commonwealth and especially for those who are hurting and dependent upon our healing decisions. We pray especially for the children of this Commonwealth, for whom we may become positive role models and for whom we may bring health, safety, and hope.

Guide us now, we pray Thee, that our ideals may be high, our deliberations and decisions sound, and our work on behalf of our citizens effective.

We pray in the name of He who has created us and now sustains us in all that we do and all that we say. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, June 2, 1997, will be postponed until printed. The Chair hears no objection.

COMMUNICATION FROM SPEAKER

SPEAKER PRO TEMPORE APPOINTED

The SPEAKER pro tempore. The Chair is in receipt of a communication from the Speaker of the House, which the clerk will read.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

June 3, 1997

To the Honorable House of Representatives:

Pursuant to House Rule 1, this is to advise that I have appointed the Honorable J. Scot Chadwick to serve as Speaker Pro Tempore for June 3, 1997.

Very truly yours,
Matthew J. Ryan
The Speaker

HOUSE BILLS

INTRODUCED AND REFERRED

No. 1515 By Representatives GEIST, OLASZ, HESS, DRUCE, STRITTMATTER, MARKOSEK and SURRA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for titling, registration and disposition of flood vehicles, modified vehicles, salvage vehicles, rebuilt vehicles, theft vehicles and specially constructed vehicles.

Referred to Committee on TRANSPORTATION, June 3, 1997.

No. 1539 By Representatives MELIO, BROWNE, BELARDI, JAROLIN, GIGLIOTTI, DEMPSEY, READSHAW, HALUSKA, TIGUE, SURRA, FAIRCHILD, GODSHALL, SHANER, MICOZZIE, BELFANTI, TRELLO, HENNESSEY, WAUGH, LUCYK, TRAVAGLIO, HERSHEY, CIVERA, COLAFELLA, CARN, DeLUCA, JAMES, S. H. SMITH, LYNCH, HORSEY, RAMOS, STEELMAN, BENNINGHOFF, YOUNGBLOOD, ITKIN, CURRY, STABACK, TRICH, ROSS, COLAIZZO, FLICK and PESCI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for effective date of suspension of license and for reports by courts.

Referred to Committee on TRANSPORTATION, June 3, 1997.

No. 1540 By Representatives SAINATO, WALKO, BELARDI, CASORIO, PESCI, READSHAW, GIGLIOTTI, MELIO, HALUSKA, TRELLO, MARKOSEK, SCRIMENTI, ROONEY, BOSCOLA, McCALL, DALEY, PETRARCA, TIGUE, JOSEPHS, YOUNGBLOOD, GRUITZA, RAMOS, THOMAS, STABACK, EVANS, ROSS, COLAFELLA, PRESTON and STEELMAN

An Act amending the act of July 11, 1996 (P.L.677, No.116), known as the Infrastructure Development Act, providing for targeted communities.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, June 3, 1997.

No. 1541 By Representatives BARRAR, ARMSTRONG, RUBLEY, BELARDI, STEELMAN, CHADWICK, DeLUCA, ROSS, E. Z. TAYLOR, DEMPSEY, STETLER, TRICH, CLARK, BARD and HORSEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, restricting the placement of cigarette vending machines.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, June 3, 1997.

No. 1542 By Representatives PETTIT, WAUGH, CLARK, STERN, VANCE, MASLAND, FAIRCHILD, GEORGE, FARGO, ZUG, SATHER, NAILOR, GEIST, MARKOSEK, PHILLIPS, STABACK, LYNCH, M. N. WRIGHT, BROWN, ARGALL, EGOLF, TRICH, HERMAN, E. Z. TAYLOR, MELIO, TIGUE, BOSCOLA, JAMES, STEELMAN, RAMOS, L. I. COHEN, HENNESSEY, ROHRER, GODSHALL, TRELLO, BUNT, OLASZ, SAYLOR, BROWNE, PLATTS, SEMMEL, THOMAS, MILLER, BAKER, TRUE, PRESTON, BENNINGHOFF, ROSS, CLYMER, SEYFERT and B. SMITH

An Act authorizing all Commonwealth departments, agencies, county commissioners, boards of inspectors or other officials in charge of correctional facilities to establish inmate work programs.

Referred to Committee on JUDICIARY, June 3, 1997.

No. 1543 By Representatives DALEY, COLAIZZO, COWELL, McCALL, SCHRODER, THOMAS, VAN HORNE, BUNT, COLAFELLA, STEELMAN and YOUNGBLOOD

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for compensation of local registrars.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 3, 1997.

No. 1544 By Representatives DALEY, COLAIZZO, BELARDI, THOMAS, GEORGE, STABACK, C. WILLIAMS, SATHER, ROBERTS, COLAFELLA, JAMES, YOUNGBLOOD and E. Z. TAYLOR

An Act requiring certain boards, commissions and departments to have senior citizen representatives.

Referred to Committee on AGING AND YOUTH, June 3, 1997.

No. 1545 By Representatives DALEY, COLAIZZO, WALKO, McCALL, DeWEESE, PETRARCA, BELARDI, ITKIN, OLASZ, BATTISTO, PISTELLA, STAIRS, HERMAN, McILHATTAN, TRELLO, ROBERTS, STEELMAN, YOUNGBLOOD and LUCYK

An Act making an appropriation to the Pennsylvania Mining and Mineral Resources Research Institute.

Referred to Committee on APPROPRIATIONS, June 3, 1997.

No. 1546 By Representatives DALEY, BELARDI, ROBINSON, C. WILLIAMS, SCRIMENTI and STEELMAN

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 the Board of Governors of the State System of Higher Education.

Referred to Committee on EDUCATION, June 3, 1997.

No. 1547 By Representatives DALEY, MELIO, YOUNGBLOOD, RAMOS, ROBINSON, CLARK and SERAFINI

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, further providing for prohibited sales.

Referred to Committee on FINANCE, June 3, 1997.

No. 1548 By Representatives DALEY, COY, GODSHALL, BELFANTI, COLAFELLA, HUTCHINSON, D. W. SNYDER, DeLUCA, L. I. COHEN, LYNCH, STABACK, MILLER and BOSCOLA

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, eliminating the tax on admissions to ski facilities.

Referred to Committee on LOCAL GOVERNMENT, June 3, 1997.

No. 1549 By Representatives DALEY, STURLA, BELARDI, MILLER, PLATTS, SAINATO, SURRA, PISTELLA, BROWNE, ROSS, ROBERTS and E. Z. TAYLOR

An Act amending the act of September 30, 1985 (P.L.240, No.61), known as the Turnpike Organization, Extension and Toll Road Conversion Act, regulating motorcycle tolls.

Referred to Committee on TRANSPORTATION, June 3, 1997.

No. 1550 By Representatives DALEY, COLAIZZO, WALKO, McCALL, DeWEESE, GEIST, BELARDI, SERAFINI, ITKIN, GEORGE, VAN HORNE, PISTELLA, HERMAN, ROBERTS and STEELMAN

An Act making an appropriation to the Department of Conservation and Natural Resources for allocation to the Bureau of Topographic and Geologic Survey to conduct coal-related research.

Referred to Committee on APPROPRIATIONS, June 3, 1997.

No. 1551 By Representatives DALEY, CURRY, McCALL, HERMAN, LAUGHLIN, BELARDI, STEELMAN, PISTELLA, PETRONE, JOSEPHS and SHANER

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Energy and providing for its powers and duties; creating the Energy Research and Development Advisory Board and prescribing its functions; further providing for the composition of the Environmental Quality Board and for special powers relating to State vehicles; providing for energy or fuel supply emergencies and for coordination of monitoring of supplies of energy resources; further providing for the composition of the Energy Development Authority and for indebtedness of the Energy Development Authority; and transferring personnel, appropriations and equipment.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 3, 1997.

No. 1552 By Representatives DALEY, BELARDI, HANNA and ROBINSON

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for municipal police education and training.

Referred to Committee on JUDICIARY, June 3, 1997.

No. 1553 By Representatives DALEY, LYNCH, ROBINSON and HANNA

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, further providing for definitions and for unlawful acts; providing for use of subpoenaed documents; and further providing for civil penalties.

Referred to Committee on CONSUMER AFFAIRS, June 3, 1997.

No. 1554 By Representatives MYERS, THOMAS, BELARDI, BELFANTI, PRESTON, MELIO, CARN, YOUNGBLOOD, MANDERINO, M. COHEN, CURRY,

JOSEPHS, GRUITZA, PISTELLA, BOSCOLA, A. H. WILLIAMS, RAMOS, WASHINGTON, STURLA and OLIVER

An Act creating the Jobs Plus Program; providing for further duties of the Department of Public Welfare; establishing the Jobs Plus Advisory Board and providing for its powers and duties; establishing Jobs Plus implementation councils and the Jobs Plus Program Fund; and providing for certain employer contributions and reimbursement and for Federal and State participation and funding.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 3, 1997.

No. 1555 By Representatives MYERS, THOMAS, BELARDI, BELFANTI, PRESTON, MELIO, TRICH, CARN, YOUNGBLOOD, MANDERINO, M. COHEN, CURRY, JOSEPHS, GRUITZA, PISTELLA, BOSCOLA, A. H. WILLIAMS, RAMOS, WASHINGTON, STURLA and OLIVER

An Act providing for a program of grants to develop and provide useful and productive opportunities for unemployed and underemployed people, especially young people, through payments for labor and related costs associated with the construction, repair or rehabilitation of essential community and educational facilities, with the reclamation, improvement and conservation of public lands, and with the creation, repair, rehabilitation and restoration of public safety, public transportation, health, social services and recreation facilities and other activities necessary to the public welfare; * * *; and providing for the transfer of certain funds to the Department of Community and Economic Development to further the purposes of this act.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, June 3, 1997.

No. 1556 By Representatives MYERS, THOMAS, BELARDI, BELFANTI, PRESTON, MELIO, TRICH, CARN, YOUNGBLOOD, MANDERINO, M. COHEN, CURRY, JOSEPHS, GRUITZA, PISTELLA, BOSCOLA, A. H. WILLIAMS, RAMOS, WASHINGTON, STURLA and OLIVER

An Act providing for a program of grants to develop and provide useful and productive opportunities for unemployed and underemployed people, especially young people, through payments for labor and related costs associated with the construction, repair or rehabilitation of essential community and educational facilities, with the reclamation, improvement and conservation of public lands, and with the creation, repair, rehabilitation and restoration of public safety, public transportation, health, social services and recreation facilities and other activities necessary to the public welfare.

Referred to Committee on HEALTH AND HUMAN SERVICES, June 3, 1997.

No. 1557 By Representatives ADOLPH, LEDERER, RAYMOND, GANNON, CIVERA, FLICK, COLAIZZO, MUNDY, FARGO, LAUGHLIN, FICHTER, GEIST, BELARDI, RUBLEY, TIGUE, SERAFINI, SEMMEL, LEH, ITKIN, MILLER, THOMAS, OLASZ, DeLUCA, SAYLOR, BOSCOLA,

VAN HORNE, HENNESSEY, SURRA, HORSEY, PISTELLA, CORPORA, BENNINGHOFF, ROSS, SATHER, GIGLIOTTI, EGOLF, WOJNAROSKI, TRELLO, CLARK, COLAFELLA, HUTCHINSON, JAMES, LYNCH, HARHART, RAMOS, YOUNGBLOOD, SHANER, ROEBUCK, WALKO and SEYFERT

An Act regulating personal financial information privacy.

Referred to Committee on STATE GOVERNMENT, June 3, 1997.

No. 1558 By Representatives PHILLIPS and ALLEN

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, further prohibiting the use of tobacco on school grounds.

Referred to Committee on EDUCATION, June 3, 1997.

No. 1559 By Representatives TANGRETTI, ROONEY, BELFANTI, GIGLIOTTI, SHANER, OLASZ, CASORIO, LUCYK, BAKER, JAMES, HALUSKA, PETRARCA, SCRIMENTI, LEVDANSKY, STABACK and MELIO

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 transferred programs and classes.

Referred to Committee on EDUCATION, June 3, 1997.

No. 1560 By Representatives ZUG, HERSHEY, LUCYK, GEIST, MARKOSEK, DeLUCA, STABACK, COY, OLASZ, BEBKO-JONES, MELIO, SCHULER, YOUNGBLOOD, LYNCH, TRELLO, E. Z. TAYLOR, JAMES, J. TAYLOR, WOJNAROSKI, DALLY, CARONE, TRAVAGLIO and PRESTON

An Act amending the act of August 9, 1955 (P.L.323, No.130), known as The County Code, further providing for definitions, for payment, for grave markers, for Memorial Day appropriations and for flags to decorate graves.

Referred to Committee on LOCAL GOVERNMENT, June 3, 1997.

No. 1561 By Representatives ZUG, NAILOR, WAUGH, EGOLF, FAIRCHILD, LUCYK, YOUNGBLOOD, MILLER, GEIST, ROONEY, B. SMITH, TRELLO, RAMOS, KREBS, PETTIT, TRAVAGLIO, STABACK, PESCI, BELARDI, MAYERNIK, GODSHALL, HALUSKA, PHILLIPS, SCHULER, ALLEN, DENT, WOGAN, JAROLIN, SAINATO, HENNESSEY, WOJNAROSKI, HUTCHINSON, SATHER, LEDERER, PRESTON, STERN, McCALL, BELFANTI, ARMSTRONG and SEYFERT

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, authorizing the department to arrange for burial details in the Indiantown Gap National Cemetery; and making an appropriation.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 3, 1997.

No. 1562 By Representatives ZUG, NAILOR, BELARDI, MELIO, JAMES, HENNESSEY, TRELLO, LEH, CLARK, STEELMAN, DeLUCA, PETRARCA and SURRA

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, requiring municipal approval for the application of sewage sludge.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, June 3, 1997.

No. 1563 By Representatives YOUNGBLOOD, SERAFINI, THOMAS, CARN, READSHAW, STEELMAN, TIGUE, STABACK, PETRONE, ROEBUCK, HENNESSEY, DALEY, HERSHEY, BOSCOLA, MUNDY, JOSEPHS, ROBINSON, TRELLO, HORSEY, McGEEHAN, KENNEY and LEDERER

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for civil claim for damages intercept.

Referred to Committee on JUDICIARY, June 3, 1997.

No. 1564 By Representatives BOSCOLA, ARGALL, KAISER, HORSEY, TRAVAGLIO, WOJNAROSKI, BEBKO-JONES, BELARDI, DeLUCA, McCALL, PETRARCA, THOMAS, SERAFINI, YOUNGBLOOD, B. SMITH, ITKIN, PISTELLA, ORIE, CIVERA, CAPPABIANCA, TRELLO, BARD, TANGRETTI, BENNINGHOFF and ADOLPH

An Act providing for the purchase and operation of metal detectors for the Capitol Building.

Referred to Committee on STATE GOVERNMENT, June 3, 1997.

No. 1565 By Representatives BOSCOLA, MAYERNIK, BELARDI, READSHAW, McNAUGHTON, GIGLIOTTI, TIGUE, HENNESSEY, ROBINSON, YOUNGBLOOD, TRELLO, MARKOSEK, TRAVAGLIO, DeLUCA, PISTELLA, ITKIN, C. WILLIAMS, CURRY, SCRIMENTI, CIVERA, KELLER, CAPPABIANCA, HALUSKA, A. H. WILLIAMS, SEYFERT, MAITLAND, RAMOS, BENNINGHOFF and STEELMAN

An Act amending the act of January 30, 1974 (P.L.13, No.6), referred to as the Loan Interest and Protection Law, further defining "residential mortgage."

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, June 3, 1997.

No. 1566 By Representatives BOSCOLA, GORDNER, SCRIMENTI, BEBKO-JONES, CAPPABIANCA, PESCI,

CLARK, HUTCHINSON, SHANER, FAIRCHILD, DRUCE, BELARDI, RAYMOND, VAN HORNE, TIGUE, VITALI, WAUGH, NICKOL, COWELL, MANDERINO, WALKO, C. WILLIAMS, BENNINGHOFF, MAITLAND, MELIO, ITKIN, DeLUCA, JOSEPHS, LEDERER, STEELMAN, TRELLO, TULLI, COY, JAMES, LAUGHLIN, CORPORA, ORIE, THOMAS, ROSS, HENNESSEY and RAMOS

An Act amending the act of December 10, 1968 (P.L.1158, No.365), entitled "An act creating and establishing the Legislative Data Processing Committee: providing for its membership; prescribing its powers, functions and duties; and making an appropriation," providing for public access via computer technology to State legislative information.

Referred to Committee on STATE GOVERNMENT, June 3, 1997.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 190 By Representatives S. H. SMITH, LEVDANSKY, DALEY, LUCYK, RAMOS, COLAIZZO, FARGO, FICHTER, DeWEESE, GEIST, RUBLEY, TIGUE, SERAFINI, BELARDI, BAKER, OLASZ, THOMAS, ITKIN, JADLOWIEC, ARGALL, SAYLOR, EACHUS, McNAUGHTON, HASAY, SURRA, HENNESSEY, CAWLEY, STEELMAN, YOUNGBLOOD, SHANER, LYNCH, PISTELLA, STABACK, McCALL, HESS, BENNINGHOFF, ROSS, SATHER, GIGLIOTTI, HERMAN, MELIO, McILHATTAN, HALUSKA, WOJNAROSKI, JOSEPHS, ROBERTS, TRELLO, BROWN, COLAFELLA, HERSHEY, HUTCHINSON and HORSEY

A Resolution memorializing the President of the United States and Congress to make the more than \$1 billion already earmarked for abandoned mine reclamation available to states.

Referred to Committee on RULES, June 3, 1997.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 848, PN 1786**, 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 BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 90, PN 1509**, with information that the Senate has passed the same without amendment.

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
June 2, 1997

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 9, 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 9, 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.

BILL SIGNED BY SPEAKER PRO TEMPORE

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

HB 90, PN 1509

An Act designating a portion of U.S. Route 220 in Lycoming County as the Lycoming County Veterans' Memorial Highway; and designating a portion of State Route 307 in Lackawanna County as the Joseph M. McDade Expressway.

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

LEAVES OF ABSENCE

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

The Chair recognizes the majority whip, Mr. Snyder, who requests leave of absence for today's session for the gentleman from Cumberland County, Mr. MASLAND; the gentleman from Delaware County, Mr. RYAN; the gentleman from Allegheny County, Mr. PETTIT; and the gentleman from Lebanon County, Mr. KREBS. Without objection, the leaves of absence will be granted. The Chair hears no objection.

The Chair recognizes the gentleman, Mr. Itkin, who requests leave for today's session for the gentleman from Erie County, Mr. SCRIMENTI; the gentleman from Philadelphia County, Mr. ROEBUCK; the gentleman from Philadelphia County,

Mr. EVANS; and the gentleman from Philadelphia County, Mr. WILLIAMS. Without objection, the leaves of absence will be granted. The Chair hears no objection.

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

SB 415, PN 430

By Rep. CIVERA

An Act amending the act of April 25, 1986 (P.L.89, No.33), entitled "An act amending the act of March 23, 1972 (P.L.136, No.52), entitled 'An act relating to the practice of psychology, providing for licensing of psychologists, making certain acts illegal and providing penalties,'....," further providing for the implementation of the required transition period for prospective psychologists.

PROFESSIONAL LICENSURE.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

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

Daley	Lawless	Rohrer	Yewcic
Dally	Lederer	Rooney	Youngblood
DeLuca	Leh	Ross	Zimmerman
Dempsey	Lescovitz	Rubley	Zug
Dent	Levdansky	Sainato	

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Evans	Pettit	Williams, A. H.
Krebs	Roebuck	
Masland	Scrimenti	Ryan, Speaker

LEAVES ADDED—7

Donatucci	Hutchinson	Lawless	Surra
Horsey	LaGrotta	Levdansky	

LEAVES CANCELED—2

Krebs	Lawless
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GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome today the Bloomsburg Middle School Student Government Association and Columbia County Sheriff Harry Roadarmel. They are here today as guests of Representative John Gordner, and they are seated in the balcony. Would they please rise. Welcome to the hall of the House.

The Chair would also like to take this opportunity to welcome some special guests who are here today as guests of Representative Sheila Miller of Berks County. With us today are Professor Laszlo Kulcsar, Professor Joseph Kozari, and they are both from Gödöllő University of Agricultural Sciences in Hungary. Also with them is Professor Jerry White of Cornell University in Ithaca, New York. The three of them are seated to the left of the Speaker. Additionally, Barry Denk, the director for the Center for Rural Pennsylvania in Harrisburg, and Craig Warner, an information specialist for the Center for Rural Pennsylvania, are seated in the back of the hall of the House. Professors Kulcsar and Kozari are on a 2-week multistate tour funded by the Mellon Foundation. They are faculty members at Gödöllő University of Agricultural Sciences, which is Hungary's preeminent center for agricultural- and rural-oriented scholarship. Conducted by Professor Jerry White of Cornell University, the purpose of the study tour is to acquaint the professors with effective rural organizational and program models currently being used in the United States. The Center for Rural Pennsylvania has been selected as one such model for these visitors to observe, and it is for that reason that they join us today. Would they please rise. Welcome to the hall of the House.

Representative Mark McNaughton of Dauphin County has here today as his guests Karen Lunt and Lisa VanOlden. They are members of Millersburg Junior Girl Scout Troop No. 752. Where are they? In the balcony. Would they please rise. Welcome to the hall of the House.

Representative Carole Rubley from Chester County has with her today as her guests Becky Webber and Bill Schaefer. They are seniors at Conestoga High School, Conestoga Pioneers. They are here doing their "career elective," a part of the senior program at Conestoga, in Representative Rubley's office. They are sitting in the balcony. Would they please rise. Welcome to the hall of the House.

Representative Allan Egolf has some guests here with him today. Julie Noll and Erin Zimmerman are here as guest pages from Susquenita High School, and Cindi Ensminger is a summer intern in his office. Cindi is in the gallery, and the two pages are down on the floor. Would they please rise. Welcome to the hall of the House.

Representative Bob Reber from Montgomery County also has a guest page here today. Lynn Griswold from Pottstown is here as his guest, and she is serving as a guest page. Would she please rise. Welcome to the hall of the House.

We have one more guest page today. Acacia Viola is here from Boyertown, and she is the guest of Representative Dennis Leh from Berks County. Would she please rise. Welcome to the hall of the House.

ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER pro tempore. The Chair recognizes the majority leader, the gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, on May 31, 1997, Representative O'Brien had a baby boy, Dennis Michael, Jr., and congratulations to Representative O'Brien and his wife — and his wife.

The SPEAKER pro tempore. The Chair would like to extend its personal congratulations as well.

GUEST INTRODUCED

The SPEAKER pro tempore. Representative Ron Marsico of Dauphin County has here today as his guest his summer intern, Don Kim. He is seated in the balcony. Would Don please rise. Welcome to the hall of the House.

LINE MOUNTAIN HIGH SCHOOL WRESTLING TEAM PRESENTED

The SPEAKER pro tempore. The Chair would like to invite Representative Merle Phillips to come to the podium for the purpose of presenting a citation.

The Chair would also like to invite the gentleman, Mr. Belfanti, to join Representative Phillips at the podium for this presentation.

The gentleman is in order and may proceed.

Mr. PHILLIPS. Thank you, Mr. Speaker.

It gives Representative Belfanti and myself a great pleasure and honor to introduce to you the wrestling team, the Line Mountain Eagles, Northumberland County, who this year capped off a triumphant season with the PIAA State Class AA championship title.

This was a tremendous effort on the part of these young men who won this title as they competed in the State tourney, State championships, in Hershey, Pennsylvania, and they came off with this victory.

And at this time I would like to present to the team and to Coach Bryan Buddock the citation from the House of Representatives, recognizing them for this feat, and standing behind me is Coach Buddock, and at this time we will present that citation to him.

Also, on the Line Mountain wrestling team, I would like to introduce to you Mike Shingara. Mike Shingara was a three-time State champion. He was four-time District IV southern-central champ, four-time division champ, four-time northeast regional champ. As a freshman he was runner-up at 125 pounds and lost in overtime in the State finals; as a sophomore he was a State champion at 130 pounds; as a junior he was a State champion at 145 pounds; and this year, in his senior year, he was a State champion at 152 pounds. And at this time I would like to present to him a citation from the House for this tremendous achievement. *One-time runner-up, three-time State champion, Mike Shingara.* Would you welcome him here.

Also, at the rear of the House, we have those who competed in states. We have Max Shingara, who was a sixth-place finisher at Hershey and states. Max, would you stand.

We also have with us Marc Rebeck. He was a fourth-place finisher at states. Marc, would you stand.

And Kyle Sweppenhiser, who was also a fourth-place finisher at states.

And would the rest of the Line Mountain wrestling team and their coaches and managers please stand as we recognize you today.

Thank you very much for your indulgence.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to take this opportunity to welcome a very special guest that we have here with us today. State Senator Donald Munson from Maryland is here with his wife, Sue Munson, and two of his staff people, Jean Talley and Corey Stottlemeyer. Senator Munson is serving in his second 4-year term, and prior to that, he served as a State Delegate for 16 years. He has a district in western Maryland which shares a border with Pennsylvania. They are seated to the left of the Speaker. Would they please rise. Welcome to the hall of the House.

Senator Munson, would you come to the podium for a moment, please.

HAMPTON HIGH SCHOOL BOYS SWIM TEAM PRESENTED

The SPEAKER pro tempore. The Chair would like to invite Representatives Jeffrey Habay and Jane Orié from Allegheny County to come to the podium for the purpose of presenting a citation.

The gentleman is recognized.

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

Mr. Speaker, if I could have your attention, today we have a second State champion, a second State championship of Hampton High School for winning the State swim title.

On behalf of Representative Jane Orié and myself, the Hampton High School boys swim team won its second State title by defeating Shadyside Academy during the PIAA swimming and diving championship at the Pennsylvania State University.

The team of Jeff Smullin, Matt Harrigan, David Affinito, Brice King, and Tom McGrath are under the able direction of Coaches Laura Hartford and Todd Koltos. To their great credit, the team set a State record in the 400 freestyle relay and in the 100 butterfly. Team member Matt Harrigan captured two gold medals and established two more State records in the 200 individual medley and the 100 breaststroke.

Please welcome our second-time State champion Hampton swim team. Thank you.

LIQUOR CONTROL COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Serafini, for the purpose of making an announcement.

Mr. SERAFINI. I would like to make a brief announcement that at the break of today's session, I would like to call a brief meeting of the Liquor Control Committee in the rear of the House. Thank you.

The Liquor Control Committee in the rear of the House at the break. Thank you.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome to the House Lisa Jaworski, a student at the University of Richmond. She is here today as a guest of Representative T.J. Rooney, and she is seated to the left of the Speaker. Would she please rise. Welcome to the hall of the House.

The Chair would also like to welcome Matt Morris, who is from Canton in Bradford County. He is a summer intern of Representative Matt Baker from Tioga County, and he is seated in the balcony. Matt, would you please rise. Welcome to the hall of the House.

ANNOUNCEMENT BY SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would like to advise the members that a few weeks ago someone left an electronic pocket organizer in the Republican staff area to the left of the Speaker. If it belongs to you or if anyone knows whose it might be, please ask them to come to the podium, and we will see that it gets back to its owner.

CALENDAR

BILL ON SECOND CONSIDERATION

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

HB 102, PN 109.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1345, PN 1627**, entitled:

An Act establishing the Charles C. Brosius Agricultural Law Center and its executive board; and providing for their purpose, duties, powers and responsibilities.

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

Mr. BUNT offered the following amendment No. A2507:

Amend Bill, page 5, by inserting between lines 9 and 10
Section 9. Funding.

(a) General rule.—For the purpose of implementing the provisions of this act, the Department of Agriculture is authorized to use:

(1) Moneys appropriated to it for agricultural research.

(2) Moneys specifically appropriated by the General Assembly for an agricultural law center.

(3) Any other moneys, contributions or payments which may be made available to the department by the Federal Government or by any public or private source.

(b) Limitation.—For the fiscal year beginning July 1, 1998, and each year thereafter, appropriations from the Commonwealth for operational costs of the center shall not exceed the combined value of resources available to the center for such purposes from other sources.

Amend Sec. 9, page 5, line 10, by striking out "9" and inserting
10

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

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

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, subsequent to passage of this bill out of committee, questions were raised about ongoing funding for the center and the amount of State support that this would require. In none of the discussions leading up to this effort was it ever intended that the State would provide total funding.

This amendment designates the sources the department may draw for the State portion of the funding. Most importantly, Mr. Speaker, however, it clearly limits, and I want to reiterate, clearly limits State support for operational costs of the center to no more than the combined value of resources available to the center for operations from other sources. In other words, the State is willing to be a partner in this effort but never bear a disproportionate portion of the costs.

This is an agreed-to amendment, and I recommend a positive vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York County, Mr. Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

I would like to express a concern. I just read this amendment, and I have no opposition. In fact, I am very supportive of establishing the Charles C. Brosius Agricultural Law Center, and I think it is appropriate that we find the funding source for that center. But if you closely review the amendment, the funding source is threefold: moneys appropriated to it — to the department,

that is — for agricultural research; moneys specifically appropriated by the General Assembly for an agricultural law center; and other moneys — Federal, public, and private. My concern, without being able to go back to the ag community in my district, is that we are dipping into agricultural research moneys to fund this center.

I have a very strong support for ag research in my district, and I hesitate giving the department a blank check to dip into those funds, so I will accordingly be voting “no.” Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Bunt, for the second time on the amendment.

Mr. BUNT. Mr. Speaker, I share the gentleman’s concern, and when drafting this amendment, we did bring up certain conversations and some research concerning how much money would be available. Right now the department receives about \$2½ to \$3 million that is available for research. We foresee only \$50,000, and only, and only, Mr. Speaker, in this first year, for operational costs. Next year, next year, the department and the law center will only be able to access for research dollars those moneys that are available from the Department of Ag only on a competitive basis, the same as any other research project that would make application.

So again, this is only a one-time \$50,000 appropriation, which has been agreed to.

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

The following roll call was recorded:

YEAS—188

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

Colaizzo	Jadlowiec	Preston	Walko
Conti	James	Ramos	Washington
Cornell	Jarolin	Raymond	Williams, C.
Corpora	Josephs	Readshaw	Wilt
Corrigan	Kaiser	Reber	Wogan
Cowell	Keller	Reinard	Wojnaroski
Coy	Kenney	Rieger	Wright, M. N.
Curry	Kirkland	Roberts	Yewcic
Daley	LaGrotta	Robinson	Youngblood
Dally	Laughlin	Rohrer	Zimmerman
DeLuca	Lawless	Rooney	Zug

NAYS—7

Nailor	Platts	Vance	Waugh
Nickol	Steelman	Vitali	

NOT VOTING—0

EXCUSED—8

Evans	Pettit	Williams, A. H.
Krebs	Roebuck	
Masland	Scrimenti	Ryan, Speaker

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

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

The SPEAKER pro tempore. Does the gentleman, Mr. Bunt, have a second amendment?

Mr. BUNT. The second amendment, Mr. Speaker, is withdrawn. The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. CAPPABIANCA offered the following amendment No. A2156:

Amend Title, page 1, line 2, by striking out “executive board” and inserting

board of directors

Amend Sec. 4, page 3, line 5, by striking out “Executive”

Amend Sec. 4, page 3, line 5, by inserting after “Board”

of Directors

Amend Sec. 6, page 3, line 21, by striking out “Co-Operative” and inserting

Cooperative

Amend Sec. 6, page 3, line 22, by striking out “Service”

Amend Sec. 6, page 3, line 30, by striking out “executive”

Amend Sec. 6, page 4, line 3, by striking out “executive”

Amend Sec. 7, page 4, line 9, by striking out “Executive board” and inserting

Board

Amend Sec. 7, page 4, line 12, by striking out “Executive”

Amend Sec. 7, page 4, line 12, by inserting after “Board”

of Directors

Amend Sec. 7, page 4, line 14, by removing the comma after “chair” and inserting a semicolon

Amend Sec. 7, page 4, line 15, by removing the comma after "Law" and inserting

or a designee;

Amend Sec. 7, page 4, lines 16 through 18, by striking out "and the chair of" in line 16, all of lines 17 and 18 and inserting or a designee; the chairman and the minority chairman of the Agriculture and Rural Affairs Committee of the Senate or their designees; and the chairman and the minority chairman of the Agriculture and Rural Affairs Committee of the House of Representatives or their designees. In addition, the board shall include the following members who shall be appointed by the Secretary of Agriculture:

(1) Three representatives of production agriculture, one of which must be a direct marketer.

(2) One agricultural processor.

(3) One representative of a agribusiness, who must have experience with producer contracts.

(4) One attorney with expertise in agricultural law.

Amend Sec. 7, page 4, by inserting between lines 24 and 25

(2) The board shall, within one year, appoint an executive director for the center whose duty shall be to manage and operate the center in such manner as prescribed by the board and this act.

Amend Sec. 7, page 4, line 25, by striking out "(2)" and inserting

(3)

On the question,

Will the House agree to the amendment?

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

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

The purpose of this amendment is to change the composition of the board which is presently in the bill. It changes it from an executive board to a board of directors and increases the number from 4 to 13. The members, of course, would consist of the Secretary of Agriculture, the dean of Dickinson Law School, the dean of the College of Agriculture from Penn State University, and then, of course, the chairmen and minority chairmen of the House and Senate Agriculture Committees. And then, also, we would have three representatives of production agriculture, one which would be directly related as a marketer; one agricultural processor; one representative of agribusiness; and one attorney with expertise in agricultural law.

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

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-194

Adolph	Dermody	Lloyd	Santoni
Allen	DeWeese	Lucyk	Sather
Argall	DiGirolamo	Lynch	Saylor
Armstrong	Donatucci	Maitland	Schroder
Baker	Druce	Major	Schuler
Bard	Eachus	Manderino	Semmel
Barley	Egolf	Markosek	Serafini
Barrar	Fairchild	Marsico	Seyfert
Battisto	Fargo	Mayernik	Shaner
Bebko-Jones	Feese	McCall	Smith, B.
Belardi	Fichter	McGeehan	Smith, S. H.
Belfanti	Fleagle	McGill	Snyder, D. W.

Benninghoff	Flick	McIlhattan	Staback
Birmelin	Gannon	McNaughton	Stairs
Bishop	Geist	Melio	Steelman
Blaum	George	Michlovic	Steil
Boscola	Gigliotti	Micozzie	Stern
Boyes	Gladeck	Mihalich	Stetler
Brown	Godshall	Miller	Stevenson
Browne	Gordner	Mundy	Stritmatter
Bunt	Gruitza	Myers	Sturla
Butkovitz	Gruppo	Nailor	Surra
Buxton	Habay	Nickol	Tangretti
Caltagirone	Haluska	O'Brien	Taylor, E. Z.
Cappabianca	Hanna	Olasz	Taylor, J.
Carn	Harhart	Orie	Thomas
Carone	Hasay	Petzel	Tigue
Casorio	Hennessey	Pesci	Travaglio
Cawley	Herman	Petrarca	Trello
Chadwick	Hershey	Petrone	Trich
Civera	Hess	Phillips	True
Clark	Horsey	Pippy	Tulli
Clymer	Hutchinson	Pistella	Vance
Cohen, L. I.	Itkin	Platts	Van Horne
Cohen, M.	Jadlowiec	Preston	Veon
Colaella	James	Ramos	Vitali
Colaizzo	Jarolin	Raymond	Walko
Conti	Josephs	Readshaw	Washington
Cornell	Kaiser	Reber	Waugh
Corpora	Keller	Reinard	Williams, C.
Corrigan	Kenney	Rieger	Wilt
Cowell	Kirkland	Roberts	Wogan
Coy	LaGrotta	Robinson	Wojnaroski
Curry	Laughlin	Rohrer	Wright, M. N.
Daley	Lawless	Rooney	Yewcic
Dally	Lederer	Ross	Youngblood
DeLuca	Leh	Rubley	Zimmerman
Dempsey	Lescovitz	Sainato	Zug
Dent	Levdansky		

NAYS-0

NOT VOTING-1

Oliver

EXCUSED-8

Evans	Pettit	Williams, A. H.
Krebs	Roebuck	
Masland	Scrimenti	Ryan, Speaker

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS-195

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

REMARKS SUBMITTED FOR THE RECORD

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

Mr. BUNT. Mr. Speaker, in connection with HB 1345, I do have some remarks for the record. They were somewhat lengthy. I did not want to present them on the floor, but I would like to have them represented within the minutes and testimony on the bill.

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

Mr. BUNT. Thank you, Mr. Speaker.

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

Mr. Speaker, I rise in wholehearted support of HB 1345, the Charles C. Brosius Agricultural Law Center Act.

This bill culminates many months of discussions among farmers, agribusiness people, representatives of the legislature and the Department of Agriculture, and key individuals from both educational institutions involved, Penn State and Dickinson.

To make what is perhaps a very poor analogy, agricultural law is a "muddy field." On one hand, it is a very specialized and unique field; on the other, the issues involved - food safety, biotechnology, land use, increasingly intensive farming practices and their relationship to nonfarm neighbors, to name only a few - impact upon all of us. While they may be labeled "agricultural" law issues, they truly involve all citizens of the Commonwealth.

A void exists in that presently there is no central repository of knowledge in the area; no place dedicated to compiling and indexing reference materials, no place dedicated to researching these issues and proposing solutions, and perhaps most importantly, no system for disseminating this information to all affected parties, whether they be farmers, government agencies, attorneys, or the general public.

The Charles C. Brosius Agricultural Law Center will fill this void. The legislation authorizes the department to enter into an agreement with the Dickinson School of Law and the College of Agricultural Sciences at Penn State to create the center. The pending alliance between these two distinguished educational institutions, each with a wealth of knowledge and expertise, creates a unique opportunity for the State. Passage of this bill will direct the Department of Agriculture to capitalize on this opportunity by establishing a three-way partnership - a partnership that is a natural and logical method of filling a need in the Commonwealth.

Both institutions involved are excited about the prospect and enthusiastically support the concept. Both propose to dedicate significant existing resources of their own to the effort.

This General Assembly recently saw fit to endorse a budget which allocated "at least \$50,000" of the department's agricultural research line item for "development of an agriculture law research center," so in a way, the members of the House have already endorsed the concept embodied in this act.

Finally, a word about the name - the Charles C. Brosius Agricultural Law Center. This change was added by amendment jointly sponsored by Representative Cappabianca and me in committee. Secretary Brosius was an early and wholehearted supporter of this concept and made it a personal priority of his. As a member of the Penn State Board of Trustees, he was instrumental in garnering their support.

As a gesture of respect for the service he has provided the Commonwealth for the past two and nearly one-half years and as an enduring testament to his commitment to agriculture as it moves forward into the next century, we felt it to be a significant and appropriate modification to the original bill to add his name to the center.

NAYS-0

NOT VOTING-0

EXCUSED-8

Evans	Pettit	Williams, A. H.
Krebs	Roebuck	
Masland	Scrimenti	Ryan, Speaker

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

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

In conclusion, Mr. Speaker, we have a legitimate need which it is appropriate that the General Assembly address; we have a sound plan to address the need; we have willing and highly qualified partners; and we have the resources. All the pieces are in place, and I urge your support for HB 1345, the Charles C. Brosius Agricultural Law Center Act.

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The **SPEAKER** pro tempore. HB 558, at the bottom of page 1 of today's calendar, will be over for the day.

Page 2 of today's calendar. HB 162 will be over for the day.

The House proceeded to third consideration of **HB 1476, PN 1809**, entitled:

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.

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

Mr. **GEORGE** offered the following amendment No. **A2535**:

Amend Sec. 5 (Sec. 710), page 14, line 15, by striking out "\$3,000,000" and inserting
\$10,000,000

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

The **SPEAKER** pro tempore. On that question, the Chair recognizes the gentleman from Clearfield County, Mr. George.

Mr. **GEORGE**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment increases the amount of money that would be made available to DEP (Department of Environmental Protection) in regard to cleaning up releases of these orphan tanks that no one takes blame for their existence. If it is found that an owner can be proven, then the moneys to clean up, that tank remediation, will not come out of the fund.

Mr. Speaker, I believe this is an agreed-to amendment.

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

Mr. **LYNCH**. Thank you, Mr. Speaker.

And the gentleman from Clearfield is correct; this is an agreed-to amendment, and I would ask the House for an affirmative vote.

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

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Evans	Pettit	Williams, A. H.
Krebs	Roebuck	
Masland	Scrimenti	Ryan, Speaker

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

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

Mr. **GEORGE** offered the following amendment No. **A2536**:

Amend Sec. 5 (Sec. 712), page 17, by inserting between lines 10 and 11

(6) Owners of six or fewer storage tanks shall be eligible to participate in the upgrade loan program.

Amend Sec. 5 (Sec. 712), page 17, line 11, by striking out "(6)" and inserting

(7)

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

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

Mr. GEORGE. Mr. Speaker, for the benefit of our colleagues, this amendment simply limits the availability of the upgrade loan program to owners of six or fewer tanks. It is much needed so that someone with 100 tanks does not come in and deplete the funding.

And I, too, believe this is an agreed-to amendment, Mr. Speaker.

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

Mr. LYNCH. Thank you, Mr. Speaker.

This is an agreed-to amendment, and I would ask the House for an affirmative vote.

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

The following roll call was recorded:

YEAS-195

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

- Conti, Cornell, Corpora, Corrigan, Cowell, Coy, Curry, Daley, Dally, DeLuca, Dempsey, Dent, Josephs, Kaiser, Keller, Kenney, Kirkland, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Raymond, Readshaw, Reber, Reinard, Rieger, Roberts, Robinson, Rohrer, Rooney, Ross, Rubley, Sainato, Washington, Waugh, Williams, C., Wilt, Wogan, Wojnaroski, Wright, M. N., Yewcic, Youngblood, Zimmerman, Zug

NAYS-0

NOT VOTING-0

EXCUSED-8

- Evans, Krebs, Masland, Pettit, Roebuck, Scrimenti, Williams, A. H., Ryan, Speaker

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

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

Mr. GEORGE offered the following amendment No. A2573:

Amend Sec. 3 (Sec. 704), page 7, lines 9 through 12, by striking out all of said lines and inserting

(f) Eligibility of claims.—Regulations to the contrary notwithstanding, claims for releases of regulated substances that occurred after the effective date of this act but before February 1, 1994, shall be eligible for payment under section 702 with the following restrictions:

(1) Claims must be submitted to the Underground Storage Tank Indemnification Board within 90 days of the effective date of this subsection.

(2) Payment for any single release shall not exceed \$30,000.

(3) No more than \$15,000,000 from the fund shall be used to implement this subsection.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this makes owners eligible for payments if the releases from their tanks occurred after July 1989, the effective day of the act, but before February 1, 1994. Owners must file claims within 90 days of this act, and it limits payments for single releases to \$30,000 and puts a total limit of \$15 million so it does not deplete the fund.

Mr. Speaker, I believe this is an agreed-to amendment.

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

Mr. LYNCH. Thank you, Mr. Speaker.

Again, this is an agreed-to amendment, and I would ask the House for an affirmative vote.

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

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Evans	Pettit	Williams, A. H.
Krebs	Roebuck	
Masland	Scrimenti	Ryan, Speaker

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman, Mr. Daley.

Mr. DALEY. Mr. Speaker, would the author of the bill stand for a brief interrogation?

The SPEAKER pro tempore. The gentleman, Mr. Lynch, indicates that he is willing to stand for interrogation. The gentleman, Mr. Daley, is in order and may proceed.

Mr. DALEY. Thank you, Mr. Speaker.

I am concerned about the language on page 5 of the bill in terms of the amount of limitation for payments per occurrence. Could you explain to the Assembly exactly why \$1 million was decided per occurrence?

The SPEAKER pro tempore. If the gentleman will suspend for one moment. The gentleman, Mr. Lynch, is getting his earphones and will be right with you.

Mr. LYNCH. Thank you, Mr. Speaker.

Would you mind repeating that. I am sorry; I did not hear it.

The SPEAKER pro tempore. The gentleman has asked you to repeat the question, but before you do, I am going to try to get a little order in here.

The House will please come to order. Members will please take their conversations outside the hall of the House. Will the members please break up the conversations in the aisles.

Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

Let me go back one step, Mr. Speaker. On page 4, line 28, where there appears to be certain limitations that are being applied by this legislation, it appears to be new limitations in terms of "general or specific powers granted." Could you explain to us what the purpose of that language is?

Mr. LYNCH. Mr. Speaker, the reason for that language is, there is a loan fund that is incorporated into this legislation, and this would prevent the board from going above and beyond the amount of money which is in the reserve in order to loan out.

Mr. DALEY. Specifically, why are we limiting the board from pledging any credit or taxing power of the Commonwealth? Is there a specific reason why you are doing that, Mr. Speaker?

Mr. LYNCH. Yes, Mr. Speaker. Basically, the reserve account has come about through the passing through of a tax on gas and diesel and fuel oil. We want the fund to be self-sufficient. We do not want to have to rely upon the General Fund or an increase in taxes otherwise to take care of it. We want it to be whole as it is.

Mr. DALEY. Mr. Speaker, on page 5, lines 25 and so forth, down to 30, you set a limitation on the amount that can be awarded per occurrence of \$1 million. Why is that?

Mr. LYNCH. Mr. Speaker, that was a cap that was put on in agreement with all the stakeholders, and simply, that is a protection to protect the insurance reserve, and based on estimates, they really did not feel there would be any estimates in excess of that.

Mr. DALEY. Have there ever been, historically speaking, estimates that have come in or awards that have come in exceeding the \$1 million?

Mr. LYNCH. Well, it is consistent with the restrictions that are already in place, and again, this was at the request of all the stakeholders who agreed to this. To say that there has never been a case in excess of \$1 million, I cannot say that, and to say that there never will be one, I cannot say that, you know, but at some point we have to put some kind of limit on there to protect the insurance reserve, and that is what this does.

Mr. DALEY. Page 8, line 27, where it addresses, under number (4), "The board shall set a deductible for claims for bodily injury,..." do you have any idea what that deductible shall be, other than the \$5,000 that is set in here, or will there be any other changes?

Mr. LYNCH. No. The \$5,000 is the deductible, and that is just being consistent with the rest of the restrictions that are placed upon the holders of underground tanks.

Mr. DALEY. Could you explain to me where that shows consistency with the stakeholders in this legislation?

Mr. LYNCH. Yes. It was an arbitrary figure, Mr. Speaker, that was determined by the board and agreed to by the stakeholders who came together on this legislation.

Mr. DALEY. So it could have been a \$1,000 deductible or it could have been \$10,000, but it was the decision that it was to be \$5,000. Am I correct, Mr. Speaker?

Mr. LYNCH. Yes. And I think at this point, Mr. Speaker, it is worth mentioning who the stakeholders were who were in agreement for this number. Would that be helpful to you, Mr. Speaker?

Mr. DALEY. That would be fine; yes.

I have no further questions, Mr. Speaker. Thank you very much.

Mr. LYNCH. Do you want to hear them, Mr. Speaker?

Mr. DALEY. Yes.

Mr. LYNCH. Mr. Speaker, I would like to recite the stakeholders who were involved in the decisions involved in this legislation: The fund itself, the directors of the Underground Storage Tank Indemnification Fund; the Pennsylvania Insurance Department; the Department of Environmental Protection, both the Bureau of Water Quality and the Bureau of Land Recycling and Waste Management; the Associated Petroleum Industries; service stations; the Pennsylvania Petroleum Association; Tank Installers of Pennsylvania; League of Women Voters; the Pennsylvania State Association of Township Supervisors; the Pennsylvania Chemical Industry Council; the Pennsylvania League of Cities and Municipalities; the farm community; the Mid-Atlantic Truckstop Operators; and the Environmental Resources Committees of all four caucuses.

They all agreed to this legislation and helped set these restrictions.

Mr. DALEY. Thank you, Mr. Speaker.

Like I said, Mr. Speaker, I have no further questions, and the answers have clarified the questions I had. Thank you, Mr. Speaker.

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

Mr. GEORGE. Mr. Speaker, I would urge our colleagues to support this bill in that one of those amendments goes a long way

to remediating a problem that had developed from the time of the passage and the result of the act going into law at that time.

The gentleman, Mr. Daley, asked about the amount of moneys that are used as a deductible, but we should remind the men and women of this chamber that there were several hundred people who had tanks that either burst or leaked and had paid and had been involved but for some reason were not able to collect what the law insisted they should collect, because with the passage of the act and the time that they placed into review and into purpose the moneys to be able to underwrite these, these people were left out in the cold.

So this goes a long way for these constituents of yours, Mr. Speaker, who had a tank rupture, who had contaminated soil, and were put out of business because of the lackluster way that this was handled. This will go a long way, especially for those that have facilities and cannot sell them because the Federal Government and the banks will not allow loans to be practiced or offered on areas where there have been contaminated tanks.

This bill, if passed and kept as it is right at this moment by the Senate, will do a great deal of justice for the men and women, the little "pop and mom" gas stations in your area that were put out of business.

I would urge its passing.

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

Mr. LYNCH. Thank you, Mr. Speaker.

I concur with my colleague from Clearfield County that this is an important bill that needs to be passed. I think we need to go through it, and I do want to mention a time factor that we have involved here that needs to be mentioned.

By December of 1998, all those who have underground tanks in the Commonwealth of Pennsylvania are required by law to come in compliance with the law. Money is not available to some of them right now. Some of those operators run the risk of being closed up and going out of business. The loan fund provision, which is in this bill, will allow those operators to obtain low-interest loans which will be paid back and not hurt the value of the insurance reserve itself.

We need speedy passage of this bill, and I ask my colleagues to vote in the affirmative. Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

YEAS-194

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

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

NAYS-1

Clark

NOT VOTING-0

EXCUSED-8

Evans	Petit	Williams, A. H.
Krebs	Roebuck	
Masland	Scrimenti	Ryan, Speaker

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

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

BILL PASSED OVER

The SPEAKER pro tempore. HB 1258 will be over for today.

The House proceeded to third consideration of **HB 1502, PN 1811**, entitled:

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.

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 gentleman from Westmoreland County, Mr. Petrarca.

Mr. PETRARCA. Thank you, Mr. Speaker.

What this bill does, it adds a \$1 checkoff to the vehicle registration forms for the Organ Donor Trust Fund. The money would be spent for educational awareness programs and promotion programs for organ donation in Pennsylvania.

I was appointed by the Governor to serve on the Organ Donation Advisory Board, and I can report to you that organ donation in Pennsylvania is alive and well and we are one of the leading States in this country regarding organ donation.

Currently there are more than 50,000 people nationwide awaiting organ transplants. Ten people nationwide die each day on an organ donor list. Ten to 20,000 people each year that die are eligible donors. By 2010, statistics show that 1 of every 20 people will possibly need transplantation surgery.

Last year in Pennsylvania, there was a 26-percent increase in organ donation; a 36-percent increase in tissue donation in Pennsylvania. Also, regarding eye surgery, cornea, cornea tissue donation, there was an increase of 48 percent, and we have in Pennsylvania wiped out the waiting list for cornea transplants. That is how successful Act 102 of 1994 has been.

In 1994 when Act 102 was passed, 17 percent of Pennsylvanians were organ donors according to their drivers' licenses. Today 33 percent of Pennsylvanians are organ donors. However, these lists are growing as organ donation becomes more popular in Pennsylvania.

What this \$1 will do, it will allow us to keep pace with the number of Pennsylvanians who are on organ donor lists. Most of you know what organ donation has meant to me and my family, and I ask that we do what we can to help all the families in Pennsylvania, and I ask for your support on this very important piece of legislation. Thank you.

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1502, but I caution the author of HB 1502. I concur with his comments that we should make the organ donation program available to all Pennsylvanians, but I caution him to do what he can as he moves forward with this in bringing about inclusion in the decisionmaking as it relates to the organ donation program, because right now in the Commonwealth of Pennsylvania, while the Commonwealth of Pennsylvania has taken a giant step in this area, that giant step does not reflect decisionmaking from all parts of the Commonwealth of Pennsylvania and decisionmaking of all groups within the Commonwealth of Pennsylvania. I know within the African-American and minority community, there are contributions, there is participation, but there is no involvement in the decisionmaking.

So I only ask the author of this bill if he would do what he can, and I would like to work with him to bring about greater participation in the decisionmaking as it relates to organ contributions and organ awareness. Thank you.

On the question recurring,
Shall the bill pass finally?

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

YEAS—195

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

NAYS—0

NOT VOTING—0

EXCUSED—8

- | | | |
|---------|-----------|------------------|
| Evans | Pettit | Williams, A. H. |
| Krebs | Roebuck | |
| Masland | Scrimenti | Ryan,
Speaker |

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

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

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. Page 3 of today's calendar. SB 135 will be over temporarily.

The House proceeded to third consideration of **HB 465, PN 529**, entitled:

An Act amending the act of July 14, 1961 (P.L.637, No.329), known as the Wage Payment and Collection Law, providing for duty of successor employer to pay back wages; and further providing for enforcement.

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

Mr. BELFANTI offered the following amendment No. **A2391**:

Amend Sec. 1 (Sec. 6.1), page 2, line 3, by striking out "may" and inserting

shall

Amend Sec. 1 (Sec. 6.1), page 2, line 5, by inserting after "check"
to an employe to whom back pay is owed

Amend Sec. 1 (Sec. 6.1), page 2, line 16, by inserting after "days"
written

Amend Sec. 2 (Sec. 8), page 4, line 3, by inserting after "assurance"
prescribed under 11 U.S.C. (relating to bankruptcy)

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

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

Mr. BELFANTI. Mr. Speaker, is that amendment No. 2391 or 2393?

The SPEAKER pro tempore. We have 2391 in front of us, Mr. Belfanti.

Mr. BELFANTI. Mr. Speaker, the amendment before us has been agreed to. It simply clarifies that the Department of Labor and Industry has the primary responsibility to establish the parameters of the self-employment program.

Sorry, Mr. Speaker; I did have the wrong amendment.

Mr. Speaker, give me a minute, please.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. While we are waiting, the Chair recognizes the gentleman, Mr. Snyder, who requests that the gentleman from Lebanon County, Mr. Krebs, be taken off leave and placed on the master roll call. The Chair hears no objection.

CONSIDERATION OF HB 465 CONTINUED

The SPEAKER pro tempore. The gentleman, Mr. Belfanti. Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, amendment 2391 is also agreed to.

The amendment makes clarifying technical changes to the bill. First, the amendment clarifies that the obligation to pay backwages at the sale of a business shall be discharged by one of the methods outlined in the bill; two, that the payment is made to an employee to whom backpay is owed; three, that the notice given prior to the transfer or sale of the property must be in writing; and fourth, that the bond or other assurance concerning the payment of wages is limited to that prescribed under the U.S. Bankruptcy Code.

I would appreciate everyone's support on the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Montgomery County, Mr. Gladeck, on the amendment.

Mr. GLADECK. Thank you, Mr. Speaker.

Mr. Speaker, I would urge the members of the House to support Mr. Belfanti's amendment. It is an agreed-to amendment. Thank you.

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

The following roll call was recorded:

YEAS—196

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

Corpora	Keller	Readshaw	Waugh
Corrigan	Kenney	Reber	Williams, C.
Cowell	Kirkland	Reinard	Wilt
Coy	Krebs	Rieger	Wogan
Curry	LaGrotta	Roberts	Wojnaroski
Daley	Laughlin	Robinson	Wright, M. N.
Dally	Lawless	Rohrer	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dempsey	Leh	Ross	Zimmerman
Dent	Lescovitz	Rubley	Zug

NAYS—0

NOT VOTING—0

EXCUSED—7

Evans	Roebuck	Williams, A. H.
Masland	Scrimenti	
Pettit		Ryan, Speaker

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

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

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage. The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Northumberland County, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

For the third session in a row, this legislation has been passed by the House Labor Relations Committee by unanimous vote, and on two previous occasions, the entire floor of the House has passed this bill unanimously.

Simply put, it guarantees that workers are paid for wages already earned under any and all circumstances. It amends the Wage Payment and Collection Law to require that an employer who is going out of business make sure that those employees are paid prior to the sale of the business. If an employer is filing for bankruptcy, a bond must be posted to pay those employees, and if a person is selling his business to a new prospective employer, that new employer must be advised in writing that there is a wage payment due the employees that are presently working in the plant or operation.

It is fair to business and it is fair to the employees, and I would appreciate another unanimous vote this session on this bill. Thank you.

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-196

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

NAYS-0

NOT VOTING-0

EXCUSED-7

Evans	Roebuck	Williams, A. H.
Masland	Scrimenti	
Pettit		Ryan, Speaker

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

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

BILLS PASSED OVER TEMPORARILY

The SPEAKER pro tempore. HB 1475 and HB 1173 will be over temporarily.

The House proceeded to third consideration of **HB 1028, PN 1157**, entitled:

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, further providing for reports by charitable organizations.

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-196

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

Cornell	Kaiser	Raymond	Washington
Corpora	Keller	Readshaw	Waugh
Corrigan	Kenney	Reber	Williams, C.
Cowell	Kirkland	Reinard	Wilt
Coy	Krebs	Rieger	Wogan
Curry	LaGrotta	Roberts	Wojnaroski
Daley	Laughlin	Robinson	Wright, M. N.
Dally	Lawless	Rohrer	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dempsey	Leh	Ross	Zimmerman
Dent	Lescovitz	Rubley	Zug

NAYS-0

NOT VOTING-0

EXCUSED-7

Evans	Roebuck	Williams, A. H.
Masland	Scrimenti	
Pettit		Ryan, Speaker

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

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

The House proceeded to third consideration of SB 126, PN 123, entitled:

An Act authorizing the Pennsylvania Fish and Boat Commission to convey a portion of a Project 70 tract of land in Porter Township, Clinton County, under certain conditions to the Township of Porter, a municipal corporation of the Commonwealth of Pennsylvania.

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

Mr. CASORIO offered the following amendment No. A2356:

Amend Title, page 1, line 5, by removing the period after "Pennsylvania" and inserting ; and authorizing the release of Project 70 restrictions imposed on certain lands owned by the City of Jeannette, Westmoreland County, in return for the imposition of Project 70 restrictions placed on certain lands purchased by the City of Jeannette.

Amend Sec. 1, page 1, line 8, by striking out "Authorization." and inserting

Land in Clinton County.

Amend Sec. 1, page 1, line 9, by inserting before "Under"

(a) Authorization.-

Amend Sec. 1, page 1, lines 18 and 19, by striking out all of said lines and inserting

(b) Freedom of restrictions.-The Pennsylvania Fish and Boat Commission is authorized to

Amend Sec. 2, page 2, line 11, by striking out "herein described property" and inserting

property described in subsection (d)

Amend Sec. 3, page 2, lines 19 and 20, by striking out all of said lines and inserting

(c) Execution.-The deed of conveyance from the Pennsylvania Fish and Boat

Amend Sec. 4, page 2, lines 27 and 28, by striking out all of said lines and inserting

(d) Description of premises to be conveyed.-The portion of the Pennsylvania Fish and Boat Commission's

Amend Sec. 4, page 2, line 29, by striking out "act" and inserting section

Amend Sec. 4, page 2, line 30, by striking out "- all" and inserting follows: All

Amend Bill, page 3, by inserting between lines 23 and 24 Section 2. Land in Westmoreland County.

(a) Authorization.-The lands described in subsection (b) are hereby released from restrictions imposed under the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act, in exchange for the imposition of restrictions under the Project 70 Land Acquisition and Borrowing Act on the lands described in subsection (e).

(b) Land to be released from restrictions.-The land authorized to be released from restrictions are more particularly described as follows:

Beginning at a point where the northerly line of College Avenue intersects with the easterly line of Whiteman Street, thence along the easterly line of Whiteman Street north 44 degrees 45 minutes east a distance of 455 feet to a point; thence south 42 degrees 15 minutes east a distance of 66.5 feet to a point; thence north 36 degrees 5 minutes east a distance of 178 feet, more or less, to a point; thence south 24 degrees 41 minutes east a distance of 315 feet, more or less, to a point; thence south 42 degrees west a distance of 120 feet, more or less, to a point; thence south 16 degrees 13 minutes east a distance of 345 feet, more or less, to a point; thence north 72 degrees 42 minutes west a distance of 181.67 feet to a point; thence south 17 degrees 18 minutes west a distance of 40 feet to a point; thence north 72 degrees 42 minutes west a distance of 40 feet to a point; thence north 17 degrees 18 minutes east a distance of 131 feet to a point on the northerly line of College Avenue; thence along the northerly line of College Avenue north 72 degrees 42 minutes west a distance of 448 feet to a point on the easterly line of Whiteman Street, the place of beginning.

Containing approximately 4.7 acres.

(c) Land to be made subject to restrictions.-The land to be subject to restrictions is more particularly described as follows:

Beginning at a point at the southwesterly line of Harrison Avenue and the easterly line of School Street, thence along the southwesterly line of Harrison Avenue south 77 degrees 4 minutes east 145 feet to a point; thence by same by a line curving to the right, having a radius of 23 feet, an arc distance of 31.50 feet to a point in the westerly line of Sellers Avenue; thence along the westerly line of Sellers Avenue south 10 degrees 40 minutes west 20.6 feet to a point; thence along same by a line curving to the left, having a radius of 332.56 feet, an arc distance of 97.27 feet to a point; thence leaving Sellers Avenue south 67 degrees 48 minutes west 5.87 feet to a point; thence again along Sellers Avenue south 24 degrees 25 minutes east 126.20 feet to a point, corner of property of the Jeannette School District; thence along line of lands of Jeannette School District south 78 degrees 1 minute west 130.92 feet to a point; thence along the same north 40 degrees 42 minutes west 38.78 feet to a point; thence along the northerly line of Morris Avenue, an unopened street in the Westmoreland Home and Land Co. Plan, north 77 degrees 4 minutes west 125.76 feet to a point, corner of the northerly line of Morris Avenue and School Street, north 12 degrees 56 minutes east 265 feet to the point at the place of beginning.

Containing approximately 1.3 acres.

(d) Deed restrictions.-The restrictions to be included in the deed to the land described in subsection (c) shall read as follows:

This indenture is given to provide recreation, conservation and historical purposes as defined in the act of June 22, 1964 (Sp.Sess., P.L.131, No.8), known as the Project 70 Land Acquisition and Borrowing Act.

(e) Funds to be placed in special account.—The sum of \$20,000 or proceeds from the sale of the land described in subsection (b), whichever is greater, shall be deposited into a special account established by the City of Jeannette and used exclusively by the City of Jeannette for recreational improvements on the land described in subsection (c).

Amend Sec. 5, page 3, line 24, by striking out "5" and inserting

3

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

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

Mr. CASORIO. Thank you, Mr. Speaker.

This is a Project 70 bill. We have a fiscal note that there will be no financial impact on the Commonwealth. This bill simply takes the Project 70 status from one property in the city of Jeannette — it is a wooded area not accessible — and places it on a newly purchased lot — a playground and a ballfield — that is more accessible to the folks in the community.

I ask for your support and the support from those folks in the city of Jeannette. It would be greatly appreciated. Thank you.

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

The following roll call was recorded:

YEAS—196

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

Corpora	Keller	Readshaw	Waugh
Corrigan	Kenney	Reber	Williams, C.
Cowell	Kirkland	Reinard	Wilt
Coy	Krebs	Rieger	Wogan
Curry	LaGrotta	Roberts	Wojnaroski
Daley	Laughlin	Robinson	Wright, M. N.
Dally	Lawless	Rohrer	Yewcic
DeLuca	Lederer	Rooney	Youngblood
Dempsey	Leh	Ross	Zimmerman
Dent	Lescovitz	Rubley	Zug

NAYS—0

NOT VOTING—0

EXCUSED—7

Evans	Roebuck	Williams, A. H.
Masland	Scrimenti	
Pettit		Ryan, Speaker

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

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

Mr. DERMODY offered the following amendment No. A2580:

Amend Title, page 1, line 5, by removing the period after "Pennsylvania" and inserting
; and authorizing Harrison Township, Allegheny County, to exchange certain real property with Wood Development Partnership.

Amend Sec. 1, page 1, line 8, by striking out "Authorization" and inserting

Porter Township

Amend Sec. 1, page 1, line 9, by inserting before "Under"

(a) Authorization.—

Amend Sec. 2, page 1, line 18, by striking out all of said line

Amend Sec. 2, page 1, line 19, by inserting before "The"

(b) Freedom of restrictions.—

Amend Sec. 3, page 2, line 19, by striking out all of said line

Amend Sec. 3, page 2, line 20, by inserting before "The"

(c) Execution.—

Amend Sec. 4, page 2, line 27, by striking out all of said line

Amend Sec. 4, page 2, line 28, by inserting before "The"

(d) Description of premises to be conveyed.—

Amend Sec. 4, page 2, line 29, by striking out "act" and inserting section

Amend Bill, page 3, lines 24 and 25, by striking out all of said lines and inserting

Section 2. Harrison Township.

(a) Authorization.—Harrison Township, Allegheny County, is hereby authorized to exchange certain real property with Wood Development Partnership.

(b) Property conveyed to Wood Development Partnership.—The property of Harrison Township to be conveyed to Wood Development Partnership is described as follows:

All that certain parcel of land situate in the Township of Harrison, Allegheny County, Pennsylvania, being part of lands of the Township of

Harrison, designated as Block 1367-J, Lot 75 and recorded in Deed Book Volume 4605, page 637, being more particularly bounded and described as follows:

Beginning at a point on the westerly line of the above referenced lands of the Township of Harrison, said point being common with lands now or formerly Ira R. and Frances Wood recorded in Deed Book Volume 7374, page 312; thence along said westerly line north 05 degrees 54 minutes 58 seconds east, 957.00 feet to a point on the northerly line of the above referenced lands of the Township of Harrison, said point also being common with the aforementioned lands now or formerly Ira R. and Frances Wood; thence along said northerly line north 51 degrees 24 minutes 58 seconds east, 280.50 feet to a point on the easterly line of the above referenced lands of the Township of Harrison, said point also being common with the aforementioned lands now or formerly Ira R. and Frances Wood; thence along said easterly line south 23 degrees 35 minutes 02 seconds east, 603.18 feet to a point on the centerline of Little Bull Creek; thence along the centerline of Little Bull Creek and through the above referenced lands of the Township of Harrison the following ten courses and distances, south 72 degrees 00 minutes 03 seconds west, 49.66 feet; thence by an arc curving to the left having a radius of 60.00 feet, an arc distance of 68.11 feet and a chord bearing and distance of south 39 degrees 28 minutes 43 seconds west, 64.52 feet; thence south 06 degrees 57 minutes 22 seconds west, 43.10 feet; thence by an arc curving to the right and having a radius of 125.00 feet, an arc distance of 77.15 feet and a chord bearing and distance of south 24 degrees 38 minutes 15 seconds west, 75.93 feet; thence south 42 degrees 19 minutes 09 seconds west, 128.13 feet; thence by an arc curving to the left having a radius of 325.00 feet, an arc distance of 217.85 feet and a chord bearing and distance of south 23 degrees 06 minutes 59 seconds west, 213.79 feet; thence south 03 degrees 54 minutes 50 seconds west, 152.57 feet; thence south 08 degrees 33 minutes 25 seconds west, 98.72 feet; thence south 20 degrees 21 minutes 30 seconds west, 128.76 feet; thence south 18 degrees 55 minutes 43 seconds west, 70.23 feet to a point on the westerly line of the above referenced lands of the Township of Harrison, said point being common with other lands now or formerly Ira R. and Frances Wood recorded in Deed Book Volume 8759, page 186; thence along said westerly line north 27 degrees 20 minutes 02 seconds west, 372.90 feet to the point of beginning.

Containing 410,630 square feet or 9.427 acres.

(c) Property conveyed to Harrison Township.—The property of Wood Development Partnership to be conveyed to Harrison Township is described as follows:

All that certain parcel of land situate in the Township of Harrison, Allegheny County, Pennsylvania, being part of lands now or formerly Ira R. and Frances Wood, designated as Block 1518-R, Lot 250 and recorded in Deed Book Volume 7808, page 620, being more particularly bounded and described as follows:

Beginning at point on the southerly line of the above referenced lands now or formerly Ira R. and Frances Wood and being common with the northwesterly corner of lands now or formerly Allegheny Valley Hospital Association recorded in Deed Book Volume 3004, page 206, also being common with the easterly 50 foot right-of-way line of Alabama Avenue, also being common with the easterly line of lands of the Woodside Plan of Lots Extension No. 2 recorded in Deed Book Volume 57, page 182; thence along said easterly line north 26 degrees 08 minutes 19 seconds west, 220.00 feet to a point on the northerly line of the aforementioned Woodside Plan of Lots Extension No. 2; thence along said northerly line the following seven courses and distances, south 63 degrees 51 minutes 41 seconds west, 227.79 feet; thence south 78 degrees 44 minutes 41 seconds west, 612.81 feet; thence south 61 degrees 52 minutes 41 seconds west, 183.50 feet; thence south 25 degrees 46 minutes 11 seconds west, 188.03 feet; thence south 02 degrees 19 minutes 59 seconds east, 188.49 feet; thence south 28 degrees 05 minutes 19 seconds east, 234.12 feet; thence south 61 degrees 54 minutes 41 seconds west, 425.00 feet; thence through lands of Grantors north 28 degrees 05 minutes 19 seconds west, 154.21 feet to the centerline of Little Bull Creek as it now exists; thence

through lands of the Grantors herein and along the centerline of Little Bull Creek the following eighteen courses and distances:

1. north 87 degrees 47 minutes 02 seconds east, 55.39 feet;
2. north 67 degrees 13 minutes 06 seconds east, 32.18 feet;
3. by a curve to the left, radius 66.50 feet, an arc distance of 132.09 feet (chord: north 10 degrees 18 minutes 57 seconds east, 111.42 feet);
4. north 46 degrees 35 minutes 12 seconds west, 171.92 feet;
5. by a curve to the right, radius 176.00 feet, an arc distance of 145.62 feet (chord: north 22 degrees 52 minutes 59 seconds west, 141.51 feet);
6. north 00 degrees 49 minutes 14 seconds east, 137.63 feet;
7. north 09 degrees 36 minutes 58 seconds east, 146.99 feet;
8. north 60 degrees 14 minutes 52 seconds east, 178.79 feet;
9. north 74 degrees 34 minutes 29 seconds east, 111.15 feet;
10. north 32 degrees 11 minutes 31 seconds east, 95.33 feet;
11. by a curve to the right, radius 42.50 feet, an arc distance of 53.43 feet (chord: north 68 degrees 12 minutes 20 seconds east, 49.98 feet);
12. south 75 degrees 46 minutes 52 seconds east, 12.35 feet;
13. by a curve to the left, radius 45.00 feet, an arc distance of 49.39 feet (chord: north 72 degrees 46 minutes 33 seconds east, 46.95 feet);
14. north 41 degrees 19 minutes 58 seconds east, 72.13 feet;
15. north 32 degrees 21 minutes 55 seconds east, 44.85 feet;
16. north 21 degrees 09 minutes 59 seconds east, 41.84 feet;
17. north 34 degrees 07 minutes 07 seconds east, 53.99 feet;
18. north 49 degrees 25 minutes 45 seconds east, 80.61 feet to the confluence of Little Bull Creek and an unnamed tributary;

thence continuing through lands of the Grantors herein and along the centerline of said unnamed tributary the following fourteen courses and distances:

1. south 40 degrees 34 minutes 15 seconds east, 47.01 feet;
2. by a curve to the left, radius 45.00 feet, an arc distance of 44.69 feet (chord: south 69 degrees 01 minute 25 seconds east, 42.88 feet);
3. north 82 degrees 31 minutes 26 seconds east, 24.34 feet;
4. north 27 degrees 58 minutes 26 seconds east, 35.44 feet;
5. by a curve to the right, radius 15.00 feet, an arc distance of 23.06 feet (chord: north 72 degrees 00 minutes 46 seconds east, 20.85 feet);
6. south 63 degrees 56 minutes 53 seconds east, 57.90 feet;
7. north 85 degrees 35 minutes 28 seconds east, 58.67 feet;
8. south 36 degrees 26 minutes 34 seconds east, 87.12 feet;
9. north 42 degrees 25 minutes 07 seconds east, 56.55 feet;
10. by a curve to the right, radius 33.00 feet, an arc distance of 75.98 feet (chord: south 71 degrees 37 minutes 05 seconds east, 60.28 feet);
11. south 05 degrees 39 minutes 18 seconds east, 17.89 feet;
12. by a curve to the left, radius 10.00 feet, an arc distance of 20.62 feet (chord: south 64 degrees 43 minutes 52 seconds east, 17.16 feet);
13. north 56 degrees 11 minutes 33 seconds east, 109.50 feet; and
14. north 85 degrees 08 minutes 41 seconds east, 33.96 feet; thence

leaving said unnamed tributary and continuing through lands of the Grantors herein north 50 degrees 37 minutes 32 seconds east, 424.40 feet to the southerly right-of-way line of Pleasantville Road (a 33 foot right-of-way); thence along said right-of-way the following six courses and distances:

1. south 61 degrees 29 minutes 03 seconds east, 71.64 feet;
2. south 69 degrees 51 minutes 15 seconds east, 213.78 feet;
3. south 78 degrees 46 minutes 55 seconds east, 251.81 feet;
4. south 81 degrees 36 minutes 42 seconds east, 178.75 feet;
5. by a curve to the right, radius 176.50 feet, an arc distance of 73.34 feet (chord: south 69 degrees 42 minutes 29 seconds east, 72.81 feet); and

6. south 57 degrees 48 minutes 16 seconds east, 62.94 feet to the northwesterly line of lands of the Allegheny Valley Hospital Association (Deed Book Volume 7937, page 70); thence along said lands of Allegheny Valley Hospital Association and along the northeasterly line of other lands of the Allegheny Valley Hospital Association (Deed Book Volume 3004, page 206) south 63 degrees 51 minutes 41 seconds west, 822.71 feet to the point of beginning.

Containing 898,565 square feet or 20.628 acres.
Section 3. Effective date.

This act shall take effect immediately.

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

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

Mr. DERMODY. Thank you, Mr. Speaker.

Mr. Speaker, this is also a land transfer bill in Harrison Township in my district. The township will receive 22 acres for an exchange of 9 acres for a very important development project in Harrison Township. The township commissioners have approved this transfer and are urging it.

The prime sponsor of the bill is in concurrence with this amendment, and I ask the members' support. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Bucks County, Mr. Clymer.

Mr. CLYMER. Mr. Speaker, could I have a sidebar with the gentleman for about 2 minutes? I would like to ask him a question, and then I will have remarks after I speak with him for a minute or two.

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair would like to take this opportunity to welcome a special guest. Cindy Lancaster is here as the guest of Representative Washington of Philadelphia County. She is located in the rear of the House. Would she please rise. Welcome to the hall of the House.

CONSIDERATION OF SB 126 CONTINUED

The SPEAKER pro tempore. Does the gentleman, Mr. Clymer, wish to be recognized on the amendment? Mr. Clymer, you are recognized.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, at this time it looks as though things are in order, and I would ask the members to support the Dermody amendment to SB 126.

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

The following roll call was recorded:

YEAS-194

- | | | | |
|--------|------------|-----------|---------|
| Adolph | Dermody | Levdansky | Rubley |
| Allen | DeWeese | Lloyd | Sainato |
| Argall | DiGirolamo | Lucyk | Santoni |

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

NAYS-0

NOT VOTING-2

- | | |
|----------|--------------|
| Steelman | Williams, C. |
|----------|--------------|

EXCUSED-7

- | | | |
|---------|-----------|------------------|
| Evans | Roebuck | Williams, A. H. |
| Masland | Scrimenti | |
| Pettit | | Ryan,
Speaker |

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

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

NAYS—0

NOT VOTING—1

Williams, C.

EXCUSED—7

Evans	Roebuck	Williams, A. H.
Masland	Srimentti	
Pettit		Ryan, Speaker

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

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

* * *

The House proceeded to third consideration of SB 200, PN 975, entitled:

An Act providing for the compensation of election officers and constables; and making repeals.

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

Mr. DRUCE offered the following amendment No. A2504:

Amend Title, page 1, lines 1 and 2, by striking out all of said lines and inserting

Amending the act of June 3, 1937 (P.L.1333, No.320), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," further providing for compensation of election officers and for special elections for senators and representatives in the General Assembly.

Amend Bill, page 1, lines 5 through 17; pages 2 and 3, lines 1 through 30; page 4, lines 1 and 2, by striking out all of said lines on said pages and inserting

Section 1. Section 412.1 of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, added May 5, 1982 (P.L.374, No.108), is amended to read:

Section 412.1. Compensation of Election Officers.—(a) In all counties, the compensation of judges, inspectors, clerks and machine inspectors shall be fixed by the county board of elections of the county at not less than the following: judge of elections, forty-five dollars (\$45.00); inspectors and clerks, forty dollars (\$40.00); and machine operators, forty dollars (\$40.00); and not more than the following: judge of elections, [seventy dollars (\$70.00)] one hundred dollars (\$100.00); inspectors and clerks, [sixty-five dollars (\$65.00)] ninety-five dollars (\$95.00) and machine operators [sixty-five dollars (\$65.00)] ninety-five dollars (\$95.00); for each primary and election. The county board of elections may, in its discretion, establish different per diem rates within the above mentioned minima and maxima based on the number of votes cast for the following groups: 150 votes or less, 151 to 300 votes, 301 to 500 votes, 501 to 750 votes, 751 and over.

(b) For transmitting returns of primaries and elections and the ballot box or boxes, all judges of elections shall each be entitled to receive the additional sum of [six dollars (\$6.00)] ten dollars \$10.00.

(c) [In counties of the second through eighth classes, the] The county board of elections may, in its discretion, require the minority inspector of elections to accompany the judge of elections in transmitting returns of primaries and elections, in which case the minority inspector of elections shall be entitled to receive the additional sum of [six dollars (\$6.00)] ten dollars (\$10.00).

(d) The person furnishing transportation to the judge of election and the minority inspector in transmitting returns and ballot boxes, shall be entitled to a minimum of [twenty cents (20¢)] thirty cents (30¢) per mile circular from the polling place to the county courthouse. The name of such

person shall appear on the voucher of the judge of election and only one person shall receive mileage compensation.

(e) When a primary and special election or a special and general or municipal election take place on the same day, they shall be construed as one election for the purpose of receiving compensation.

Section 2. Section 628 of the act, amended August 13, 1963 (P.L.707, No.379), is amended to read:

Section 628. Special Elections for Senator and Representative in the General Assembly.—Whenever a vacancy shall occur in either house of the General Assembly whether or not it then be in session, the presiding officer of such house shall, within ten (10) days after the happening of the vacancy, issue a writ of election to the proper county board or boards of election and to the Secretary of the Commonwealth, for a special election to fill said vacancy, which election shall be held [on a date named in the writ, which shall be not less than sixty (60) days after the issuance of said writ. The presiding officer may fix, in such writ of election, the date of the next ensuing primary, municipal or general election as the date for holding any such special election] at the next ensuing primary, municipal or general election scheduled at least sixty (60) days after the issuance of the writ or such other earlier date which is at least sixty (60) days following the issuance of the writ as the presiding officer may deem appropriate: Provided, however, That should the Governor after the issuance of the said writ of election advise the presiding officer that the General Assembly will be called into extraordinary session prior to the date set for such special election, the presiding officer may countermand the writ theretofore issued and shall issue a new writ of election, fixing therein such earlier date therefor as is deemed expedient, but which shall not be less than sixty (60) days after the issuance of said writ[.]; Provided further, That if the vacancy shall occur less than five months prior to the expiration of the term, a special election shall be held only if, in the opinion of the presiding officer, the election is in the public interest.

Section 3. This act shall take effect as follows:

(1) The amendment of section 412.1 of the act shall take effect January 1, 1998.

(2) The remainder of this act shall take effect immediately.

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

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

Mr. DRUCE. Thank you, Mr. Speaker.

The amendment I am offering is one that has come before this House before and passed overwhelmingly. It would simply provide that the Speaker of the House and the President of the Senate would be required to fill vacancies which occur in either chamber no sooner than 60 days and yet no later than the next ensuing general or municipal election.

I would be most appreciative for the support of the members of the House. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—195

- | | | | |
|--------|------------|-------|---------|
| Adolph | Dermody | Lloyd | Santoni |
| Allen | DeWeese | Lucyk | Sather |
| Argall | DiGirolamo | Lynch | Saylor |

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

NAYS—0

NOT VOTING—1

Horsely

EXCUSED—7

- | | | |
|---------|-----------|------------------|
| Evans | Roebuck | Williams, A. H. |
| Masland | Scrimenti | |
| Pettit | | Ryan,
Speaker |

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

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

The SPEAKER pro tempore. Would the gentleman, Mr. Veon, come to the podium, please?

(Conference held at Speaker's podium.)

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Itkin, who requests a leave for the balance of today's session for the gentleman from Philadelphia County, Mr. DONATUCCI. The Chair hears no objection. The leave is granted.

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the lady, Representative Williams, rise?

Ms. WILLIAMS. Thank you, Mr. Speaker.

I indicated on SB 126 I was not recorded as voted. I would have liked the record to record that I voted "aye."

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

GUESTS INTRODUCED

The SPEAKER pro tempore. Representative Curtis Thomas from Philadelphia has a special guest with him here today. Mr. Edward Harrell, Sr., is here. He is a former sergeant in the U.S. Marines and a retired captain of the Philadelphia Police Department, 17th Police District. Where is he located? To the left of the Speaker. Would he please rise. Welcome to the hall of the House.

The Chair would also like to welcome Justin Gadsby to the hall of the House today. He is a Thiel College student; a resident of Stoneboro, Pennsylvania. He is a summer intern for Representative Rod Wilt, and he is located to the left of the Speaker. Would he please rise. Welcome to the hall of the House.

CONSIDERATION OF SB 200 CONTINUED

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

Mr. VITALI. Yes, Mr. Speaker.

The SPEAKER pro tempore. For what purpose?

Mr. VITALI. For the purpose of making a motion relative to SB 200.

The SPEAKER pro tempore. Would the gentleman come to the podium and bring a copy of his proposed amendment with him.

Mr. VITALI. Mr. Speaker, I do not have a proposed amendment. I wish to make a motion to pass over SB 200 until Monday, June 9. That would be my motion.

The SPEAKER pro tempore. Would the gentleman suspend for one moment. We are in the middle of something right now.

MOTION TO PLACE BILL ON THIRD CONSIDERATION POSTPONED CALENDAR

The SPEAKER pro tempore. The correct motion would be a motion to postpone, and the gentleman is now in order to make that motion.

Mr. VITALI. Thank you, Mr. Speaker.

At this time I would move to postpone SB 200 until Monday, June 9.

The SPEAKER pro tempore. The question is on postponement of SB 200 until Monday, June 9.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Perzel, on the motion.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, SB 200 was filed in a timely manner, and we just cannot stop every single bill on the calendar because one of the members was not looking at the calendar to file their amendments timely.

I would oppose the motion.

The SPEAKER pro tempore. The gentleman, Mr. Vitali, is recognized on his motion.

Mr. VITALI. Thank you, Mr. Speaker.

When SB 200 was introduced and as it appeared on the calendar, it was not an Election Code bill. Just several minutes ago the Druce amendment converted this bill to an Election Code bill. Election Code bills traditionally have been the vehicle to deal with the issue of campaign finance reform. In all of last session, we did not deal with campaign finance reform; we did not deal with the Conti bill, HB 970, or we did not deal with any other bill. Now one-quarter of the way through this session we again have refused to deal with campaign finance reform and there is no scheduled date or no indication we plan to deal with this.

The Election Code bill will give us the opportunity through amendment to deal with the issues such as contribution limits, public finance of election, spending limits, increased disclosure, and so forth. This motion before us today is made for the purpose of allowing members to draft amendments dealing with these issues today and tomorrow so that we can deal with this issue Monday.

I would submit to you that although it is important that our campaign poll workers be paid fairly, it is equally and perhaps more important that we deal with the issue of money in politics, money and the effect it has on this legislative process. This is our opportunity to do this, and this may be, the vote you take on this motion to postpone, may be the only campaign finance vote you take this entire session. So consider that when you vote on this bill. This may define you today for the entire session as being in support of moving campaign finance forward or being opposed to it.

I would ask for an affirmative vote on this motion. Thank you.

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

Mr. PERZEL. Thank you, Mr. Speaker.

I understand that campaign finance reform is an important issue, Mr. Speaker, but I also know and I would like the members to at least hear this, that on election day that just passed 2 weeks ago, over 100 polling places in the city of Philadelphia did not open on

time and the commissioners had to hire temporary help to open the polling places because the people are not being paid a proper amount of money for working at the polls.

The fundamental reason that a democracy exists is for people to be able to go and vote for the people that they want to represent them at any level, and right now they are not even opening up all the polling places. That is important, Mr. Speaker, and that is what we are trying to address with this SB 200.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Veon, on the motion.

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

Mr. Speaker, I rise in support of the gentleman's motion to postpone.

I listened to the gentleman's reasons, which I think are very good on their own and have tremendous merit as a reason for this House to postpone this bill, and I listened to the gentleman, the majority leader, make his comments about the reason that we ought not to postpone, and I think the gentleman is right about his motivations, that in fact we have quite a few judges and inspectors in all of our precincts who are not adequately compensated. In fact, in many precincts in parts of the State, they cannot even find inspectors and judges to do the job. I know that all the members in the House have had comments from your inspectors and your judges in your precincts over the years that we ought to do something to increase the amount of money that they make.

Now, unfortunately, Mr. Speaker, this bill does not do it. If you actually take a look at the language in this bill, it does not raise the minimum required to pay the inspectors and the judges. It simply allows the counties to increase the maximum. Well, I have had some experience with the county in Beaver County—

The SPEAKER pro tempore. Will the gentleman suspend.

The House has before it a motion to postpone, and the Chair would appreciate it if all of the members would limit their remarks to reasons why the bill should or should not be postponed.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate that admonishment.

Let me say that I have an amendment to this bill, and the reason that I would like to see this postponed is that because of the gentleman, Mr. Druce's amendment that just passed, my amendment will now be ruled out of order by the Parliamentarian. My amendment would in fact raise the minimum so that inspectors and judges could get an increase. This bill simply allows counties to raise the maximum. Most counties will not do that. We know that going into this. So we will not be able to send letters to our judges and inspectors telling them that we did something for them with this bill. We in fact will not. We need to raise the minimum, require mandatory raising of the minimum, if we are going to help these inspectors and these judges.

I would like an opportunity to draft an amendment to this bill that would fit in with the Druce amendment that has now passed and would like an opportunity to draft that amendment. I think it is an amendment that would have bipartisan support, and we need to postpone this bill in order to have that amendment drafted. I would ask members to support the motion to postpone. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the motion, the Chair recognizes the gentleman from Philadelphia County, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this motion to postpone, and, Mr. Speaker, I would like to provide the House with some history as to why I rise in opposition to this motion.

Number one, in 1990 I introduced the first bill to increase compensation for election poll workers. In the 1992 term I reintroduced a bill to increase compensation. In the 1994 term I reintroduced a bill to increase compensation, and following that leadership, Representative Itkin from Pittsburgh, Representative Oliver from Philadelphia County, and other Representatives — and I yield on calling names — but a number of members from this side of the aisle have introduced bills to increase compensation for election poll workers.

One of my bills finally came out of the House and went to the Senate and got caught up in the Senate around motor-voter and was never given consideration by the Pennsylvania Senate. The reason I started in 1990 to introduce these bills is because we not only have a situation where election poll workers have no incentive to even come to work or come to the polls on election day, but we might be the only State, the only State, that continues to ask people to go out and work on election day for 16 and 18 hours and pay them less than \$2 an hour. Our election poll worker system in the Commonwealth of Pennsylvania is tantamount to involuntary servitude.

The SPEAKER pro tempore. Will the gentleman suspend.

Again, the Chair would appreciate it if the members would limit their remarks to reasons why the bill should or should not be postponed and not get into the merits of the legislation.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, in summary, the reason that we must not postpone this bill is because the time is now to move forward on this issue, and I concur with all those reasons. I support campaign finance reform; I support changes in the election financing laws, but, Mr. Speaker, the time is now to move on SB 200. We have been going back home telling people hold on, hold on, hold on. Now let us tell them hold on no more because we are going to deal with this issue today and right now. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Clymer, on the motion.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, I also rise in opposition to postpone.

The previous speaker from Philadelphia really said what I wanted to say, that this is a long time coming, and those of us who go, each of us, as we talk to our poll workers, they have constantly complained about the low rates that they have been receiving, the low stipends.

Mr. Speaker, this SB 200 has been a bipartisan effort — Republicans and Democrats working together to move this bill to get the dollar amounts in there that would be workable — and it was a very fine cooperated effort that moved the bill out of the State Government Committee so it is now on the floor of the House.

I also want to mention that we also worked with the County Commissioners Association of Pennsylvania with this legislation as well.

So, Mr. Speaker, I, too, rise in opposition for a postponement. Thank you.

The SPEAKER pro tempore. The gentleman from Northampton County, Mr. Rooney, is recognized on the motion.

Mr. ROONEY. Thank you, Mr. Speaker.

Mr. Speaker, it was my intention to rise in opposition to the motion to postpone for many of the reasons articulated by the Republican leader and also by the gentleman from Philadelphia, Mr. Thomas.

I, like, I am sure, many of you, visited my polling places in my district on election day, and I heard from the judges of election, the machine operators, the inspectors their need to be better compensated in order to keep the polls open, as the Republican leader suggested, and to get quality people to operate the machines. However, the Druce amendment, which would allow us if the Veon amendment were able to be considered, deletes the page. We cannot even consider the Veon amendment which would raise the maximum.

So, Mr. Speaker, while I, along with many of you, want to do what is right by our machine operators, our inspectors, and our judges of elections, that simply cannot be done today unless SB 200 is passed over until Monday, June 9.

So therefore, I would respectfully ask you, if you are sincere about wanting to help out our machine operators, et cetera, that you go along with the motion to postpone until Monday, June 2, so we can draft the necessary amendment to allow us to effectively raise the compensation levels for these people who work so hard on all of the people's behalf. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Cowell, is recognized on the motion.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise to support the motion to postpone action on SB 200, and I do that for two reasons. I support the effort to increase the compensation for those who work the polls on election day. This bill in its current form does not do that. As others have said, if we are serious about doing it, we need to consider another amendment to this bill that will ensure that the compensation for those who work long and hard on election day is indeed increased. This bill in its current form does not do that. We need to postpone action to allow another amendment to be offered and approved by the House.

Secondly, I agree with the arguments put forward by Representative Vitali. This may be the only meaningful opportunity we have to do campaign finance reform in this State during this entire legislative session. A lot of people survey us, and some people who survey the members of the House and Senate one by one by one would get the impression that by overwhelming numbers, legislators support campaign finance reform, but then we always have a thousand excuses why it does not happen or why we do not support it today or this week or this month. We ought to quit misleading folks about that. If we are serious about enacting campaign finance reform, this is an opportunity to do it.

For those who have argued that there is some urgency about this bill and that we cannot afford to postpone action for a few days, let me simply remind you that the bill does not do what the proponents have said they want it to do, and that is, ensure that there is an increase for those who work the polls; and secondly, as I recall, there is no election that is going to happen between now and a few days further into June or even between now and a few days into September. So that is a false argument.

There is no urgency that we do this bill today. We ought to take a couple of extra days to do it right for the primary purpose of ensuring an increase for those who work the polls and we ought to take the few extra days to give ourselves an opportunity to do what

a majority always insists we want to do, and that is, enact meaningful campaign finance reform in this State.

I would urge that we support the motion to postpone.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Melio, on the motion.

Mr. MELIO. Thank you, Mr. Speaker.

I rise to ask my colleagues on this side of the aisle and the other side of the aisle not to postpone.

We have passed the last election in November and this one in the primary, and if we do not pass this bill, Mr. Speaker, we may not have anybody at the polls in this November coming-up election. So if they want to finance the campaign finance reform or give them an increase, do it on separate bills, but get this bill passed.

I would like to urge my colleagues to please not postpone. Thank you.

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia County, Representative Lederer, on the motion.

Mrs. LEDERER. Mr. Speaker, I rise to oppose postponement of this bill.

The time is now. Our poll workers have been promised time and time again that their compensation would be increased, and so far we have given them promises, promises. It is time now to oppose postponement. We can always increase at a later time. Thank you.

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

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, SB 200, as it was introduced and it was passed by the Senate, is a freestanding act to deal with the issue of compensation for people that work at the polls. I do not know about you, but when I went around the polls on election day, not only did I hear about the need to increase the compensation of the people that work at the polls, that make democracy function, but I also heard complaints from them, and I recognized a very low turnout of voters in this primary.

I happen to think that if you talk to a lot of people, you will find out the reason why they do not vote is they do not think that their vote means anything anymore compared to the large contributions made by fat cats in the political process. That is what really discourages voter turnout. So we have a situation where we are looking to increase the pay of election workers and at the same time we are having fewer and fewer people turn out to vote.

If you were a business, you know, you would argue that you only raise the pay or you raise your prices whenever you increase the productivity of the workers. The workers in democracy, these election workers, want and deserve adequate compensation, but they would also like to be busy on election day.

I would submit to you that if we really engaged in a discussion and enactment of campaign finance reform legislation, we are more likely to increase voter participation on election day, and that is really what we really ought to be about. If we really want to do that, Mr. Speaker, if we want to get the election workers more pay and if we want to get more people voting on election day, we need to not only address the issue of pay, but we need to address the issue of campaign finance reform. This is just a little tricky maneuver to introduce legislation as a freestanding act, bring it over into another chamber, introduce an amendment to then make that language tucked into the Election Code. This is a clever

maneuver to avoid dealing with the issue of campaign finance reform.

We have talked about it for a lot of years. Leadership on both sides of the aisle have been loath to address this issue for their own reasons, I suppose, but I submit to you that in the interest of democracy, in the interest of restoring voters' integrity into the political process, we need to address the issue of campaign finance reform, and thus, I support the motion to postpone this vote on this bill until Monday.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Corrigan, on the motion.

Mr. CORRIGAN. Thank you, Mr. Speaker.

Very briefly, I want to disagree with the previous speaker.

Today is the opportunity to provide additional compensation for election board workers. If you postpone this bill today and you come back here on Monday, you will have more amendments and the Reference Bureau will not be able to sleep between now and Monday. We will be here until September on this bill, and I will tell you, in September the people that work at the polls will not get a raise; that is what this is about.

Vote "no" on postponement. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Veon, from Beaver County is recognized on the motion.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I just want to say one more time I do believe it is very important to postpone this bill for the exact reason that the gentleman from Bucks County mentioned here on the floor. There is broad bipartisan support for increasing the amount of money that the inspectors and the judges get. This bill will not do it in most of our counties. You will not be able to take credit for raising the amount that they get because they will not get an increase.

This bill allows — allows — the county commissioners to raise the maximum. It does not in any way, shape, or form affect the minimum. Many counties will continue to pay the minimum or continue to pay what they are paying now. This bill does not require an increase in what they are paid.

I have an amendment that will increase the minimum and would give you the ability to take credit with these inspectors and these judges. We should get that credit; they should be increased. This bill does not do it. We need an amendment. Let us postpone this bill for the purpose of doing just that. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Luzerne County, Mr. Blaum, on the motion.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, the reasons given for not postponing this legislation I find to be quite humorous. Raising the compensation for election workers is probably a good idea. The importance of that, however, pales in comparison to the motion made by the gentleman, Mr. Vitali, to postpone so that we can reform and improve the way we fund our campaigns here in Pennsylvania.

The importance of campaign finance reform, the reason for the gentleman's motion to postpone for just a few days, is far superior, far more important, far more imperative to the people of Pennsylvania than how much we pay campaign workers who work the polls on election day. These election officials need to have their salaries and their compensation increased; I agree with that, but the importance of passing that bill and not taking up the matter of campaign finance reform, which the gentleman wants to

accomplish, is nothing, nothing in comparison to the importance of changing the way we fund our campaigns.

I would ask the members to vote to postpone this bill so that we can get to the matter which is truly important, which the people of Pennsylvania truly care about, and that is, changing the way we fund our campaigns. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman, Mr. Vitali, seek recognition for the second time on his motion?

Mr. VITALI. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. VITALI. Very, very quickly in support of my motion, Mr. Speaker. I want all members to be clear that we are only delaying, we would only delay consideration for 6 days; that is the motion, and clearly an election is not coming up before that, as has been previously stated.

But I think implicit in the argument of the majority leader and others who have spoken against this, saying that this will stop increased pay to poll workers, implicit in the argument is that we are not going to be dealing with campaign finance reform, that we have to deal with either all or none. We are dealing with none. That is the argument, and I think we need to reject that argument.

The second point I think we need to postpone this is to send a signal that this parliamentary maneuver that we are seeing today by converting a freestanding bill to an Election Code bill or an Administrative Code bill or whatever device may be used should not be allowed to prevail. I think that the purpose of the amendment process is to give a voice to rank-and-file members, to give a voice to the minority party, to give a voice to those people, the 180 of us or so who do not control the calendar, and I think that these parliamentary procedures erode the voice of individual members and only erode the voice of the people we represent. That is another reason to support this motion.

The next point I would like to make is that, yes, indeed it is important to pay our campaign workers adequately, but the reality is that to force issues like campaign finance reform via the amendment process, we always have to hold up something important. That is the whole essence of the dynamic we are creating. We have to hold hostage, as it were, something important so that we can achieve something of even greater importance. So whether it is increasing the pay of poll workers or something else, it will always be something, and that is the essence of the dynamic we are using today. So it has to happen this way.

In closing, we each represent 58-or-so thousand people, and I would ask you, before you cast a vote, ask yourself what is more important to those 58,000 people — to have an increase in pay for poll workers or to attempt to clean up the system of the influence of money in politics? Would people want this SB 200 or meaningful campaign finance reform?

Just in closing, I would again underscore and remind members that this is a vote on campaign finance reform. I ask for an affirmative vote. Thank you very much.

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

Mr. PERZEL. I am sorry, Mr. Speaker; I must have missed something.

Mr. Parliamentarian, were there amendments drafted to this bill? Did he draft any amendments up?

The SPEAKER pro tempore. The gentleman is not permitted to make direct inquiries of the Parliamentarian. If the gentleman

would like to come to the podium, we can discuss with him what was and was not filed.

The Chair recognizes the Democratic leader, the gentleman, Mr. DeWeese, on the motion.

Will the gentleman suspend? The Chair had intended to allow the gentleman to go at the end, but the Chair now recognizes there is another member seeking recognition.

The Chair recognizes the gentleman from Westmoreland County, Mr. Mihalich.

Mr. MIHALICH. Thank you, Mr. Speaker.

I, too, would like to see this bill postponed for one specific reason, and that is to explore the possibility of eliminating any compensation to these poll workers in the computation for income as it might determine eligibility for PACE (Pharmaceutical Assistance Contract for the Elderly) Programs.

I have — rightly or wrongly — I have received many numerous calls from people in my district, senior citizens, who are afraid to go to work for any amount because it might take them over their eligibility for their PACE Program. I do not know how this could be done, but I would like to attempt to explore this between now or sometime in the next 6 or 7 days. I think it is a serious point. I think it is one we all should be concerned about, and I think we need the extra time to explore this possibility.

Thank you very much, Mr. Speaker, and I urge that we postpone this bill.

The SPEAKER pro tempore. Now the Chair recognizes the Democratic leader, the gentleman from Greene County, Mr. DeWeese, on the motion.

Mr. DeWEESE. Thank you, Mr. Speaker.

I rise to urge postponement.

I am convinced that the numbers will not sustain my proposition relative to postponement, but the 30, 40, 50, 60 votes that do go on the board for postponement, Mr. Speaker, will go on the board for a clarion clear reason.

As we sit here, the Governor of our Commonwealth has 100 millionaires ready to contribute \$50,000 a person — \$5 million. He has another 120 people ready to contribute \$25,000. That is a stupendous fact — 100 people at \$50,000 per person. I look at the sea of members, and I ask them to postpone so that we can try to even this system a little bit.

Since the days when Senator Kukovich was in knickers, we have tried to propel campaign finance reform, and sometimes, in those distant days of yore, I was not as aggressive an advocate as I probably should have been, but we learn from our mistakes. And if we do not postpone — and we probably will not; I have been here long enough to count the votes instinctively — then we are giving up a wonderful opportunity to reform.

For all of the reasons that have been propelled, the worthy gentleman from Bucks County and his colleagues, as well as the majority leader, have given us solid reasons to support this measure, and I support this measure, but the gentleman who has asked for postponement has only asked for 6 days — 6 days of postponement. Mr. Speaker, due to the well-oiled machinery of the majority leader and his phalanx of friends — you notice I did not say “myrmidons”; friends — we had an early budget. We had an early budget. We also had a gas tax and a fishing rate increase and a dog or cat increase. They have increased so many things, I cannot keep track of them. But we have done a lot of things, so we can afford to postpone, Mr. Speaker.

My worthy colleague from Bucks County a little while ago said the reason he did not want to postpone was because we would have an avalanche of bills and amendments dealing with campaign finance reform. That sounds like a good idea. We got the budget behind us. It is early June; it is only the third day, according to my wristwatch. We have got 27 more days to hammer away at campaign finance reform. I see my colleague from Pittsburgh’s South Side, one of the preeminent fundraisers on the floor; he could use a break. We need to change this system, Mr. Speaker.

I remember so vividly up in New England not that many months ago the inimitable Speaker of the United States House of Representatives, the honorable Georgian, Newt Gingrich, and the much-pummeled President of our United States, William Clinton, shaking hands in some sort of arboreal setting and concluding that campaign finance reform would be a preeminent goal of the Federal legislature and the Federal administration. They have let us down, Mr. Speaker. Democrats and Republicans in Washington have let us down. The gentleman from Delaware County asks for a 6-day postponement so that the gentleman from Elizabeth and the gentleman from Bucks and the lady from Lebanon and others can prepare amendments. We are asking for postponement so we can do our job better.

I am in favor of this bill. Most all of us are in favor of this bill. The instinctive and eclectic olio of natural rights are being compromised by a juggernaut of cash. We are either going to countervail it or we are going to acquiesce to it. This is a shining opportunity for us to postpone for 6 days a very worthy bill that the gentleman from Philadelphia has advocated and others have agreed to in order to amend it, to make it stronger. This was a very, very smart tactical move on behalf of the Republican leaders yesterday, to put this amendment in 5 minutes before the deadline and allow it to percolate forward, disallowing, by their votes in a few moments, the opportunity for campaign finance reform.

But as we switch our buttons “yes” or “no,” let us all remember those 100 millionaires ready to give Governor Ridge \$50,000 apiece. By postponing this measure, we might have a chance to attack the system and to eviscerate it. Thank you.

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

Mr. PERZEL. Thank you, Mr. Speaker.

A lot of the members are not going to like to hear what I am about to say, Mr. Speaker, but I have watched as Congress has been playing and dealing with campaign finance reform, and the President of the United States charges money to go sleep in his bedroom, and I have watched as United States Congressmen who are limited to \$1,000 raise \$5 million. I do not understand why all of a sudden we cannot give a little increase to the people that work the polls twice a year, Mr. Speaker. They come in at 6:30 in the morning and they work until 9 or 10 o’clock at night, and all we are trying to do is give a little increase to the people that work the polling places.

I started off with the fact that in Philadelphia, over 100 polling places did not open up because they could not get one soul, not a person, to man those polling places. So, Mr. Speaker, that is what we are talking about. There are no amendments here for campaign finance reform. There were 3 days to add amendments. Mr. Druce drafted up an amendment. Mr. Vitali could have done the same thing if he wanted; he did not.

But now we have before us a chance to help the people that run the polling places in the Commonwealth of Pennsylvania, and I am asking the members not to vote to postpone but to try to help those people who spend all that time and believe in democracy and work those polling places to make a little something at the polls, Mr. Speaker.

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

Mr. DeWEESE. The worthy gentleman's remarks are disingenuous, and those of you who ejaculate applause and hallelujahs are also disingenuous. Remarks are disingenuous — remarks — not the worthy gentleman.

I agree with most of what he said. I am in favor of this. I lament the fact that people in precincts from Presque Isle to Philadelphia, from East Stroudsburg to Aleppo Township in Greene County, are not coming out and helping the way they did a generation or two or three ago. I identify with that. I have the same kind of caterwauling in some of my polling places.

All we want to do, honorable, worthy majority leader, is postpone it until Monday. Due to the fact that your very tactically proficient troops amended the bill, it is now an Election Code vehicle. It was not when I woke up this morning; it is now. We are only asking that campaign finance reform be addressed. If we do not, if we do not, these millionaires with stupendous rivers of cash at their opportunity, at their availability, are going to continue to dominate the system.

We are at a very crucial divide, Mr. Speaker, and we can make a difference. We can make a difference today. This bill is so attractive, it is so alluring, so enticing, so seductive, that I think the gentleman from Philadelphia will move the bill. Notwithstanding the comments and speculations and precognition of the gentleman from Bucks County, this bill will move. It is a good proposal; it will move, so why not fortify it? Why not make it strong? Why not make it a better proposal for the men and women we represent?

The rarefied air of the \$25,000 and \$50,000 fundraiser moments are so distant from all of us, all of us, all of us, including many of the men and women who contemplate a gubernatorial move on the Democratic side of the political equation, Mr. Speaker. Why do we want to postpone this? We want to postpone this so we can clean up the political circumstance in our State. The invincible mathematics that are progressing are taking State legislative and gubernatorial seats far beyond the means of most people to compete.

I agree with the gentleman from Philadelphia. This is a good bill. We want to pass this bill. We just want one or two amendments that can be considered on Monday to deal with campaign finance reform. That makes so much sense to me. It made sense to Mr. Gingrich and Mr. Clinton months and months ago in some tree-lined setting up in New England. They have not done anything about it.

Are we in Pennsylvania going to let another month or 2 or 3 or 4 go by and do nothing? Is it going to be Columbus Day, Mr. Speaker, and we are still going to have no campaign finance reform? Why did we do— Do not give me this inexorable braggadocio about doing an early budget, because now we have several weeks to work on other matters of substance. Do not give me that, because it is disingenuous, Mr. Speaker.

Campaign finance reform: those three words resonate among our body politic, all 67 counties. We can either attack it or we can disingenuously renege from our obligation. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Cowell, for the second time on the motion.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, a while ago this debate started out as a debate about whether or not we were going to grant increases to those who work the polls on election day. The debate really has moved far beyond that. This is no longer a debate about whether or not we are going to give increases to those individuals. Surely we will, and there is a powerful consensus in this House that we should do it and that we will do it before the next election.

This debate now is about whether or not we are going to take up the issue of campaign finance reform or duck it, and if you vote "yes," you vote to take it up, and if you vote "no," you vote to duck it, and that is how it will be reported and that is how we should be judged.

Again, I would urge that we support the Vitali motion and vote to postpone debate.

The SPEAKER pro tempore. Those in favor of the motion to postpone SB 200 until Monday, June 9, will vote "yes"; those opposed will vote "no."

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

The following roll call was recorded:

YEAS—83

Battisto	Daley	Levdansky	Sainato
Bebko-Jones	DeLuca	Lloyd	Santoni
Belardi	Dermody	Lucyk	Shaner
Belfanti	DeWeese	Manderino	Staback
Bishop	Eachus	McCall	Stelman
Blaum	George	Michlovic	Stetler
Boscola	Gigliotti	Mihalich	Sturla
Buxton	Gordner	Mundy	Surra
Caltagirone	Gruitza	Myers	Tangretti
Cappabianca	Haluska	Olasz	Tigue
Carne	Hanna	Oliver	Travaglio
Carone	Itkin	Pesci	Trich
Casorio	James	Petrarca	Van Home
Cawley	Jarolin	Petrone	Veon
Cohen, M.	Josephs	Pistella	Vitali
Colafella	Kaiser	Ramos	Walko
Colaizzo	Kirkland	Readshaw	Washington
Corpora	Krebs	Rieger	Williams, C.
Cowell	LaGrotta	Roberts	Wojnarowski
Coy	Laughlin	Robinson	Yewcic
Curry	Lescovitz	Rooney	

NAYS—111

Adolph	Egolf	Maitland	Saylor
Allen	Fairchild	Major	Schroder
Argall	Fargo	Markosek	Schuler
Armstrong	Feece	Marsico	Semmel
Baker	Fichter	Mayernik	Serafini
Bard	Fleagle	McGeehan	Seyfert
Barley	Flick	McGill	Smith, B.
Barrar	Gannon	McIlhattan	Smith, S. H.
Benninghoff	Geist	McNaughton	Snyder, D. W.
Birmelin	Gladeck	Melio	Stairs
Boyes	Godshall	Micozzie	Steil
Brown	Gruppo	Miller	Stem
Browne	Habay	Nailor	Stevenson

Bunt	Harhart	Nickol	Strittmatter
Butkovitz	Hasay	O'Brien	Taylor, E. Z.
Chadwick	Hennessey	Orie	Taylor, J.
Civera	Herman	Perzel	Thomas
Clark	Hershey	Phillips	Trello
Clymer	Hess	Pippy	True
Cohen, L. I.	Horsey	Platts	Tulli
Conti	Hutchinson	Preston	Vance
Cornell	Jadlowiec	Raymond	Waugh
Corrigan	Keller	Reber	Wogan
Dally	Kenney	Reinard	Wright, M. N.
Dempsey	Lawless	Rohrer	Youngblood
Dent	Lederer	Ross	Zimmerman
DiGirolamo	Leh	Rubley	Zug
Druce	Lynch	Sather	

NOT VOTING-1

Wilt

EXCUSED-8

Donatucci	Pettit	Williams, A. H.
Evans	Roebuck	
Masland	Scrimenti	Ryan, Speaker

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 agree to the bill on third consideration as amended?
Bill as amended was agreed to.

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Philadelphia County, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 200. As I mentioned earlier, this is an issue that I have addressed ever since 1990. And, Mr. Speaker, as I said before, I support campaign finance reform, and do you know what I recommend? I recommend that my colleagues, first on this side of the aisle and secondly on the other side of the aisle that are on State Government, bring my bill out of State Government, and I will allow you to gut it and to submit an amendment to deal with campaign finance reform, because I support it. But my bill has been sitting in State Government since the day that this term started, and all I get is postpone, postpone.

No more postponement for election poll workers. Support SB 200. Thank you.

The SPEAKER pro tempore. The Chair recognizes the lady from Philadelphia County, Representative Youngblood.

Ms. YOUNGBLOOD. I stand up in support of SB 200.

As a former judge of elections working a 16-hour day, making something like \$2.82 an hour performing in an election is abominable. The average election day worker in putting in 16 hours - that is the majority, the minority, the clerk and the machinist - makes a total of \$2.50 an hour. We expect these people to perform in an election and to perform proficiently with this type

of salary. Many of our polls are understaffed because we cannot find people to come out on election day and work proficiently in polling sites.

Therefore, I urge everyone in the Pennsylvania House of Representatives to vote positive in making sure that SB 200 is passed. Thank you.

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

Mr. ROONEY. Thank you, Mr. Speaker.

I am going to hold my nose and I am going to vote for this dog, and I am sure all of us will. Just understand this, just understand this: When you go back to your polling places at the next election or the election after that or the election after that and your judges of elections, your inspectors, and your machine operators are still making the same amount of money they were a few weeks ago at the past election, it is because this bill does not raise the required maximum - does not raise the required maximum. That is what we tried to do, and many of you, many of us, are going to be in for a very rude awakening when we have to answer to these people whom we come here and pontificate about wanting to helping them out, and many of them across this State are not going to be helped one bit.

So I would urge my colleagues to hold their nose and squeeze the green.

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-194

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

Colafella	Jarolin	Preston	Vitali
Colaizzo	Josephs	Ramos	Walko
Conti	Kaiser	Raymond	Washington
Cornell	Keller	Readshaw	Waugh
Corpora	Kenney	Reber	Williams, C.
Corrigan	Kirkland	Reinard	Wilt
Cowell	Krebs	Rieger	Wogan
Coy	LaGrotta	Roberts	Wojnaroski
Curry	Laughlin	Robinson	Wright, M. N.
Daley	Lawless	Rohrer	Yewcic
Dally	Lederer	Rooney	Youngblood
DeLuca	Leh	Ross	Zimmerman
Dempsey	Lescovitz	Rubley	Zug
Dent	Levdansky		

NAYS-1

Veon

NOT VOTING-0

EXCUSED-8

Donatucci	Pettit	Williams, A. H.
Evans	Roebuck	
Masland	Scrimenti	Ryan, Speaker

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

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome Leanna Bowman, the summer intern for Representative Pat Vance, to the hall of the House. She is seated to the left of the Speaker. Would she please rise. Welcome to the hall of the House.

FINANCE COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Boyes, for the purpose of calling a committee meeting.

Mr. BOYES. Thank you, Mr. Speaker.

The House Finance Committee will meet at the break of the House in today's session at the rear of the House; a House Finance Committee meeting.

CONSUMER AFFAIRS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Wogan, for the purpose of calling a committee meeting.

Mr. WOGAN. Thank you, Mr. Speaker.

With what room is remaining in the back of the House floor, the House Consumer Affairs Committee will call a meeting immediately upon the break.

LIQUOR CONTROL COMMITTEE MEETING

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

Mr. SERAFINI. Thank you, Mr. Speaker.

Just a reminder that the Liquor Control Committee will have a meeting in the rear of the chamber at the announcement of a break. Thank you.

INTERGOVERNMENTAL AFFAIRS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Flick, who announces that the House Intergovernmental Affairs Committee meeting which was recessed yesterday, June 2, will reconvene briefly in the rear of the House immediately upon the lunch recess.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Clymer, for the purpose of making an announcement.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, at the break of session the State Government Committee will meet in room 245 to discuss legislation. That is a State Government Committee meeting in room 245 at the break. Thank you.

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the lady, Representative Youngblood, rise?

Ms. YOUNGBLOOD. Mr. Speaker, I was reported as not voting on May 13 on HB 118, PN 1626. I would like to be reported in the affirmative.

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

RECESS

The SPEAKER pro tempore. It is the intention of the Chair to call a recess until 2:30; recess for lunch until 2:30.

This House stands in recess.

AFTER RECESS

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

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 194 By Representatives O'BRIEN, COY, CORNELL, E. Z. TAYLOR, McNAUGHTON, BUXTON, BLAUM, BAKER, GIGLIOTTI, TIGUE, OLASZ, FICHTER, ROSS, WALKO, NAILOR, MANDERINO, TRUE, DALEY, SATHER, FLEAGLE,

GODSHALL, SERAFINI, HALUSKA, MASLAND, HENNESSEY, CAPPABIANCA, ROONEY, FAIRCHILD, STABACK, PESCI, CLARK, DENT, JOSEPHS, LAUGHLIN, EACHUS, RUBLEY, PISTELLA, DRUCE, HERSHEY, PRESTON, TRELLO, STEELMAN, SCHRODER, D. W. SNYDER and BROWNE

A Resolution urging the Department of Public Welfare to discontinue its pursuit of the Infants, Toddlers and Families Medicaid Waiver.

Referred to Committee on RULES, June 3, 1997.

COMMUNICATION

LOBBYIST LIST PRESENTED

The SPEAKER pro tempore. The Chair acknowledges receipt of a list of lobbyists who have registered under the Lobbying Registration and Regulation Act, which the clerk will file.

The following communication was submitted:

The General Assembly of Pennsylvania
Main Capitol Building
Harrisburg, Pennsylvania 17120

June 2, 1997

To the Honorable, the Senate
of the Commonwealth of Pennsylvania
To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from May 1, 1997 through May 31, 1997 inclusive, for the 181st Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:
Mark R. Corrigan, Secretary
Senate of Pennsylvania

Ted Mazia, Chief Clerk
House of Representatives

(For list, see Appendix.)

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 155, PN 165 By Rep. GANNON

An Act requiring counties committing offenders to the Department of Corrections to provide certain background information at the time of commitment.

JUDICIARY.

HB 207, PN 229 By Rep. GANNON

An Act requiring all prison inmates to wear identifiable prison uniforms at all times.

JUDICIARY.

HB 235, PN 1910 (Amended) By Rep. GANNON

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

JUDICIARY.

HB 474, PN 1911 (Amended) By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of unlawful contact or communication with minor.

JUDICIARY.

HB 540, PN 603 By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the Philadelphia Municipal Court Security Account.

JUDICIARY.

HB 943, PN 1057 By Rep. GANNON

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

JUDICIARY.

HB 1115, PN 1261 By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for additional methods for the recording and copying of certain records.

JUDICIARY.

HB 1494, PN 1801 By Rep. GANNON

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

JUDICIARY.

HB 1520, PN 1842 By Rep. GANNON

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

JUDICIARY.

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Snyder, who requests that the gentleman from Venango County, Mr. HUTCHINSON, be placed on leave for the balance of today's session. Without objection, the leave of absence will be granted. The Chair hears no objection.

The Chair recognizes the gentleman, Mr. Itkin, who requests a leave of absence for the balance of today's session for the gentleman from Lawrence County, Mr. LaGROTTA. Without objection, the leave of absence will be granted. The Chair hears no objection.

The gentleman, Mr. Itkin, also requests a leave of absence for the balance of today's session for the gentleman from Philadelphia County, Mr. HORSEY. Without objection, the leave of absence will be granted, and the Chair hears no objection.

RULES COMMITTEE MEETING

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

RESOLUTION REPORTED FROM COMMITTEE

HR 194, PN 1912 By Rep. PERZEL

A Resolution urging the Department of Public Welfare to discontinue its pursuit of the Infants, Toddlers and Families Medicaid Waiver.

RULES.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Itkin, who requests a leave for the balance of today's session for the gentleman from Elk County, Mr. SURRA. Without objection, the leave is granted. The Chair hears no objection.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 236, PN 260**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to grant and convey to Medford's, Inc., a tract of land situate in the City of Chester, Delaware County, Pennsylvania.

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-190

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

NAYS-0

NOT VOTING-1

Williams, C.

EXCUSED-12

- | | | | |
|------------|----------|-----------------|---------|
| Donatucci | LaGrotta | Scrimenti | Ryan, |
| Evans | Masland | Surra | Speaker |
| Horsey | Pettit | Williams, A. H. | |
| Hutchinson | 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 return the same to the Senate with the information that the House has passed the same without amendment.

The House proceeded to third consideration of SB 613, PN 644, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor and the Secretary of Conservation and Natural Resources, to sell and convey to Wayne S. Oldham certain excess land situate in the Township of Richland, Cambria County.

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-191

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

Cowell	Laughlin	Roberts	Wojnaroski
Coy	Lawless	Robinson	Wright, M. N.
Curry	Lederer	Rohrer	Yewcic
Daley	Leh	Rooney	Youngblood
Dally	Lescovitz	Ross	Zimmerman
DeLuca	Levdansky	Rublely	Zug
Dempsey	Lloyd	Sainato	

NAYS-0

NOT VOTING-0

EXCUSED-12

Donatucci	LaGrotta	Scrimenti	Ryan,
Evans	Masland	Surra	Speaker
Horsey	Pettit	Williams, A. H.	
Hutchinson	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 return the same to the Senate with the information that the House has passed the same without amendment.

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the lady from Montgomery County, Representative Williams, rise?

Ms. WILLIAMS. I would like to correct the record.

I was not voting on SB 236. I would like the record to show I would have voted "aye." Thank you.

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

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 959, PN 1141, entitled:

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

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-190

Adolph	Dermody	Lynch	Santoni
Allen	DeWeese	Maitland	Sather
Argall	DiGirolamo	Major	Saylor
Armstrong	Druce	Manderino	Schroder
Baker	Eachus	Markosek	Schuler
Bard	Egolf	Marsico	Semmel
Barley	Fairchild	Mayernik	Serafini
Barrar	Fargo	McCall	Seyfert

Battisto	Feese	McGeehan	Shaner
Bebko-Jones	Fichter	McGill	Smith, B.
Belardi	Fleagle	McIlhattan	Smith, S. H.
Belfanti	Flick	McNaughton	Snyder, D. W.
Benninghoff	Gannon	Melio	Staback
Birmelin	Geist	Michlovic	Stairs
Bishop	George	Micozzie	Steelman
Blaum	Gigliotti	Mihalich	Steil
Boscola	Gladeck	Miller	Stern
Boyés	Godshall	Mundy	Stetler
Brown	Gordner	Myers	Stevenson
Browne	Gruitza	Nailor	Stritmatter
Bunt	Gruppo	Nickol	Sturla
Butkovitz	Habay	O'Brien	Tangretti
Buxton	Haluska	Olasz	Taylor, E. Z.
Caltagirone	Hanna	Oliver	Taylor, J.
Cappabianca	Harhart	Orie	Thomas
Carone	Hasay	Perzel	Tigue
Casorio	Hennessey	Pesci	Travaglio
Cawley	Herman	Petrarca	Trello
Chadwick	Hershey	Petrone	Trich
Civera	Hess	Phillips	True
Clark	Itkin	Pippy	Tulli
Clymer	Jadlowiec	Pistella	Vance
Cohen, L. I.	James	Platts	Van Horne
Cohen, M.	Jarolin	Preston	Veon
Colafrilla	Josephs	Ramos	Vitali
Colaizzo	Kaiser	Raymond	Walko
Conti	Keller	Readshaw	Washington
Cornell	Kenney	Reber	Waugh
Corpora	Kirkland	Reinard	Williams, C.
Corrigan	Krebs	Rieger	Wilt
Cowell	Laughlin	Roberts	Wogan
Coy	Lawless	Robinson	Wojnaroski
Curry	Lederer	Rohrer	Wright, M. N.
Daley	Leh	Rooney	Yewcic
Dally	Lescovitz	Ross	Youngblood
DeLuca	Levdansky	Rubley	Zimmerman
Dempsey	Lloyd	Sainato	Zug
Dent	Lucyk		

NAYS-0

NOT VOTING-1

Cam

EXCUSED-12

Donatucci	LaGrotta	Scrimenti	Ryan,
Evans	Masland	Surra	Speaker
Horsey	Pettit	Williams, A. H.	
Hutchinson	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 960 will be over for the day.

The House proceeded to third consideration of HB 961, PN 1143, entitled:

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

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

Mr. STETLER offered the following amendment No. A2284:

Amend Title, page 1, line 4, by inserting after "providing" for special school police and

Amend Bill, page 1, lines 7 through 10, by striking out all of said lines and inserting

Section 1. Section 2010 of the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, reenacted and amended June 28, 1951 (P.L.662, No.164), and added November 24, 1967 (P.L.539, No.264), is amended to read:

Section 2010. Special School Police.—(a) Upon request of the board of school directors of the school district in which a city is located, the city council may appoint special school police who shall have the duty of controlling and directing traffic at or near schools and who shall be in suitable and distinctive uniform and shall display a badge or other sign of authority. Such police shall be vested with all the power of local police officers and while on duty shall be under and subject to the direction of the mayor, except as noted in subsection (b). They shall serve at the pleasure of the city council, except as noted in subsection (b), and shall not come within the civil service provisions of this act and shall not be entitled to participate in any police pension plan or plans now in effect or hereafter effective. The compensation of the school police, if any, shall be fixed by the city council and shall be jointly paid by the city council and the board of school directors, in a ratio to be determined by the city council and board of school directors. If the city council and board of school directors are unable to determine the ratio of compensation of the police to be paid by the council and the board, each shall pay one-half of the compensation of such police. Auxiliary policemen, appointed as prescribed by general law, may be designated to serve as special school police.

(b) A city council may approve an ordinance allowing a board of school directors to assume the hiring and oversight of the special school police. Before city council may approve such an ordinance, the board of directors of the school district shall approve a resolution requesting the authority to assume the hiring and oversight of the special school police. The ordinance shall outline how the city police department will provide any necessary training and assistance of the special school police while on duty. Such special school police will be authorized only in the management of traffic and pedestrians in and around areas identified by the city police department and the school district superintendent or his or her designee. The special school police shall not come within the civil service provision of this act, nor shall they fall under the bargaining unit of the school district nor as an employe as defined under section 1101-A of the act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949," or under any benefits as provided under the "Public School Code of 1949," or under any plans hereafter effective. Once the ordinance receives city council approval, the school district shall assume the cost of compensation, including fixing such compensation, if any, of the special school police. Auxiliary policemen, appointed as prescribed by general law, may be hired by the school district to serve as special school police. The board of school directors shall notify the city council, mayor and police chief or commissioner of those hired to serve as special school police and request the necessary training or assistance be provided as outlined by the ordinance.

Section 2. Section 2561 of the act, amended August 21, 1953 (P.L.1292, No.364), is amended to read:
Amend Sec. 2, page 2, line 22, by striking out "2" and inserting
3

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

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

Mr. STETLER. Thank you, Mr. Speaker.

Mr. Speaker, this is an agreed-to amendment. But just as a brief explanation, I would just like to point out that what this amendment does is it allows school boards to enter into an agreement with the local police department in third-class cities. It allows them the ability to take over the management of the special school police, and I would appreciate the chamber's support. Thank you.

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

The following roll call was recorded:

YEAS-190

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

NAYS-1

Miller

NOT VOTING-0

EXCUSED-12

Donatucci	LaGrotta	Scrimenti	Ryan,
Evans	Masland	Surra	Speaker
Horsey	Petit	Williams, A. H.	
Hutchinson	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. STETLER offered the following amendment No. A2285:

Amend Title, page 1, line 3, by inserting after "thereto,"
providing for firefighter residency; and

Amend Bill, page 1, lines 7 through 10, by striking out all of said lines and inserting

Section 1. The act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, reenacted and amended June 28, 1951 (P.L.662, No.164), is amended by adding a section to read:

Section 902.1. Firefighters; Residency.—(a) A city of the third class may, at its option, by ordinance, impose a residency requirement upon firefighters and fire department employes hired under this act. If so imposed, an applicant for employment under this section must have resided within the city for one year next preceding the date of his application for employment. The ordinance may exempt from the residency requirement an applicant who establishes to the satisfaction of the civil service commission of the city that the applicant has performed active firefighting service on a consistent basis for a volunteer fire company during the three-year period immediately preceding application. The ordinance provision allowing exemption for active firefighting service may require such an applicant to become a resident of the city within ninety days from the date of employment.

(b) This section shall apply prospectively to persons hired after the effective date of this section. Nothing in this section shall be deemed to affect or impair the employment status of any person currently employed pursuant to this act on the effective date of this section.

Section 2. Section 2561 of the act, amended August 21, 1953 (P.L.1292, No.364), is amended to read:

Amend Sec. 2, page 2, line 22, by striking out "2" and inserting
3

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

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

Mr. STETLER. Thank you, Mr. Speaker.

Once again, this amendment is agreed to, and what this does, currently in third-class cities, applicants for the fire department have to be residents of the community for 1½ years prior to their

being able to become an employee of the fire department. What this legislation does is take "shall" language and make it "may" language so that local third-class cities could make a decision as to whether or not they want that residency requirement.

I would appreciate the support.

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

The following roll call was recorded:

YEAS-191

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

NAYS-0

NOT VOTING-0

EXCUSED-12

Donatucci	LaGrotta	Scrimenti	Ryan,
Evans	Masland	Surra	Speaker
Horsey	Pettit	Williams, A. H.	
Hutchinson	Roebuck		

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS-191

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

NAYS-0

NOT VOTING-0

EXCUSED-12

Donatucci	LaGrotta	Scrimenti	Ryan,
Evans	Masland	Surra	Speaker
Horsey	Pettit	Williams, A. H.	
Hutchinson	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.

The House proceeded to third consideration of **HB 963, PN 1145**, entitled:

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

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—191

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

Cornell	Kenney	Reber	Williams, C.
Corpora	Kirkland	Reinard	Wilt
Corrigan	Krebs	Rieger	Wogan
Cowell	Laughlin	Roberts	Wojnaroski
Coy	Lawless	Robinson	Wright, M. N.
Curry	Lederer	Rohrer	Yewcic
Daley	Leh	Rooney	Youngblood
Dally	Lescovitz	Ross	Zimmerman
DeLuca	Levdansky	Rublely	Zug
Dempsey	Lloyd	Sainato	

NAYS—0

NOT VOTING—0

EXCUSED—12

Donatucci	LaGrotta	Scrimenti	Ryan,
Evans	Masland	Surra	Speaker
Horsey	Pettit	Williams, A. H.	
Hutchinson	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.

The House proceeded to third consideration of **HB 964, PN 1146**, entitled:

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

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

Mr. **GORDNER** offered the following amendment No. **A2420**:

Amend Title, page 1, line 4, by inserting after "providing"
for associations and organizations for mayors and

Amend Sec. 1, page 1, lines 7 through 9, by striking out all of said lines and inserting

Section 1. Section 704 of the act of February 1, 1966 (1965 P.L. 1656, No. 581), known as The Borough Code, amended January 28, 1988 (P.L. 21, No. 10), is amended to read:

Section 704. Associations and Organizations for Mayors.—Any mayor may join a mayors' association and borough council shall pay reasonable dues, not to exceed [twenty-five dollars (\$25)] one-hundred dollars (\$100), as may be fixed by the association for each mayor belonging to that association. The mayor may attend the annual meeting of the association, which shall be held in the Commonwealth in accordance with the procedure adopted by the association. Each mayor shall be allowed expenses which shall be limited to the registration fee, mileage for use of personal vehicle or reimbursement of actual transportation expense going to and returning from such meeting plus all other actual expenses that the council may have agreed to pay. Every mayor attending the annual meeting shall submit to the council an itemized account of expenses incurred at the annual meeting. The time spent in attending said meeting

shall not be more than four days, including time in traveling to and from the meeting.

Section 2. Section 1201(4) of the act, amended June 26, 1995 (P.L.63, No.12), is amended to read:

Amend Sec. 2, page 4, line 23, by striking out all of said lines and inserting

Section 3. This act shall take effect as follows:

(1) The amendment of section 1201(4) of the act shall take effect in 60 days.

(2) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. Does the gentleman, Mr. Gordner, seek recognition on amendment A2420 to HB 964? The gentleman is in order.

Mr. GORDNER. Thank you, Mr. Speaker.

In 1978 this section was last amended, and it allowed for mayors' associations to receive fees of up to \$25, association fees, in a given year. This proposal would just raise that for the first time in 20 years so that the fees could go up to \$100.

Again, it is a "may" provision, and it would be up to the local councils to increase that amount. We ask for an affirmative vote on this amendment.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Lancaster County, Mr. Armstrong.

Mr. ARMSTRONG. Mr. Speaker, is there a fiscal note needed on this amendment?

The SPEAKER pro tempore. Will the gentleman, Mr. Armstrong, come to the podium, please.

Mr. ARMSTRONG. Sure.

(Conference held at Speaker's podium.)

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Itkin, who requests a leave for the balance of today's session for the gentleman from Allegheny County, Mr. LEVDANSKY. Without objection, the leave will be granted. The Chair hears no objection.

CONSIDERATION OF HB 964 CONTINUED

The SPEAKER pro tempore. The Chair understands that the gentleman, Mr. Armstrong, would like to interrogate the gentleman, Mr. Gordner, on the amendment. Is that correct?

Mr. ARMSTRONG. Yes, Mr. Speaker.

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

Mr. ARMSTRONG. All right. Mr. Speaker, I was wondering if you could tell the House who is asking for this limit to be raised.

Mr. GORDNER. Again, Mr. Speaker, this was last implemented in 1978. It has been 20 years since there has been any increase. Mayor Dan Bauman, who is the mayor of the town of Bloomsburg, was the gentleman who approached me. I believe Representative Stan Saylor from Lancaster County was also approached, and he is a cosponsor of this amendment with me.

There is at least one mayors' organization — it is called the Mayors' COG (Council of Government) — and unfortunately, under this current legislation, they cannot get more than \$25 dues per year. So we have offered this amendment which would allow councils, if they so choose, to pay dues up to \$100 per year.

Mr. ARMSTRONG. Okay. Mr. Speaker, if you can, I do not know if you know this, but my understanding is that there are two mayors' organizations. One is within the Boroughs Association of Pennsylvania, and that, it is my understanding, is the largest organization, and then there is the other one I think that you made reference to. Am I correct in that statement?

Mr. GORDNER. Yes, Mr. Speaker. I am not aware of any other mayors' organizations than those, and this Mayors' COG is fairly a temporary organization.

Mr. ARMSTRONG. Okay. The larger organization that is with the Boroughs Association is not calling for this increase. Is that correct?

Mr. GORDNER. I am not aware of that. My mayor is also a part of that mayors' organization, and he is asking for it in a blanket format.

Mr. ARMSTRONG. Okay. Do you know how the Boroughs Association charges boroughs for their mayors?

Mr. GORDNER. I do not.

Mr. ARMSTRONG. Okay.

If I can, I think I am through with my interrogation. I would like to make a comment or so.

The SPEAKER pro tempore. The gentleman is in order.

Mr. ARMSTRONG. All right. My understanding, for the sake of the members of the House, is that the largest organization of mayors is not calling for this increase, and they assess a charge for their mayors anywhere from \$20 to \$60 based upon the population of the borough, and because of that, there is no grassroots support to raise this limit.

I guess at this point I would just ask the members to bear that in mind, that it is a very good chance that mayors from your own area are not calling for this increase, so may that be reflected in your vote. As for myself, I am going to vote "no" on this amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from York County, Mr. Saylor, on the amendment.

Mr. SAYLOR. Thank you, Mr. Speaker.

I rise, as Mr. Gordner, Representative Gordner, had mentioned earlier, as a cosponsor of this amendment. The mayors in York County have been very supportive from Hanover to York — I should say York; Hanover and different municipalities in York County — to raise this allowable fee.

Again, I think you need to keep in mind that this is a "may" provision — it is to the municipalities and the borough councils — and that, again, it has not been changed in 25 years. It is something that is long overdue, and I think that we should let the associations decide what exactly they are going to be charging as far as dues are concerned rather than the State legislature.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Gordner, for the second time on his amendment.

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

As Representative Tom Tigue just mentioned, although it is June, this is a "may" provision, and we would ask for your support on this "may" provision. Thank you.

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

The following roll call was recorded:

YEAS-187

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

NAYS-3

Armstrong	Seyfert	Vance
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NOT VOTING-0

EXCUSED-13

Donatucci	LaGrotta	Roebuck	Ryan,
Evans	Levdansky	Scrimenti	Speaker
Horsey	Masland	Surra	
Hutchinson	Pettit	Williams, A. H.	

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS-188

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

NAYS-0

NOT VOTING-2

Adolph	Gladeck
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EXCUSED-13

Donatucci	LaGrotta	Roebuck	Ryan,
Evans	Levdansky	Scrimenti	Speaker
Horsey	Masland	Surra	
Hutchinson	Pettit	Williams, A. H.	

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.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Snyder, who requests a leave of absence for the gentleman from Montgomery County, Mr. LAWLESS. Without objection, the leave will be granted. The Chair hears no objection.

RESOLUTIONS PURSUANT TO RULE 35

Mr. CARN called up HR 182, PN 1849, entitled:

A Resolution congratulating Allen Iverson of the Philadelphia 76ers on his selection as the National Basketball Association Rookie of the Year.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-189

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

Clymer	Jadlowiec	Platts	Van Horne
Cohen, L. I.	James	Preston	Veon
Cohen, M.	Jarolin	Ramos	Vitali
Colaella	Josephs	Raymond	Walko
Colaizzo	Kaiser	Readshaw	Washington
Conti	Keller	Reber	Waugh
Cornell	Kenney	Reinard	Williams, C.
Corpora	Kirkland	Rieger	Wilt
Corrigan	Krebs	Roberts	Wogan
Cowell	Laughlin	Robinson	Wojnaroski
Coy	Lederer	Rohrer	Wright, M. N.
Curry	Leh	Rooney	Yewcic
Daley	Lescovitz	Ross	Youngblood
Dally	Lloyd	Rublely	Zimmerman
DeLuca	Lucyk	Sainato	Zug
Dempsey			

NAYS-0

NOT VOTING-0

EXCUSED-14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsey	Levdansky	Scrimenti	Ryan,
Hutchinson	Masland	Surra	Speaker

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

Mr. GODSHALL called up HR 184, PN 1864, entitled:

A Resolution celebrating the Delaware River and supporting the Delaware River Sojourn.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-189

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

Butkovitz	Gruppo	O'Brien	Tangretti
Buxton	Habay	Olasz	Taylor, E. Z.
Caltagirone	Haluska	Oliver	Taylor, J.
Cappabianca	Hanna	Orie	Thomas
Carn	Harhart	Perzel	Tigue
Carone	Hasay	Pesci	Travaglio
Casorio	Hennessey	Petrarca	Trello
Cawley	Herman	Petrone	Trich
Chadwick	Hershey	Phillips	True
Civera	Hess	Pippy	Tulli
Clark	Itkin	Pistella	Vance
Clymer	Jadlowiec	Platts	Van Horne
Cohen, L. I.	James	Preston	Veon
Cohen, M.	Jarolin	Ramos	Vitali
Colafrilla	Josephs	Raymond	Walko
Colaizzo	Kaiser	Readshaw	Washington
Conti	Keller	Reber	Waugh
Cornell	Kenney	Reinard	Williams, C.
Corpora	Kirkland	Rieger	Wilt
Corrigan	Krebs	Roberts	Wogan
Cowell	Laughlin	Robinson	Wojnaroski
Coy	Lederer	Rohrer	Wright, M. N.
Curry	Leh	Rooney	Yewcic
Daley	Lescovitz	Ross	Youngblood
Dally	Lloyd	Rublely	Zimmerman
DeLuca	Lucyk	Sainato	Zug

NAYS-0

NOT VOTING-0

EXCUSED-14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsy	Levdansky	Scrimenti	Ryan,
Hutchinson	Masland	Surra	Speaker

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

GUEST INTRODUCED

The SPEAKER pro tempore. The Chair would like to welcome David Ollivetti to the floor of the House. David is a student at Duquesne University and is the summer intern of Representative Jerry Nailor of Cumberland County. He is located to the left of the Speaker. Would he please rise. Welcome to the hall of the House.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. McNAUGHTON called up HR 193, PN 1877, entitled:

A Resolution declaring the week of June 1 through 7, 1997, as "Hydrocephalus Week" in Pennsylvania and recognizing the efforts of the Guardians of Hydrocephalus Research Foundation.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-188

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

NAYS-0

NOT VOTING-1

Preston

EXCUSED-14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsy	Levdansky	Scrimenti	Ryan,
Hutchinson	Masland	Surra	Speaker

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

SUPPLEMENTAL CALENDAR B

RESOLUTION

Mr. O'BRIEN called up HR 194, PN 1912, entitled:

A Resolution urging the Department of Public Welfare to discontinue its pursuit of the Infants, Toddlers and Families Medicaid Waiver.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-185

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

NAYS-0

NOT VOTING-4

- Bishop Mayernik Preston Wojnaroski

EXCUSED-14

- Donatucci LaGrotta Pettit Williams, A. H.
Evans Lawless Roebuck
Horsey Levdansky Scrimenti Ryan,
Hutchinson Masland Surra Speaker

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

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 135, PN 347, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for a penalty for possession of a controlled substance by an inmate.

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

Mr. DENT offered the following amendment No. A2268:

Amend Title, page 1, line 4, by removing the period after "inmate" and inserting

; and providing for drug-free school zones.

Amend Bill, page 2, by inserting between lines 20 and 21

Section 2. Title 18 is amended by adding a section to read:

§ 6316. Drug-free school zones.

(a) General rule.—A person 18 years of age or older who is convicted in any court of this Commonwealth of a violation of section 13(a)(14) or (30) of the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, shall, if the delivery or possession with intent to deliver of the controlled substance occurred within 1,000 feet of the real property on which is located a public, private or parochial school or a college or university within 250 feet of the real property on which is located a recreation center or playground or on a school bus, be sentenced to a minimum sentence of at least two years of total confinement, notwithstanding any other provision of this title, The Controlled Substance, Drug, Device and Cosmetic Act or other statute to the contrary. The maximum term of imprisonment shall be four years for any offense:

(1) subject to this section; and

(2) for which The Controlled Substance, Drug, Device and Cosmetic Act provides for a maximum term of imprisonment of less than four years.

If the sentencing court finds that the delivery or possession with intent to deliver was to an individual under 18 years of age, then this section shall not be applicable, and the offense shall be subject to section 6314 (relating to sentencing and penalties for trafficking drugs to minors).

(b) Proof at sentencing.—The provisions of this section shall not be an element of the crime. Notice of the applicability of this section to the defendant shall not be required prior to conviction, but reasonable notice of the Commonwealth's intention to proceed under this section shall be provided after conviction and before sentencing. The applicability of this section shall be determined at sentencing. The court shall consider evidence presented at trial, shall afford the Commonwealth and the defendant an opportunity to present necessary additional evidence and shall determine by a preponderance of the evidence if this section is applicable.

(c) Authority of court in sentencing.—There shall be no authority for a court to impose on a defendant to which this section is applicable a

lesser sentence than provided for in subsection (a), to place the defendant on probation or to suspend sentence. Nothing in this section shall prevent the sentencing court from imposing a sentence greater than that provided in this section. Sentencing guidelines promulgated by the Pennsylvania Commission on Sentencing shall not supersede the mandatory sentences provided in this section. Disposition under section 17 or 18 of The Controlled Substance, Drug, Device and Cosmetic Act shall not be available to a defendant to which this section applies.

(d) Appeal by Commonwealth.—If a sentencing court refuses to apply this section where applicable, the Commonwealth shall have the right to appellate review of the action of the sentencing court. The appellate court shall vacate the sentence and remand the case to the sentencing court for imposition of a sentence in accordance with this section if it finds that the sentence was imposed in violation of this section.

Section 3. The addition of 18 Pa.C.S. § 6316 shall apply to all offenses occurring on or after the effective date of this act.

Amend Sec. 2, page 2, line 21, by striking out "2" and inserting

4

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

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

Mr. DENT. Thank you, Mr. Speaker.

My amendment, A2268, simply puts teeth into Pennsylvania's existing drug-free-school-zone act. Essentially, any sale that occurs within the drug-free zone, whether the sale is to a minor or a person over the age of 18, would be prosecuted with the 2-year mandatory sentencing provisions.

This amendment was adopted unanimously as a House bill last session, and I would respectfully ask for the adoption of this amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-188

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

Casorio	Hasay	Petrarca	Trello
Cawley	Hennessey	Petrone	Trich
Chadwick	Herman	Phillips	True
Civera	Hershey	Pippy	Tulli
Clark	Hess	Pistella	Vance
Clymer	Itkin	Platts	Van Horne
Cohen, L. I.	Jadlowiec	Preston	Veon
Cohen, M.	James	Ramos	Vitali
Colaella	Jarolin	Raymond	Walko
Colaizzo	Josephs	Readshaw	Washington
Confì	Kaiser	Reber	Waugh
Cornell	Keller	Reinard	Williams, C.
Corpora	Kenney	Rieger	Wilt
Corrigan	Kirkland	Roberts	Wogan
Cowell	Krebs	Robinson	Wojnaroski
Coy	Laughlin	Rohrer	Wright, M. N.
Curry	Lederer	Rooney	Yewcic
Daley	Leh	Ross	Youngblood
Dally	Lescovitz	Rubley	Zimmerman
DeLuca	Lloyd	Sainato	Zug

NAYS-0

NOT VOTING-1

Mayernik

EXCUSED-14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsey	Levdansky	Scrimenti	Ryan,
Hutchinson	Masland	Surra	Speaker

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

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

Mr. STURLA offered the following amendment No. A2490:

Amend Title, page 1, lines 1 through 4, by striking out all of said lines and inserting

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for theft of trade secrets and for contraband.

Amend Bill, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. Section 3930(e) of Title 18 of the Pennsylvania Consolidated Statutes, amended October 16, 1996 (P.L.715, No.128), is amended to read:

§ 3930. Theft of trade secrets.

(e) Definitions.—As used in this section the following words and phrases shall have the meanings given to them in this subsection:

"Article." Any object, material, device or substance or copy thereof, including any writing, record, recording, drawing, description, sample, specimen, prototype, model, photograph, microorganism, blueprint or map.

"Copy." Any facsimile, replica, photograph or reproduction of, an article, or any note, drawing, sketch, or description made of, or from an article.

"Representing." Describing, depicting, containing, constituting, reflecting or recording.

"Trade secret." The whole or any portion or phase of any scientific or technical information, design, process, procedure, formula or improvement [or customer or sales information or any other privileged or

confidential information] which is of value and has been specifically identified by the owner as of a confidential character, and which has not been published or otherwise become a matter of general public knowledge. There shall be a rebuttable presumption that scientific or technical information [or customer or sales information or any other privileged or confidential information] has not been published or otherwise become a matter of general public knowledge when the owner thereof takes measures to prevent it from becoming available to persons other than those selected by him to have access thereto for limited purposes.

Section 2. Section 5123(a.2) of Title 18 is amended to read:
Amend Sec. 2, page 2, line 21, by striking out "2" and inserting
3

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

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

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, last year we amended Title 18 where it involved penalties concerning trademark counterfeiting and dealing with theft of trade secrets, and that amendment included language criminalizing customer lists or sales information considered privileged or confidential as a trade secret. Apparently, that language created some problems in the securities industry, and since then, the trade-secret specialists and the District Attorneys Association and the securities industry have gotten together and agreed that the so-called soft trade secrets are better left into the civil arena, and they have worked out some language. This amendment reflects that language, and I would encourage an affirmative vote. Thank you.

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

Mr. PERZEL. 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-189

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

Buxton	Habay	Olasz	Taylor, E. Z.
Caltagirone	Haluska	Oliver	Taylor, J.
Cappabianca	Hanna	Orie	Thomas
Carn	Harhart	Perzel	Tigue
Carone	Hasay	Pesci	Travaglio
Casorio	Hennessey	Petrarca	Trello
Cawley	Herman	Petrone	Trich
Chadwick	Hershey	Phillips	True
Civera	Hess	Pippy	Tulli
Clark	Itkin	Pistella	Vance
Clymer	Jadlowiec	Platts	Van Home
Cohen, L. I.	James	Preston	Veon
Cohen, M.	Jarolin	Ramos	Vitali
Colafella	Josephs	Raymond	Walko
Colaizzo	Kaiser	Readshaw	Washington
Conti	Keller	Reber	Waugh
Cornell	Kenney	Reinard	Williams, C.
Corpora	Kirkland	Rieger	Wilt
Corrigan	Krebs	Roberts	Wogan
Cowell	Laughlin	Robinson	Wojnaroski
Coy	Lederer	Rohrer	Wright, M. N.
Curry	Leh	Rooney	Yewcic
Daley	Lescovitz	Ross	Youngblood
Dally	Lloyd	Rubley	Zimmerman
DeLuca	Lucyk	Sainato	Zug
Dempsey			

NAYS-0

NOT VOTING-0

EXCUSED-14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsley	Levdansky	Scrimenti	Ryan,
Hutchinson	Masland	Surra	Speaker

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

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

Mr. BLAUM offered the following amendment No. A2492:

Amend Title, page 1, line 2, by inserting after "Statutes," further providing for the definition of "caretaker"; and Amend Sec. 1, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. Sections 2713(f) and 5123(a.2) of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:
§ 2713. Neglect of care-dependent person.

(f) Definitions.—As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

"Care-dependent person." Any adult who, due to physical or cognitive disability or impairment, requires assistance to meet his needs for food, shelter, clothing, personal care or health care.

"Caretaker." Any person who:

(1) is an owner, operator, manager or employee of a nursing home, personal care home, domiciliary care home, community residential facility, intermediate care facility for the mentally retarded, adult daily living center, home health agency or home health service provider whether licensed or unlicensed;

(2) provides care to a care-dependent person in the setting described in paragraph (1); or

(3) has an obligation to care for a care-dependent person for monetary consideration in the settings described in paragraph (1) or in the care-dependent person's home. "Person." A natural person, corporation, partnership, unincorporated association or other business entity.

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

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

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, in 1995 the General Assembly created a crime of neglect of care-dependent persons, and what this did was criminalize the reckless behavior of caregivers to provide necessary care and services to those dependent people in their care. What we have found over the last 18 months that this law has been on the books is that it is not adequately covering institutions for mentally retarded under the terms of that legislation.

Therefore, Mr. Speaker, this amendment would include those facilities, residential facilities for the mentally retarded, known as intermediate care facilities, under the terms of this legislation, and also make it a crime to maltreat people who are mentally retarded in these kinds of institutions. It was the intent of the legislation that they be covered in 1995. However, it has not been interpreted that way, and that is why this amendment is necessary.

So I ask the members of the House for an affirmative vote.

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

The following roll call was recorded:

YEAS-187

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

Cohen, L. I.	Jadlowiec	Platts	Veon
Cohen, M.	James	Ramos	Vitali
Colaella	Jarolin	Raymond	Walko
Colaizzo	Josephs	Readshaw	Washington
Conti	Kaiser	Reber	Waugh
Cornell	Keller	Reinard	Williams, C.
Corpora	Kenney	Rieger	Wilt
Corrigan	Kirkland	Roberts	Wogan
Cowell	Krebs	Robinson	Wright, M. N.
Coy	Laughlin	Rohrer	Yewcic
Curry	Lederer	Rooney	Youngblood
Daley	Leh	Ross	Zimmerman
Dally	Lescovitz	Rubley	Zug
DeLuca	Lloyd	Sainato	

NAYS-0

NOT VOTING-2

Preston Wojnaroski

EXCUSED-14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsey	Levdansky	Scrimenti	Ryan,
Hutchinson	Masland	Surra	Speaker

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

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Cohen, for the purpose of making a motion.

Mr. COHEN. Mr. Speaker, I move to suspend the rules so I can introduce a very minor, technical amendment. This modifies the Dent amendment by adding a single word to it. Mr. Dent has agreed to this.

The SPEAKER pro tempore. Would the gentleman give us the amendment number?

Mr. COHEN. The amendment number is 2590.

The SPEAKER pro tempore. The gentleman, Mr. Cohen, moves that the rules of the House be suspended so that he may immediately consider amendment A2590 to SB 135.

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

The following roll call was recorded:

YEAS-180

Adolph	Dally	Lescovitz	Sainato
Allen	DeLuca	Lloyd	Santoni
Argall	Dempsey	Lucyk	Sather
Armstrong	Dent	Major	Saylor
Baker	Dermody	Manderino	Schroder
Bard	DeWeese	Marsico	Schuler
Barley	DiGirolamo	Mayernik	Semmel
Barrar	Druce	McCall	Serafini
Battisto	Eachus	McGeehan	Seyfert

Bebko-Jones	Egolf	McGill	Shaner
Belardi	Fairchild	McIlhattan	Smith, B.
Belfanti	Fargo	McNaughton	Smith, S. H.
Benninghoff	Feese	Melio	Snyder, D. W.
Birmelin	Fichter	Michlovic	Staback
Bishop	Fleagle	Micozzie	Stairs
Blaum	Flick	Mihalich	Stern
Boscola	Gannon	Miller	Stetler
Boyes	Geist	Mundy	Stevenson
Brown	George	Myers	Strittmatter
Browne	Gigliotti	Nailor	Sturla
Bunt	Gladeck	Nickol	Tangretti
Butkovitz	Godshall	O'Brien	Taylor, E. Z.
Buxton	Gordner	Olasz	Taylor, J.
Caltagirone	Gruitza	Oliver	Thomas
Cappabianca	Gruppo	Orie	Tigue
Carn	Habay	Perzel	Travaglio
Carone	Haluska	Pesci	Trello
Casorio	Harhart	Petrarca	Trich
Cawley	Hasay	Petrone	True
Chadwick	Hennessey	Phillips	Tulli
Civera	Herman	Pippy	Vance
Clark	Hershey	Pistella	Van Horne
Clymer	Hess	Platts	Vitali
Cohen, L. I.	Itkin	Ramos	Walko
Cohen, M.	Jadlowiec	Raymond	Washington
Colaella	James	Readshaw	Waugh
Colaizzo	Jarolin	Reber	Williams, C.
Conti	Josephs	Reinard	Wilt
Cornell	Kaiser	Rieger	Wogan
Corpora	Keller	Roberts	Wojnaroski
Corrigan	Kenney	Robinson	Wright, M. N.
Cowell	Kirkland	Rohrer	Yewcic
Coy	Laughlin	Rooney	Youngblood
Curry	Lederer	Ross	Zimmerman
Daley	Leh	Rubley	Zug

NAYS-7

Hanna	Lynch	Markosek	Steil
Krebs	Maitland	Steelman	

NOT VOTING-2

Preston	Veon
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EXCUSED-14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsley	Levdansky	Scrimenti	Ryan,
Hutchinson	Masland	Surra	Speaker

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.

On the question recurring,

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

Mr. COHEN offered the following amendment No. A2590:

Amend Sec. 2 (Sec. 6316), page 1, line 14 (A2268), by inserting after "university"

or

On the question,

Will the House agree to the amendment?

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, this is the ultimate technical amendment. It adds the word "or" where it is obviously missing. It is obviously missing on line 14 of the original Dent amendment. I urge your support.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-189

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

NAYS-0

NOT VOTING-0

EXCUSED-14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsey	Levdansky	Scrimenti	Ryan,
Hutchinson	Masland	Surra	Speaker

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

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

The SPEAKER pro tempore. This bill has been considered on three different days and agreed to and is now on final passage. The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS-189

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

NAYS-0

NOT VOTING-0

EXCUSED-14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsey	Levdansky	Scrimenti	Ryan,
Hutchinson	Masland	Surra	Speaker

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

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair would like to take this opportunity to welcome some guests who are here today from the fourth grade of Pennypack Elementary School. They are here as guests of Representatives Cornell and McGill from Montgomery County. They are in the gallery. Would they please rise. Welcome to the hall of the House.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 1475, PN 1814, entitled:

An Act providing for self-employment assistance, for eligibility, for costs and for limitation.

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

Mr. DEMPSEY offered the following amendment No. A2567:

Amend Sec. 2, page 2, line 1, by striking out "determined" and inserting

prescribed

Amend Sec. 2, page 2, line 1, by striking out "or" and inserting
, on its own or in consultation with

Amend Sec. 2, page 2, line 2, by inserting a comma after "provider"
Amend Sec. 2, page 2, line 28, by striking out "or" and inserting
, on its own or in consultation with

Amend Sec. 2, page 2, line 29, by inserting a comma after "provider"
Amend Sec. 9, page 6, line 8, by inserting before "Except"

(a) General.-

Amend Sec. 9, page 6, by inserting between lines 11 and 12
(b) Specific.—Article V of the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment Compensation Law, shall apply to determinations under this act.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Lycoming County, Mr. Dempsey. Mr. DEMPSEY. Thank you, Mr. Speaker.

The amendment that I am offering to the bill is an agreed-to amendment.

This amendment would provide clarification in two areas of the bill. First, language clarifying that the Department of Labor and Industry has the ultimate authority when determining eligibility is contained in this amendment. Also, a provision would be added that stipulates that individuals have the same rights of appeal under this program as individuals do who are receiving regular unemployment benefits.

I urge my colleagues in the House to adopt the amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Belfanti, from Northumberland County is recognized.

Mr. BELFANTI. Thank you, Mr. Speaker.

The gentleman, Mr. Dempsey, is correct; this amendment has been agreed to.

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

The following roll call was recorded:

YEAS-189

Table listing names of members who voted 'YEAS' (189 total). Includes names like Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Battisto, Bebkco-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boscola, Boyes, Brown, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Carn, Carone, Casorio, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Colaizzo, Conti, Cornell, Corpora, Corrigan, Cowell, Coy, Dent, Dermody, DeWeese, DiGirolamo, Druce, Eachus, Egolf, Fairchild, Fargo, Feese, Fichter, Fleagle, Flick, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Gruitza, Gruppo, Habay, Haluska, Hanna, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Itkin, Jadlowiec, James, Jarolin, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, Laughlin, Lederer, Lynch, Maitland, Major, Manderino, Markosek, Marsico, Mayernik, McCall, McGeehan, McGill, McIlhattan, McNaughton, Melio, Michlovic, Micozzie, Mihalich, Miller, Mundy, Myers, Nailor, Nickol, O'Brien, Olasz, Oliver, Orié, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Pistella, Platts, Preston, Ramos, Raymond, Readshaw, Reber, Reinard, Rieger, Roberts, Robinson, Rohrer, Santoni, Sather, Saylor, Schroder, Schuler, Semmel, Serafini, Seyfert, Shaner, Smith, B., Smith, S. H., Snyder, D. W., Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, Strittmatter, Sturla, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, True, Tulli, Vance, Van Horne, Veon, Vitali, Walko, Washington, Waugh, Williams, C., Wilt, Wogan, Wojnaroski, Wright, M. N.

Table listing names of members who voted 'NAYS' (0 total). Includes names like Curry, Daley, Dally, DeLuca, Dempsey, Leh, Lescovitz, Lloyd, Lucyk, Rooney, Ross, Rubley, Sainato, Yewcic, Youngblood, Zimmerman, Zug.

NAYS-0

NOT VOTING-0

EXCUSED-14

Table listing names of members who were 'EXCUSED' (14 total). Includes names like Donatucci, Evans, Horsey, Hutchinson, LaGrotta, Lawless, Levdansky, Masland, Pettit, Roebuck, Scrimenti, Surra, Williams, A. H., Ryan, Speaker.

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

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

Mr. COY offered the following amendment No. A2435:

Amend Title, page 1, line 2, by striking out all of said line and inserting

costs, for limitation and for early intervention services.

Amend Bill, page 7, by inserting between lines 9 and 10

Section 13. Early intervention services.

The Department of Public Welfare shall be prohibited from applying for Federal approval to change the use of medical assistance funds for early intervention services for infants and toddlers with disabilities without prior, written approval of the Public Health and Welfare Committee of the Senate and the Health and Human Services Committee of the House of Representatives.

Amend Sec. 13, page 7, line 10, by striking out "13" and inserting 14

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

AMENDMENT WITHDRAWN

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

Mr. COY. Thank you, Mr. Speaker.

I would like to withdraw the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the gentleman from Chester County, Mr. Ross.

Mr. ROSS. Thank you, Mr. Speaker.

I stand before this body today asking for support from my fellow members for HB 1475.

The legislation before you today had its genesis with the passage of NAFTA (North American Free Trade Agreement). The NAFTA legislation contained a provision amending the Federal Unemployment Tax Act that allowed States to implement a pilot program where identified individuals can start their own business and remain eligible for unemployment compensation benefits. Current unemployment law does not allow individuals to start their own businesses and remain eligible for benefits.

This program is limited in size by the Federal enabling legislation. The number of program participants receiving the benefits provided by this act is limited to 5 percent of the number of individuals receiving regular unemployment benefits for any given week.

The department must report on this program annually to the State Labor Committees of the House and Senate on March 1. The program will sunset in December of 1998, unless the Federal enabling legislation is revisited and the sunset provision is extended.

I would be remiss, Mr. Speaker, if I did not recognize the work that my colleague from the city of Erie on the other side of the aisle has done in this area. This gentleman has been on the forefront with this issue and deserves to be recognized as one of the original proponents of this legislation.

Mr. Speaker, this legislation is a pro-jobs bill. By allowing individuals to engage in self-employment activities, we hopefully will see successful business startups that will lead to employment for other Pennsylvanians.

I would ask the members of the House to support this legislation and send it on its way to the Governor. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On final passage, the Chair recognizes the gentleman from Northumberland County, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, the Democratic members of the House Labor Relations Committee also supported this bill in committee unanimously. This pilot program will likely be available for about 1,000 people who happen to be the most unlikely individuals to find work before they completely exhaust their unemployment benefits.

The program will not be an easy one. Participants will be expected to devote their full-time effort into starting a business or becoming self-employed. The Department of Labor and Industry will approve the activities, such as technical assistance, business counseling, and entrepreneurial training. Persons accepted into this program who fail to participate on a full-time basis will be disqualified from receiving further benefits.

This program can only last as long as it is authorized by Federal law, and we would be remiss as a State if we failed to take advantage of this opportunity, which I believe is necessary as a result of the passage of the NAFTA treaty.

So I would like to urge my colleagues on this side of the aisle to support this legislation.

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-189

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

NAYS-0

NOT VOTING-0

EXCUSED-14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsley	Levdansky	Scrimanti	Ryan,
Hutchinson	Masland	Surra	Speaker

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

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

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 346, PN 1918 (Amended) By Rep. SERAFINI

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

LIQUOR CONTROL.

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

SB 7, PN 1133 (Amended) By Rep. CLYMER

An Act amending the act of June 25, 1982 (P.L.633, No.181), entitled, as reenacted, Regulatory Review Act, further providing for legislative intent, for definitions, for the Independent Regulatory Review Commission, for review criteria, for commission and agency review procedure, for statutory compliance, for subsequent review, for classification of documents, for modifying regulations, for existing regulations, for staff, for subpoena power, for administrative functions and for termination.

STATE GOVERNMENT.

SB 125, PN 387 By Rep. BOYES

An Act amending the act of August 9, 1955 (P.L.323, No.130), entitled The County Code, providing for an excise tax in certain counties.

FINANCE.

SB 672, PN 714 By Rep. BOYES

An Act amending the act of April 9, 1929 (P.L.343, No.176), entitled, as amended, The Fiscal Code, further providing for reports to the Secretary of Revenue.

FINANCE.

**RESOLUTION REPORTED
FROM COMMITTEE**

SR 28, PN 1134 (Amended) By Rep. FLICK

A Concurrent Resolution urging Congress to immediately review the Federal Unified Gift and Estate Tax and to act either to repeal the law, or to give special exemptions to family owned farms and businesses, or to raise the unified credit against the Gift and Estate Taxes, or to defer estate tax payments over a period of time.

INTERGOVERNMENTAL AFFAIRS.

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that SB 7 and SB 125 be removed from the table and placed on the active calendar.

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

BILLS RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that SB 7 and SB 125 be recommitted to the Committee on Appropriations.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1173, PN 1808**, entitled:

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.

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

Mr. WAUGH offered the following amendment No. **A2489**:

Amend Sec. 103, page 7, by inserting between lines 26 and 27 "Technically infeasible." An alteration of a building or a facility that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a loadbearing member that is an essential part of the structural frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

Amend Sec. 104, page 8, lines 13 through 23, by striking out all of said lines and inserting

(b) Exclusions.—This act shall not apply to:

(1) any new buildings or renovations to existing buildings for which an application for a building permit has been made to the municipality prior to the effective date of the regulations promulgated under this act;

(2) any new buildings or renovations to existing buildings on which a contract for design or construction has been signed prior to the effective date of the regulations promulgated under this act on projects requiring department approval;

(3) any utility and miscellaneous use structures that are accessory to detached one-family dwellings; or

(4) any agricultural building.

Amend Sec. 105, page 11, line 8, by inserting after "over"

ski lifts, inclined passenger lifts and related devices, and

Amend Sec. 106, page 13, line 3, by striking out "and variances"

Amend Sec. 106, page 13, line 4, by inserting after "applications" from individual projects

Amend Sec. 301, page 14, line 15, by inserting after "CODE" for individual projects

Amend Sec. 302, page 16, line 3, by inserting after "Commonwealth."

In deriving these standards the department shall seek to balance energy savings with initial construction costs.

Amend Sec. 501, page 20, line 7, by striking out "six" and inserting

five

Amend Sec. 501, page 20, lines 9 through 15, by striking out all of said lines and inserting

- (i) Foundation inspection.
- (ii) Plumbing, mechanical and electrical inspection.
- (iii) Frame and masonry inspection.
- (iv) Wallboard inspection.
- (v) Final inspection. The final inspection

shall

Amend Sec. 502, page 21, by inserting between lines 27 and 28

(c) Highway occupancy permit.—No building permit shall be issued for any property which will require access to a highway under the jurisdiction of the Department of Transportation, unless the permit contains a notice that a highway occupancy permit is required pursuant to section 420 of the act of June 1, 1945 (P.L.1242, No.428), known as the State Highway Law, before driveway access to a State highway is permitted. The department shall, within 60 days of the date of receipt of an application for a highway occupancy permit:

- (1) approve the permit;
- (2) deny the permit;
- (3) return the application for additional information or correction to conform with department regulations; or
- (4) determine that no permit is required, in which case the department shall notify the municipality and applicant in writing.

If the department fails to take any action within the 60-day period, the permit shall be deemed to be issued. The permit shall be marked to indicate that access to the State highway shall be only as authorized by a highway occupancy permit. Neither the department nor any municipality to which permit-issuing authority has been delegated under section 420 of the State Highway Law shall be liable in damages for any injury to persons or property arising out of the issuance or denial of a driveway permit, or for failure to regulate any driveway. Furthermore, the municipality from which the building permit approval has been requested shall not be held liable for damages to persons or property arising out of the issuance or denial of a driveway permit by the department.

Amend Sec. 502, page 21, line 28, by striking out "(c)" and inserting (d)

Amend Sec. 902, page 28, lines 2 through 6, by striking out all of said lines and inserting

- (a) Violation of act.—
 - (1) Any individual, firm or corporation that violates any provision of this act commits a summary offense and shall, upon conviction, be sentenced to pay a fine of not more than \$1,000 and costs.
 - (2) Each day that a violation of this act continues shall be considered a separate violation.
- (b) Disposition of penalties.—The amount of the penalty shall be forwarded to the entity with enforcement jurisdiction.

Amend Sec. 1102, page 29, by inserting between lines 14 and 15

Act of July 9, 1976 (P.L.919, No.170), entitled "An act providing for the approval or disapproval of applications for a permit relating to the construction or maintenance of improvements to real estate."

On the question,

Will the House agree to the amendment?

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

Mr. WAUGH. Thank you, Mr. Speaker.

Amendment 2489 is one final, omnibus, if you will, amendment to correct several last-minute technical aspects of HB 1173, and I would ask for support by all the members.

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

The following roll call was recorded:

YEAS—188

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

NAYS—0

NOT VOTING—1

Pistella

EXCUSED—14

Donatucci	LaGrotta	Pettit	Williams, A. H.
Evans	Lawless	Roebuck	
Horsley	Levdansky	Scrimenti	Ryan,
Hutchinson	Masland	Surra	Speaker

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

On the question,

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Adolph, under unanimous consent.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, I have an amendment to Representative Waugh's bill, and it was not filed on time, and I was thinking about making a motion to suspend the rules. However, I have been able to work out with Mr. Waugh an agreement that he will work with the Senate in order to put this amendment in. This amendment was put in in the Senate the last time we passed this bill, by Senator Rhoades, and it is regarding barriers for disabled people. And right now this bill repeals Act 235, and the coalition for disabled people is not in favor of the bill the way it is now, but they want it to be worked out in the Senate.

I appreciate the time to explain that. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

Mr. WAUGH offered the following amendment No. A2445:

Amend Sec. 502, page 21, lines 23 through 27, by striking out all of said lines and inserting

(b) Certificates of occupancy.—No certificate of occupancy shall be issued for a building unless it either meets all of the provisions of the Uniform Construction Code or else it has been granted a variance for the requirements it does not meet.

On the question,

Will the House agree to the amendment?

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

Mr. WAUGH. Thank you, Mr. Speaker.

A2445 relates to the comments made by the previous speaker, Representative Adolph. I have been working, over the last several weeks, with several of the statewide organizations that represent individuals with disabilities — in particular, the PCCD, the Pennsylvania Coalition for Citizens with Disabilities. The first amendment, the amendment that just passed, incorporated one of the requests of that organization. This amendment, amendment 2445, deals with the issuance of certificates of occupancy and is also a request of PCCD.

I would like to ask for everyone's support on this amendment, but before we vote it, if I may, I would like to just say that in all frankness, there are still a few issues regarding folks with disabilities that we are working on to get resolved. We have been working diligently. We have a good relationship. And I have made a commitment to the PCCD and others to follow through, if the bill passes today, in the Senate to incorporate the rest of the changes that they would like to see in order to finally complete the work on this bill, and I certainly feel very strongly that this is a possibility and it is achievable, and we will work in that direction.

So for now, I would ask for support on A2445. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Westmoreland County, Mr. Van Horne, on the amendment.

Mr. VAN HORNE. Thank you, Mr. Speaker.

The House Local Government Committee, especially on the Democratic side, I would ask for an affirmative vote, because it is basically an agreed-to amendment.

Also, the president of the commission is from my district in Westmoreland County, and we, too, have made the same commitment that Representative Waugh has made, and we would ask for an affirmative vote on this amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—188

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

NAYS—0

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

Mr. TULLI. Thank you, Mr. Speaker.

This amendment is to guard against a number of municipalities which, when seeing that we were moving on the statewide building code, passed a number of ordinances which would exceed the BOCA (Building Officials and Code Administrators International, Inc.) codes and the statewide code in 1996. So what it does is it goes back to the agreed-to date of January 1, 1996, to start the grandfathering phase of this legislation, which goes until 2003.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Steil, on the amendment.

Mr. STEIL. Thank you, Mr. Speaker.

I ask for opposition to amendment 2457 for several reasons.

In approving this amendment, what it does, very simply, is change the date of grandfathering all existing ordinances which exceed the BOCA Code from 1997, which the bill currently contains, the 1st of 1997, back to the 1st of 1996.

Now, you heard the previous speaker say that a number of municipalities passed amendments last year in anticipation of a uniform-building-code bill. Many of them did that, but we must remember that the reason for doing it was that in 1996 BOCA issued their 3-year revision of the BOCA Code. When they did that, each municipality was then required to adopt, at some expense to that municipality, the revisions to the BOCA Code. They employed engineers, solicitors, and township staff-time to develop these ordinances and implement them. If we pass this amendment, we will wipe out all of the work that was accomplished by these municipalities during 1996.

The business of municipal government goes on regardless of what we expect and what may be expected from this body. No one can rely, at any time, upon a passage of a specific piece of legislation. Therefore, they did what they had to do. If we approve this amendment, we are placing another unfunded mandate on our local municipalities, because they will have to go through all of the expense of readopting the ordinance implementing these code changes.

In that regard, I ask all of you not to approve this amendment; I ask for a negative vote. Do not place another unfunded mandate on our municipalities. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Waugh, on the amendment.

Mr. WAUGH. Thank you, Mr. Speaker.

On this amendment, I think it is important for members to assess any activity that may have occurred by the municipalities in your district over the last year. Between January 1996 and January 1997, have any of the municipalities in your area readopted, and in particular, have they readopted codes that have provisions that may exceed the standards of BOCA? You may want to not support the amendment if that is the case, because what Mr. Steil just said is on target. They will have to go back and reevaluate this again, not to say that they would not have to in 2003, but they would have to do it almost immediately now and lose the provisions they have enacted.

So I leave it up to the members. Personally, because of what has happened in the area that I represent, I am going to be voting in the negative on this amendment, but I think it is important for you to assess your individual districts as you vote this particular amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin County, Mr. Buxton, on the amendment.

Mr. BUXTON. Thank you, Mr. Speaker.

I rise to support the Tulli amendment. I think it is important that we understand a little history associated not only with this amendment that Mr. Tulli offers but a little history with this legislation.

As you know, this statewide-building-code bill passed the House of Representatives last year overwhelmingly. In that bill the provision for grandfathering excessive local ordinances was January of 1996. You have to understand, prior to that, the intent of this legislation was really to abolish all ordinances in Pennsylvania that exceeded the BOCA building code. And why would we want to abolish codes in excess of BOCA? Because it became very apparent in many municipalities in Pennsylvania that excessive codes were being used to restrain building, to cut back on the number of potential houses being built in a specific municipality, or to escalate the cost of housing in municipalities, which put a certain segment of our population out of the buying of houses within certain municipalities.

There is a whole host of reasons why excessive codes beyond BOCA in Pennsylvania work against the consumer. We have debated numerous times the impact that this legislation will have on our local governments, the impact that grandfathering provisions will have on local governments, but nobody is talking about Pennsylvania's consumers — consumers that should be protected by excessive codes because of the costs they add to housing and consumers who build in areas that lack existing building codes, who have no protection knowing that the product that they are investing in is going to be built to some type of code.

For that reason I think it is important that we support the Tulli amendment because of the provision established that local governments realized last year would be grandfathered by January 1996.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster County, Mr. Armstrong, on the amendment.

Mr. ARMSTRONG. Mr. Speaker, with this amendment, and if I could just back up a little bit, I have been involved in the process of this bill and the amendments along the way, and there has been an awful lot of work, and a lot of consensus has been realized. Unfortunately, this particular amendment does not have that consensus, and I think it tips the scales, and it could place something into this bill that could create a little bit of a problem when it gets into the Senate.

And because of that, I ask that we do not support this amendment, this particular amendment, and get on with the amendments and the bill that has reached a consensus of all the interested parties and vote those types of efforts and vote against this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin County, Mr. McNaughton.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

Mr. Speaker, I have been sitting here listening to this debate ongoing on this Tulli amendment, and I have to disagree with the honorable gentleman who just spoke from Lancaster County. I have been involved in this process, I have been involved in this amendment, and I have not had one organization, not one individual, not one municipality, not one lobbyist tell me that this

change from 1997 to 1996 would cause a difficulty in the Senate or here in the House.

I also have not heard or understood or had it explained to me how if we have BOCA in municipalities which did not have BOCA, how all of a sudden now if we adopt 1996 BOCA, how every municipality across the board would have 1996 BOCA if we roll back the clock to 1996, even though there was no building code in those municipalities. I think the gentleman from Bucks County was wrong in stating that all municipalities who adopted 1996 BOCA or all municipalities in Pennsylvania would have to revisit all their ordinances. Those municipalities without BOCA in 1996 would not have to go back and revisit and open up all their ordinances.

On those reasons, Mr. Speaker, I would ask that we vote in favor of the Tulli amendment and we move on with the adoption of this bill. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Steil, for the second time on the amendment.

Mr. STEIL. Thank you, Mr. Speaker.

I think the previous speakers have made my point exactly.

Last year, when the House considered this bill, we passed it with a grandfathering date of January 1, 1996. Municipalities whose ordinances were in place as of that time were grandfathered through the end of the year 2002. In this bill, it is now 1 year later. We have moved the dates for grandfathering to the end of the year 2003.

I repeat again that the business of government in our municipalities goes on regardless of what may or may not happen in this body. As a result of that, municipalities passed in good faith, last year, ordinances which amended the BOCA Code and adopted the 1996 BOCA Code and adopted standards which may be active in their communities only. But those ordinances were adopted in good faith. Now we are 1 year later, and we want to keep the date of 1996 as the original grandfathering date. If we do that, I repeat again that the municipalities will have to redo all of the ordinances they passed last year at considerable expense.

There is no evidence nor has any evidence been presented that any of those ordinances that were adopted were onerous or were beyond the scope of this particular piece of legislation. We are simply imposing another administrative burden on our municipalities, and I ask for a negative vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair would like to give Mr. Tulli the opportunity to speak last on his amendment. Are there any other members seeking recognition?

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Snyder, who requests that the gentleman, Mr. Lawless, be taken off leave and placed on the master roll call. The Chair hears no objection, and the request is granted.

CONSIDERATION OF HB 1173 CONTINUED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Melio, on the amendment. Mr. MELIO. Thank you, Mr. Speaker.

I just want to say that a lot of work went into this bill, and I agree — and I do not want to belabor the issue — with Representative Steil and the prime sponsor of the bill, Representative Waugh, and I ask my colleagues to oppose this amendment. Thank you.

The SPEAKER pro tempore. Does the gentleman, Mr. McNaughton, seek recognition for the second time? The gentleman is recognized.

Mr. McNAUGHTON. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman from Bucks County, I believe, was in error in his last statement. He stated that the municipal government and the governing of municipalities must go on, and I agree with that. I do disagree with him, however, where he says that municipalities did not or may not have acted onerously in putting on any stricter burden over the past year to restrict building codes. I disagree with that. We have seen it all the time. Representative Buxton referred to it in his statement, that in order to limit construction or limit building in certain municipalities, they have put on stricter standards to increase the cost of construction and housing and so forth.

It is a consumer-friendly bill. This is a consumer-friendly amendment. We should move on with the bill and approve the amendment, and I ask for support of this amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin County, Mr. Tulli, for the second time on his amendment.

Mr. TULLI. Thank you, Mr. Speaker.

A lot of work went into this, and I agree with the gentleman from Bucks County that much compromise has happened. The negotiations and compromises that ended with this going to committee was part of an overall compromise which contained the date of January 1, 1996. This latest change to 1997 is breaking the spirit of that negotiation and those compromises, and I ask for an affirmative vote on this amendment. Thank you.

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

The following roll call was recorded:

YEAS—108

Adolph	Daly	Leh	Readshaw
Allen	Dent	Lescovitz	Reinard
Argall	Dermody	Lucyk	Rieger
Bard	DiGirolamo	Lynch	Rooney
Barley	Druce	Maitland	Sainato
Bebko-Jones	Eachus	Markosek	Santoni
Belardi	Fairchild	Marsico	Saylor
Belfanti	Fargo	Mayernik	Semmel
Benninghoff	Fichter	McCall	Serafini
Birmelin	Fleagle	McGill	Shaner
Bishop	Flick	McLhattan	Smith, B.
Blaum	Geist	McNaughton	Smith, S. H.
Boscola	George	Micozzie	Snyder, D. W.
Browne	Gigliotti	Mihalich	Stern
Bunt	Godshall	Miller	Stevenson
Buxton	Gruitza	Mundy	Sturla
Cappabianca	Gruppo	Nailor	Taylor, J.
Carn	Habay	Nickol	Tigue
Civera	Haluska	O'Brien	Travaglio
Clark	Hasay	Olasz	Trich
Clymer	Hess	Orie	Tulli
Colafella	Itkin	Perzel	Veon
Colaizzo	Josephs	Petrarca	Vitali

Conti	Kaiser	Petrone	Wilt
Cornell	Kenney	Phillips	Wogan
Coy	Kirkland	Pippy	Wojnaroski
Daley	Laughlin	Preston	Zug

NAYS-82

Armstrong	Egolf	Melio	Stairs
Baker	Feese	Michlovic	Steelman
Barrar	Gannon	Myers	Steil
Battisto	Gladeck	Oliver	Stetler
Boyes	Gordner	Pesci	Stritmatter
Brown	Hanna	Pistella	Tangretti
Butkovitz	Harhart	Platts	Taylor, E. Z.
Caltagirone	Hennessey	Ramos	Thomas
Carone	Herman	Raymond	Trello
Casorio	Hershey	Reber	True
Cawley	Jadlowiec	Roberts	Vance
Chadwick	James	Robinson	Van Horne
Cohen, L. I.	Jarolin	Rohrer	Walko
Cohen, M.	Keller	Ross	Washington
Corpora	Krebs	Rublely	Waugh
Corrigan	Lawless	Sather	Williams, C.
Cowell	Lederer	Schroder	Wright, M. N.
Curry	Lloyd	Schuler	Yewcic
DeLuca	Major	Seyfert	Youngblood
Dempsey	Manderino	Staback	Zimmerman
DeWeese	McGeehan		

NOT VOTING-0

EXCUSED-13

Donatucci	LaGrotta	Roebuck	Ryan,
Evans	Levdansky	Scrimenti	Speaker
Horsey	Masland	Surra	
Hutchinson	Pettit	Williams, A. H.	

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

On the question recurring,

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

Mr. TULLI offered the following amendment No. A2566:

Amend Sec. 303, page 16, line 6, by striking out "All" and inserting

Except as provided in subsection (d), all

Amend Sec. 303, page 16, line 13, by striking out "All" and inserting

Except as provided in subsection (d), all

Amend Sec. 303, page 16, line 25, by striking out "Any" and inserting

Except as provided in subsection (d), any

Amend Sec. 303, page 17, by inserting between lines 3 and 4

(d) Cities of the first class.—Any municipal building code ordinance in effect or adopted by a city of the first class by July 1, 1997, shall remain in effect until December 31, 2003, by which time the ordinance shall be amended to incorporate the specific requirements of the regulations promulgated under this act or shall be amended using the provisions of Chapter 5 to incorporate provisions which equal or exceed the specific requirements of the regulations promulgated under this act.

On the question,

Will the House agree to the amendment?

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

Mr. TULLI. Thank you, Mr. Speaker.

This amendment refers to cities of the first class in Pennsylvania for the purpose of assisting Philadelphia in completing its renovations of their ordinances which started well before this bill moved last session in the legislature, and we are asking that the start date of this legislation coincide with the start date for the grandfathering clause for the cities of the first class.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-182

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

NAYS-8

Caltagirone	Feese	Lawless	Seyfert
Dempsey	Krebs	Melio	Zug

NOT VOTING-0

EXCUSED-13

Donatucci	LaGrotta	Roebuck	Ryan,
Evans	Levdansky	Scrimenti	Speaker
Horsey	Masland	Surra	
Hutchinson	Pettit	Williams, A. H.	

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

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

Mr. TULLI offered the following amendment No. A2565:

Amend Sec. 303, page 16, line 6, by striking out "All" and inserting Except as provided in subsection (d), all

Amend Sec. 303, page 16, line 7, by striking out "1997" and inserting 1996

Amend Sec. 303, page 16, line 13, by striking out "All" and inserting Except as provided in subsection (d), all

Amend Sec. 303, page 16, line 14, by striking out "1997" and inserting 1996

Amend Sec. 303, page 16, line 16, by striking out "1997" and inserting 1996

Amend Sec. 303, page 16, line 25, by striking out "1997.-Any" and inserting

1996.-Except as provided in subsection (d), any

Amend Sec. 303, page 16, line 27, by striking out "1997" and inserting 1996

Amend Sec. 303, page 16, line 29, by striking out "1997" and inserting 1996

Amend Sec. 303, page 17, by inserting between lines 3 and 4

(d) Cities of the first class.—Any municipal building code ordinance in effect or adopted by a city of the first class by July 1, 1997, shall remain in effect until December 31, 2003, by which time the ordinance shall be amended to incorporate the specific requirements of the regulations promulgated under this act or shall be amended using the provisions of Chapter 5 to incorporate provisions which equal or exceed the specific requirements of the regulations promulgated under this act.

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

AMENDMENT WITHDRAWN

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

Mr. TULLI. I am sorry. I am withdrawing that.

The SPEAKER pro tempore. Does the gentleman withdraw that amendment?

Mr. TULLI. Yes.

The SPEAKER pro tempore. The Chair thanks the gentleman. The amendment is withdrawn.

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

RULES SUSPENDED

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

Mr. CIVERA. Mr. Speaker, to make a motion to suspend the rules to offer an amendment.

The SPEAKER pro tempore. The gentleman is in order and may make the motion.

Mr. CIVERA. Mr. Speaker, I make a motion to suspend the rules so I am allowed to offer amendment A2396.

The SPEAKER pro tempore. The gentleman, Mr. Civera, moves that the rules of the House be suspended so that he may immediately offer amendment A2396 to HB 1173.

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

The following roll call was recorded:

YEAS-179

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

NAYS-9

Carone	Lawless	Maitland	Steelman
Hanna	Lynch	Platts	Steil
Krebs			

NOT VOTING—2

Corrigan Nailor

EXCUSED—13

Donatucci	LaGrotta	Roebuck	Ryan,
Evans	Levdansky	Scrimenti	Speaker
Horsey	Masland	Surra	
Hutchinson	Pettit	Williams, A. H.	

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.

On the question recurring,

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

Mr. CIVERA offered the following amendment No. A2396:

Amend Sec. 103, page 7, line 21, by striking out the comma after "town" and inserting

or

Amend Sec. 103, page 7, line 22, by striking out all of said line and inserting township. The term shall not include a municipality that has adopted a home rule charter or optional form of government under 53 Pa.C.S., Part III, Subpart E (relating to home rule and optional plan government.)

On the question,

Will the House agree to the amendment?

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

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment exempts home-rule municipalities from HB 1173.

When home rule was adopted by the General Assembly some years ago, it was that the local municipalities, by the individual voter in that municipality, if that municipality chose to become a home-rule community, what it meant was that they can govern themselves. What this amendment does here today is it takes out the issue of municipalities on a statewide basis if they are a home-rule municipality and exempts them from the statewide building code.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from York County, Mr. Waugh.

Mr. WAUGH. Thank you, Mr. Speaker.

I will be brief.

First of all, I appreciate the significant leeway that is given to home-rule municipalities, and I understand the intent of such a structure for local government.

However, just to sum it up, I guess, shortly, a uniform statewide building code cannot be if we start to exempt jurisdictions.

For that reason I would oppose Mr. Civera's amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Steil, on the amendment.

Mr. STEIL. Thank you, Mr. Speaker.

Last year we spent 6 months forging a compromise among all of the municipalities, the Builders Association, and some 30 competing interest groups in adopting a uniform building code for the State of Pennsylvania, to bring us to the point where some 30 other States already are. During that process, nearly every one of these 30 interest groups had an objection to some part of the code. There were a number of municipalities who asked to be opted out of the code. But a uniform code is not uniform unless it applies to all communities uniformly. If we are going to protect all of our municipalities and all of our citizens, then we cannot permit individual municipalities to decide what they will do in the form of a building code, or even worse, not to enforce any building code at all.

And that is a simple matter when it comes to one- and two-family dwelling units, because it is your house and you live in it and you can determine what is impacted. But you must realize that if we do not adopt a uniform building code, none of the commercial buildings in this State are subject to any building code in communities that do not enforce or enact a building code. That means schools, libraries, hospitals, commercial buildings like theaters, department stores, are not inspected. They are not inspected for safety. They are inspected for fire, for elevators, but they are not inspected for structure. If we allow these communities to be exempted from that, those buildings will continue to be uninspected. We are placing at risk our firemen, our emergency services people. We are placing at extreme risk the people who must occupy those buildings.

This amendment is a bill-killer. If we adopt it, there is no point in adopting the bill, because we no longer have a uniform construction code. It does not apply uniformly. It means that some people are special, some communities are special, and some people in this State who happen to live in communities without a building code, we are saying we do not care — we do not care about the buildings they must occupy; we do not care about their safety.

This amendment should be defeated. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Dauphin County, Mr. Buxton, on the amendment.

Mr. BUXTON. Thank you, Mr. Speaker.

I am pleased to be on the side of my colleague from Bucks County on this amendment. I agree wholeheartedly with him that if this amendment were to be successful, it probably would be a bill-killer.

The purpose of this legislation is to provide uniformity among all the municipalities in the Commonwealth of Pennsylvania. Opting out was never ever a consideration in enacting a statewide building code, the point being that we were trying to establish safeguards for consumers who purchased residential construction in every municipality in Pennsylvania. If this amendment were to be adopted, that would negate any consumer protections to individuals purchasing residential homes in areas where home-rule charter was in effect.

Therefore, I hope this legislature will reject this amendment to the uniform statewide construction bill. Thank you.

The SPEAKER pro tempore. The gentleman from Westmoreland County, Mr. Van Horne, on the amendment.

Mr. VAN HORNE. Thank you, Mr. Speaker.

On behalf of our side of the Local Government Committee, we concur with the previous speakers that this in fact would destroy a very fragile coalition of support that has been put together, not only

during this session but the previous session when we debated this issue.

For that reason — and it certainly would destroy any effort to have the Uniform Code, for in fact it would not be a uniform code — so I would ask for a negative vote on this amendment. Thank you.

The SPEAKER pro tempore. The gentleman from Delaware County, Mr. Micozzie, is recognized on the amendment.

Mr. MICOZZIE. Thank you, Mr. Speaker.

Years ago the General Assembly, in its wisdom, allowed a municipality to opt into home rule. They recognized that there were some municipalities who wanted to have self-rule. Upper Darby Township, for instance, which has 90,000 people where I live and where Mario lives, is a home-rule community, and, yes, they are special. They are special because they opt into becoming a home-rule township. So if they are special — they were recognized to be special years ago to rule themselves except in taxation — then I think they should be special enough to determine their own code.

So I support Representative Civera's amendment to exempt home-rule-chartered municipalities. Thank you.

The SPEAKER pro tempore. Are there any other members seeking recognition?

The Chair recognizes the gentleman from Delaware County, Mr. Civera, for the second time on his amendment.

Mr. CIVERA. Thank you, Mr. Speaker.

I understand some of the gentlemen's comments to oppose this amendment, and let me just say this: These home-rule communities that we are talking about do have a building code. We are not talking about leaving anybody out there or any municipality out there with no protection. The municipality that I represent as a legislator, which is Upper Darby Township, has a BOCA Code that they adopt, inspects different buildings, and probably has a code — and this is what the fear is — that would be more stringent than what we are adopting here today. We are not leaving any type of a municipality out there with no type of protection.

In my legislative district, if we talk about the emergency services, they support this amendment. What we did in the General Assembly some years ago, when we adopted home-rule communities, was self-governing. Now, you adopt it in one sense, and then in the other sense, you say that is not what we really want to do; we are going to mandate what that municipality does. So did we then create a home-rule community that the individual people in those towns voted and went to the ballot and selected that they would be a home-rule community, which means that they would govern themselves? That is the message that they send not only to the General Assembly but to the people in Pennsylvania.

So this amendment does not pull anybody away that does not have a building code; it is not doing that. What it is saying is that we support what the General Assembly did many years ago and these municipalities should govern themselves because the people of those communities voted for that. This is not a bill-killer; this is not a bill-killer whatsoever. If this were to take those communities out and they had no building code whatsoever, which they do, then I could agree with that.

So I would ask the members, give those municipalities the right that they thought they had many years ago when the General Assembly allowed the provision for the people to go to the ballot box and have them as an individual municipality that governs themselves. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—52

Adolph	Gannon	Lloyd	Rubley
Barrar	Gigliotti	Lucyk	Serafini
Blaum	Godshall	Manderino	Seyfert
Boyes	Gordner	McGeehan	Smith, B.
Brown	Hasay	Micozzie	Steelman
Butkovitz	Hennessey	Myers	Tangretti
Caltagirone	Herman	O'Brien	Taylor, J.
Cawley	James	Olasz	Thomas
Civera	Jarolin	Petrarca	Trello
Clark	Keller	Pistella	Vitali
Cohen, M.	Kenney	Raymond	Washington
Colaizzo	Kirkland	Reber	Wogan
Feese	Lederer	Rieger	Youngblood

NAYS—137

Allen	Dempsey	Maitland	Santoni
Argall	Dent	Major	Sather
Armstrong	Dermody	Markosek	Saylor
Baker	DeWeese	Marsico	Schroder
Bard	DiGirolamo	Mayernik	Schuler
Barley	Druce	McCall	Semmel
Battisto	Eachus	McGill	Shaner
Bebko-Jones	Egolf	McIlhattan	Smith, S. H.
Belardi	Fairchild	McNaughton	Snyder, D. W.
Belfanti	Fargo	Melio	Staback
Benninghoff	Fichter	Michlovic	Stairs
Birmelin	Fleagle	Mihalich	Steil
Bishop	Flick	Miller	Stern
Boscola	Geist	Mundy	Stetler
Browne	George	Nailor	Stevenson
Bunt	Gladeck	Nickol	Strittmatter
Buxton	Gruitza	Oliver	Sturla
Cappabianca	Gruppo	Orie	Taylor, E. Z.
Carn	Habay	Perzel	Tigue
Carone	Haluska	Pesci	Travaglio
Casorio	Hanna	Petrone	Trich
Chadwick	Harhart	Phillips	True
Clymer	Hershey	Pippy	Vance
Cohen, L. I.	Hess	Platts	Van Horne
Colafella	Itkin	Preston	Veon
Conti	Jadlowiec	Ramos	Walko
Cornell	Josephs	Readshaw	Waugh
Corpora	Kaiser	Reinard	Williams, C.
Corrigan	Krebs	Roberts	Wilt
Cowell	Laughlin	Robinson	Wojnaroski
Coy	Lawless	Rohrer	Wright, M. N.
Curry	Leh	Rooney	Yewcic
Daley	Lescovitz	Ross	Zimmerman
Dally	Lynch	Sainato	Zug
DeLuca			

NOT VOTING—1

Tulli

EXCUSED—13

Donatucci	LaGrotta	Roebuck	Ryan,
Evans	Levdansky	Scrimenti	Speaker
Horsey	Masland	Surra	
Hutchinson	Pettit	Williams, A. H.	

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 pro tempore. This bill has been considered on three different days and agreed to and is now on final passage. The question is, shall the bill pass finally?

Does the gentleman, Mr. Cawley, seek recognition on that question?

Mr. CAWLEY. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is recognized.

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

The SPEAKER pro tempore. The gentleman, Mr. Waugh, indicates that he is willing to stand for interrogation. You are in order and may proceed.

Mr. CAWLEY. Thank you. Thank you, Mr. Speaker.

Mr. Speaker, exactly what type of structures are covered under this bill?

Mr. WAUGH. Under this bill, all structures constructed in the State — new construction and renovations and alterations — with the exception of farm-related, agricultural-related buildings that house animals, feed, machinery, et cetera, and buildings that are identified as accessory-use buildings, storage buildings in your backyard of smaller dimension — I think it is 100 square feet or something like that. Everything else is covered.

Mr. CAWLEY. What about a garage for your automobile 40 by 40 or 20 by 20?

Mr. WAUGH. Mr. Speaker, the answer to your question regarding garages would be for those types of structures that are, first of all, detached, not attached to the primary residence, and that are in an area less than 1,000 square feet when they are constructed; they are an area less than 1,000 square feet.

Mr. CAWLEY. They would be exempt.

Mr. WAUGH. That is correct.

Mr. CAWLEY. So if you have a 20-by-20-foot garage, would that be exempt?

Mr. WAUGH. Yes.

Mr. CAWLEY. Okay.

Mr. WAUGH. I need my calculator.

Mr. CAWLEY. No. We are not going to get into that.

Mr. Speaker, some municipalities have a property maintenance code. It is also referred to as the existing structure code. Will this code be included in the proposed Uniform Construction Code?

Mr. WAUGH. The property maintenance code is not included in HB 1173. As a matter of fact, it is expressly excluded.

Mr. CAWLEY. And what was the reason for that, Mr. Speaker?

Mr. WAUGH. The reason for that was some concern that when we get into the maintenance code provisions, we are going beyond new construction and construction standards and actually impacting especially some of the urban regions in a way that would not be positive by requiring that more than just construction be regulated

when we start to talk about the way maintenance is performed on certain buildings.

Mr. CAWLEY. Okay.

Mr. Speaker, on an existing structure, what percent of rehabilitation or reconstruction would necessitate living up to the codes, or would it be that entire new section that you are doing would have to live up to the new code or would the entire building have to be redone to live up to the new code after a certain percent of the remodeling?

Mr. WAUGH. It would depend on the type of remodeling that is being completed to a particular building, and I will give you a few examples. If it is a complete new construction project — that is, from ground up — of course, it would fall under the provisions of the bill. If it involves an addition to an existing building that has a defined cut line, if you will — in other words, very clearly the new construction portion is maybe attached to the old building but there is a clear defining line where old and new begin — only the new portion would fall under the provisions of HB 1173 with the exception of the area where it actually adjoins. In other words, if there are doorways cut between an addition and existing building, that wall that involves the cutting and doorways would be incorporated under the provisions of HB 1173.

One last example: In the case of an alteration or renovation project, where an existing structure is remodeled, if you will, or renovated without an obvious addition, but an old home, for example, is completely gutted and redone, there is a formula contained in the code, the BOCA Code, that is used to determine whether or not the code must apply.

I am not going to stand here today and tell you that I completely understand the formula or can explain it, because there are many variations as to how it would apply. But the gist of it is — and just to shorten it up — if there are extensive structural changes made to an existing building, for example, removing bearing walls — walls that support the roof the entire way down through the building to the foundations — if doorways, particularly doorways that provide egress, are moved, then the code has to apply. In a general sense, basic remodeling, drywalling, repaneling, putting new ceilings in, and those types of things are not included in the provisions of the code.

But again, there is a very detailed formula that one must walk through step by step in order to determine a grading system. The final grade, after all of the variables are calculated, determines whether or not the building must be covered under the provisions of BOCA, and that grading system is completed by the building enforcement officer when an individual asks to have it evaluated for permit status.

Mr. CAWLEY. Okay.

Do you have the bill in front of you, Mr. Speaker?

Mr. WAUGH. I do.

Mr. CAWLEY. On page 14, line 30—

Mr. WAUGH. Yes.

Mr. CAWLEY. —where it states, “The department may establish by regulation plan review and inspection fees where the department is responsible for administration and enforcement and requirements for municipal notification to the department of ordinance adoption and repeal under Chapter 5.” Could you clarify that for me? What fees are you talking about?

Mr. WAUGH. Mr. Speaker, this section regarding fees developed by the department would apply in the case of a

municipality that has chosen not to provide enforcement. When a municipality elects — and they have that right under the bill — when they choose not to provide enforcement in the case of commercial, industrial, institutional, anything other than one- and two-family dwellings, the Department of Labor and Industry then will provide, shall provide, I should say, the plan review and inspection services for that municipality. These fees would be developed in an effort to cover the costs associated with those inspections, or I should say, the inspections in those municipalities.

Mr. CAWLEY. All right. Thank you, Mr. Speaker.

Mr. Speaker, ordinances of municipalities in effect prior to, now with the amendment, prior to January 1 of 1996, which contain provisions which exceed the requirements as proposed under this act, they shall remain in effect until the year 2003. Is that correct?

Mr. WAUGH. That is correct.

Mr. CAWLEY. Okay.

After that, the local ordinances are rescinded. Is that correct? After 2003, a municipality has an ordinance that may exceed the requirements of this bill, so after 2003 those ordinances are then repealed. Is that correct?

Mr. WAUGH. Unless the municipality elects to go through the process that is outlined in the bill. There is a process outlined that gives municipalities the opportunity to exceed the provisions of the code. That process involves the usual ordinance adoption process, and provided there are no appeals by an aggrieved party or individual, the municipality may adopt. If there is a challenge, the Department of Labor and Industry then reviews the municipality's ordinance and issues a finding at that point, or I should say, during the review process, the municipality is charged with the responsibility of providing unique, compelling circumstantial evidence as to why they would like to exceed provisions of BOCA.

Mr. CAWLEY. Okay.

It appears to me, Mr. Speaker, if you look at page 16, line 25, that it is very specific, where it states "Ordinance adopted after January 1" — with the new amendment — "1996." You can read on, and we will get to the line 30: "...THE REGULATIONS PROMULGATED UNDER this act, at which time the municipal building code ordinance shall be preempted by the regulations promulgated under this act and shall be deemed thereafter to be rescinded." I mean, it looks pretty clear that that is what is going to take place. Subsequently, I would assume that a municipality could then reintroduce new ordinances which would exceed the code. Is that correct?

Mr. WAUGH. Mr. Speaker, just so I understand your question, you are reading from page 16, line 25, to subsection (c)?

Mr. CAWLEY. That is right. All the way to page 17, line 3.

Mr. WAUGH. Right. That section does not deal with ordinances enacted prior to what is now 1996 with Mr. Tulli's amendment. It deals with ordinances adopted after.

Mr. CAWLEY. Okay.

Mr. Speaker, let us get into an ordinance that is adopted prior to this act becoming law and the ordinance was adopted prior to January 1 of 1996. Let us assume, for instance, in a municipality the new code would state — and I believe this is the fact under the new BOCA Code — that say, for instance, in rooming houses that a fire alarm has to be placed in the hallways of that rooming house — and we are talking about a rooming house with no more than two floors; it maybe at one time was used as a home or a larger home or a duplex — and the code calls for that fire alarm to be placed in

the hallways. The local code enforcement officials and the fire inspector from that municipality feel that in this particular case, in rooming houses, it would be much safer to have a requirement that those fire alarms be placed in that room in addition to in those hallways because they feel that in rooming houses, because they have one room or maybe two rooms at the most, that is where many of the fires begin — from careless smoking or hot plates or something else like that — and yet the code, this new adopted code, may not require this fire alarm to be placed in those rooms; they only have to be placed in the hallway. The local officials then feel that they would want those fire alarms placed in the room, so that would mean that that is going to exceed this proposed law.

So let us assume that this takes place — a local ordinance is proposed and it is going to exceed this — give me step by step — I mean, my understanding is, prior to this ordinance becoming law or if anyone objects to this — and in some cases where you have municipalities that may have 5 or 6 or 7 or 10 or 15 rooming houses, you are probably going to have a lot of people complaining, and the people complaining are going to be those people who own those rooming houses — they are then going to make a complaint; they want to appeal this. This appeal now takes place down here in Harrisburg in the Department of Labor and Industry? Is that correct?

Mr. WAUGH. You rolled quite a few questions into that. I just want to back up so I understand your question.

Mr. CAWLEY. Okay.

Mr. WAUGH. You started off by saying, let us assume that this situation happened in a municipality who had adopted an ordinance that exceeded the code —

Mr. CAWLEY. That is right.

Mr. WAUGH. —and they adopted this ordinance prior to 1996. Is that correct?

Mr. CAWLEY. That is correct.

Mr. WAUGH. Okay. First of all, that municipality's ordinance would carry through to the year 2003.

Mr. CAWLEY. That is right.

Mr. WAUGH. At that time the municipality would then have to make a decision. Either they were going to bring the ordinance into compliance with the current provisions of BOCA — at that time, as far as I can tell, you would probably be looking at the 2003 version, so there are actually two rewrites between now and then — but if that were not the case or if they chose to go ahead and apply for an exception, if the rewrites did not include what they wanted, then they would have to apply for the exception, and when they make application, if there is an appeal, as you have indicated, there would not be a hearing — Just a minute. The only hearing that would be required would be a public hearing that would be held in the local municipality when they filed the ordinance. When they filed the ordinance to exceed, they would be required, under HB 1173, to hold a public hearing prior to the adoption of the ordinance.

Mr. CAWLEY. Mr. Speaker, can I interrupt you?

Mr. WAUGH. Sure.

Mr. CAWLEY. Are they required now to hold that public hearing today if they were to adopt an ordinance? Is that presently a requirement? I know it is a requirement with the new proposed bill, but is that a requirement now?

Mr. WAUGH. Today municipalities are not required to hold public hearings. They are required to take action on ordinances at public meetings after having advertised an ordinance for adoption.

Mr. CAWLEY. Okay.

Can I continue, Mr. Speaker?

On page 25, line 16— I am sorry, Mr. Speaker; page 29, line 1, "Repeals." This bill would repeal sections of the Fire and Panic Act. Could you explain to me what the reason for that is and what sections of the Fire and Panic Act are being repealed. I see the sections here in the bill, but I do not have the Fire and Panic Act in front of me.

Mr. WAUGH. There are sections of the Fire and Panic Act repealed. The sections that are repealed deal specifically with egress in the event of an emergency in a public building.

The provisions contained in BOCA, in the BOCA Code, there is a chapter that deals with exactly what our current Fire and Panic Act does — in fact, in a better way, in my opinion. We would actually be upgrading the fire and panic protection from a previous act that we now have in place and incorporating the current provisions of the BOCA chapter that deals with fire and panic regulations.

Mr. CAWLEY. Thank you for explaining that, Mr. Speaker.

This bill also repeals the Elevator Regulation Law. Why is that?

Mr. WAUGH. Essentially the same explanation, and that is that the BOCA Code, if you look at the BOCA Code book, you will see that there is a complete chapter that deals with elevator and conveying systems, and under HB 1173, the provisions of that chapter would now apply with respect to elevators and conveying systems.

Mr. CAWLEY. Okay.

Would that be the same reason why the act regarding restrooms and facilities where the public congregates and restroom facilities for women, is that why that is being repealed, because there is a new part in the new law?

Mr. WAUGH. Yes.

Mr. CAWLEY. Okay.

Let us get into the— Act 235 of 1965 is repealed regarding accessibility to facilities by persons with physical handicaps. Now, as you know, we have received literature from those persons with disabilities expressing concerns with this bill. Have those concerns been met?

Mr. WAUGH. I believe the concerns have been addressed since the original bill was written. That is my personal belief. There is a complete chapter, again, in BOCA that deals with accessibility and provisions for folks with disabilities.

In several meetings that were attended by individuals representing folks with disabilities, I asked the question of their representatives as to their feelings regarding the differences between our current Act 235 and the chapter that deals with accessibility that is contained in BOCA. Some of the organizations contend that they are about equal. Some of the groups answered that BOCA actually may provide better protection for folks with disabilities than what our current act actually provides. The concern deals primarily with enforcement, not practical aspects of the BOCA Code, but the enforcement once it is enacted.

Today in Pennsylvania we have what should be considered one of the best enforcement procedures, I am going to say in the

country, with regard to monitoring the installation of provisions for accessibility. The concern that we have heard expressed all along is that when local municipalities under HB 1173 begin to enforce all aspects of construction, including the chapter that deals with accessibility, we are going to lose the oversight and enforcement authority that we currently have with Labor and Industry. Today's law is enforced by inspectors from L&I.

Mr. CAWLEY. With the exception of three municipalities in the State. Correct?

Mr. WAUGH. Yes. But in general, across the State, with the exception of the three more urban regions, L&I does the enforcement. What we would be doing under HB 1173 is saying other municipalities can now enforce the accessibility standards just the way the three larger municipalities do. There is a concern from citizens with disabilities or from their groups that represent them also that the local municipalities will not provide the enforcement that L&I has provided.

I mentioned earlier, when Mr. Adolph spoke, that I have been working in an effort to achieve an agreement with these organizations. They asked specifically — and I have a letter here from PCCD if you would like to see it — they specifically asked for four amendments to HB 1173 that would then allow them to agree to repeal Act 235. Today, through the amendment process, we have achieved two of the four. I have made a commitment, because of time, to work with PCCD in the Senate, if the bill passes today, to try to resolve the last two parts of their concerns.

I just want to make it clear here. I still support the repeal of Act 235, but support of the repeal of Act 235 comes only with the understanding that we provide the protections that folks with disabilities are looking for, and if we can achieve those last two amendments in the Senate, I believe we will be able to accomplish that.

Mr. CAWLEY. Thanks, Mr. Speaker.

Just a couple more questions.

The Pennsylvania League of Cities stated in a letter dated 6/2/97 to all House members that the language pertaining to penalties established for violations of acts needs to specify whether or not municipalities are subject to penalties. Are municipalities subject to penalties?

Mr. WAUGH. The way the bill reads — and I will read from section 902, "Penalties"; if you would like to look at it, it is on page 28, the top of the page, line 1 — penalties apply to individuals, firms, or corporations that violate provisions of the act. My reading and my understanding is that municipalities are not subject to fines and penalties under this bill.

Mr. CAWLEY. Was that your intent?

Mr. WAUGH. Yes.

Mr. CAWLEY. I mean, that was the intent of the maker of this?

Mr. WAUGH. Yes.

Mr. CAWLEY. And why would not municipalities who are in violation of any of this not be subject to fines or penalties?

Mr. WAUGH. I think we would have an awful time; in fact, during many of the work sessions in which local government groups were involved, there was a concern all along that local municipalities were going to be hanging, so to speak, with liability involving this. I actually believe that we are not going to see a huge difference or a great difference in the number of municipalities that provide enforcement and those who do not. I think things are going

to go along sort of the way they have been for the last several years in terms of enforcement. We will see some municipalities come on line and adopt the code, but I think we will see an awful lot that prefer to use the provisions in the bill that allow for them not to enforce. But as far as the municipality being liable for penalties, it is not a part of the bill.

Mr. CAWLEY. And, Mr. Speaker, it was mentioned here this afternoon that under last year's bill, one of the Representatives mentioned that they met with people in the business — persons from BOCA, persons from municipalities, so on and so forth. Can you answer this question: Was every municipality in this Commonwealth notified that this task force was being formed and they were interested in what those persons from those municipalities had to say regarding the structuring of this bill?

Mr. WAUGH. Can I ask for clarification?

Mr. CAWLEY. Sure.

Mr. WAUGH. You say a task force. I am not sure that I understand the question.

Mr. CAWLEY. I believe the bill that was passed last year here in the House—

Mr. WAUGH. Yes.

Mr. CAWLEY. —so prior to that bill being drafted, a committee was formed that sought input from various municipalities, so on and so forth, and I know this. This is not to be negative, but were all the municipalities made aware of this?

Mr. WAUGH. All the municipalities were not specifically mailed to and notified of the special subcommittee. However, I can tell you that the attendance was excellent, as I recall, by pretty much all of the associations that represent the various municipal groups.

Mr. CAWLEY. Okay. Very important to the municipalities that I represent: Fees that are collected presently from the Department of Licensing and Inspections within, say, the city of Scranton, would this bill any way impede that municipality from collecting those fees — which, of course, the fees are collected so that they can then go out and inspect the work that is being done by various contractors or homeowners — will this impede those fees whatsoever?

Mr. WAUGH. No, there should be no change, Mr. Speaker. In fact, I will go a bit further and say that there was one chapter in particular that since last year has been removed from the requirement that changes have to go through this process of ordinance adoption. That is chapter 1.

Chapter 1 in the code is the administrative portion. It talks about the establishment of a fee scale — how the fees are handled, the type of accounts, et cetera. Municipalities under HB 1173 are allowed a great deal of flexibility in terms of fees, not only fees but the entire administration of this program at the local level.

Mr. CAWLEY. Last— And thank you very much for your cooperation, Mr. Speaker.

Mr. WAUGH. You are welcome.

Mr. CAWLEY. In the letter from the Pennsylvania League of Cities, it states that finally, although reviewing challenged ordinances is a beneficial procedure, the Department of Labor and Industry should not be the sole determiner of whether or not to veto an ordinance. Rather, a review board should be established which would provide for equal representation for both the municipalities of fire service and the building and trades industry in addition to a representative from the Department of Labor and Industry. Was

that discussed? I mean, it sounds like it makes some sense, because I do know that a lot of municipalities are complaining about the ultimate power that is going to go to the Secretary of Labor and Industry over this.

Mr. WAUGH. Mr. Speaker, this particular point has been debated throughout our discussions on the bill. There was actually a point in time in the bill last session that would have established a council or review council, if you will, and there were disagreements as to whether a council would be effective, because, of course, no particular interest wanted any more members on than the other particular interest. So we ended up with a council that effectively balanced itself out to the point that there needed to be someone to make a final call or a final decision, an arbitrator, if you will. And after much discussion — a lot of that discussion took place with the task force and within the Local Government Committee — it was decided that the decision might as well just be made through the department with the review process. I am sure what will happen is, although it says the Secretary, there will be recommendation made and the Secretary will then issue a determination.

Let me mention while we are on that point, I think it is important to note that there are very specific standards outlined in HB 1173. This section was a point of much discussion, quite a bit of change over the last couple of years. But you may recall, the last time the bill ran here in the House, we talked about the standards that the review by L&I must adhere to. They must specifically look for certain unique and compelling local, climatic, geologic, topographic, and compelling, and I should say and safety circumstances or conditions that would justify an exception.

In addition, the exception shall be adequate for the purpose intended and meet the standard of performance equal to or greater than that prescribed by the BOCA National Building Code. And finally — and this is one that received a lot of debate the last time we were here — the exception would not diminish or threaten the health, safety, and welfare of the public in that municipality. So it is not an arbitrary call by the Secretary; it is very specific. It must be dealt with under the standards that are outlined in the bill.

Mr. CAWLEY. Would you agree, Mr. Speaker, that that rooming house scenario that I ran by you, that if the present law and the new law under the proposal states that in all rooming houses there only has to be a fire alarm in the hallways and there are local municipalities and fire officials and enforcement officials that believe, because of the circumstances regarding rooming houses, that those alarms should also be included in the rooms, which then it would make it more stringent than the law is, that that exemption should be granted or that that addition should be granted by the Secretary of Labor and Industry?

Mr. WAUGH. Are you asking me if I personally agree with that?

Mr. CAWLEY. Yes.

Mr. WAUGH. I do. I believe there should be smoke alarms in every sleeping room, whether it is a private residence or a multifamily residence. That is my personal feeling, my personal belief.

If you are asking me what would happen for that type of a request at L&I, I do not know that I can give you an answer to that. I can only give you my personal feeling.

Mr. CAWLEY. I appreciate that. I am in agreement with your personal feeling. But I would think that many of the members and

the people that we represent would be more comfortable if they did know in fact what the Secretary of Labor and Industry felt regarding an issue such as this; because this is a very, very important issue, and it happens, in my opinion anyway, versus— And this bill is a fine bill as proposed. I think that there are some changes and some things — and I know you cannot have anything in this world totally perfect, but I do believe that stands out like a sore thumb. And this was not me dreaming this up. This is from talking to officials from the city of Scranton, that I would like to know that the Secretary of Labor and Industry maybe could, before this bill is acted on in the Senate, put an amendment in to—

The SPEAKER pro tempore. Will the gentleman suspend.

Mr. CAWLEY. Sure.

The SPEAKER pro tempore. Is the gentleman still interrogating?

Mr. CAWLEY. Closing statement, Mr. Speaker.

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

Mr. CAWLEY. I would appreciate, if you would support that, if you feel that way, that we would try to get an amendment if it is needed — and it is not really clear in the bill — but would be able to get an amendment put through in the Senate which would address this issue, because I think, as you agreed, it is a serious issue.

Mr. WAUGH. I am not— I would like to make sure that I understand.

The SPEAKER pro tempore. Well, there was no question asked. The gentleman had concluded his interrogation and made a statement on final passage.

Has the gentleman concluded his remarks?

Mr. CAWLEY. With the last question, Mr. Speaker.

Would you, Mr. Speaker, support having the Secretary of Labor and Industry and people whose committee this is going to go in in the Senate look at this issue that we have been discussing the past 5 minutes?

Mr. WAUGH. Yes.

Mr. CAWLEY. Thank you. Thank you, Mr. Speaker.

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

Mr. NICKOL. Mr. Speaker, would the prime sponsor consent to a brief interrogation?

The SPEAKER pro tempore. I believe he will. You are in order and may proceed.

Mr. NICKOL. Mr. Speaker, section 701(d) of the bill, page 25, lines 19 to 24, provides for a waiver of training requirements. What is the intent with regard to who might qualify for this waiver?

Mr. WAUGH. Mr. Speaker, the intent of section 701(d) is to require the Department of Labor and Industry to develop a waiver procedure for individuals who have recently completed substantially similar training and certification programs. In other words, there is a very important part of this bill that we often do not talk about, but it has to do with the certification and training of inspectors.

Under the bill, an individual who is to become a certified State inspector is required to go through a certain standard for training. I am assuming at this point that would probably be the BOCA standard for training. Section 701 says that if an individual, for example, had this training prior to the regs being adopted or prior to the law being put in place maybe a year ago, that they would be

brought in as having been recently certified and be a part of the certification process.

Mr. NICKOL. Thank you, Mr. Speaker.

That completes my interrogation.

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

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, I planned on interrogating the maker of the legislation. However, Representative Gaynor Cawley preempted most of the questions I was going to ask.

I recall, during the opening statements about the legislation, that the gentleman, Mr. Waugh, explained that a lot of work was done with many interested organizations, and I would like to commend Mr. Waugh for the work that has been done. I have long supported a statewide building code.

I reluctantly ask the members of the chamber, however, to vote “no” on final passage of this particular bill because of a few concerns that were raised by Representative Cawley, some objections by our municipalities, the League of Cities, the Pennsylvania Building Trades Council, and some other organizations who have not yet completely bought into this so-called compromise.

The legislation, Mr. Speaker, was designed over the many years that I have had a statewide building code before me in the committee. Its original intent was to ensure that all municipalities who do not have a code must follow a minimum code. That was the original intent of a statewide building code.

The way this legislation is drafted, however, would allow beyond the year 2003 many of our municipalities that have adopted codes that exceed BOCA, in instances like Mr. Cawley mentioned, where there are apartment complexes or tenement buildings or situations where a row of housing is constructed, because we live in municipalities that were built by the coal barons back in the late 1800's and we have 25 attached houses, and those houses, if they are under major remodeling or reconstruction, those municipalities may have adopted ordinances to ensure that an entire block does not burn down. Therefore, some of our municipalities have already adopted codes that exceed BOCA. The city of Philadelphia is particularly in a situation beyond the year 2003, where the Philadelphia Representatives here may find themselves very hard-pressed to explain why we are going backwards on some of the codes in that municipality. The same thing can be said for Allegheny County.

I believe that this legislation is 95 percent there. I think that a few amendments in the Senate could remedy some of the concerns expressed by the questions of the gentleman, Mr. Cawley, and I also agree with Mr. Cawley that a board ought to hear the appeals expressed by a municipality who is having one of their codes shot down or revoked unilaterally by the Secretary of Labor. Sometimes 2 or 3 or 6 or 10 heads are better than one.

If the argument is that there would be equal number of firefighters and municipal leaders on one side and building tradesmen and building contractors on the other and they would offset each other and the Secretary is going to make the decision as a tiebreaker anyway, then we might as well do away with every board and commission in this State and just let the Secretary, who is normally the tiebreaker, make a decision without respect to the makeup of the board who is giving advice, because every once in

a while, Mr. Speaker, a municipal leader will agree with both the firefighter and a construction worker or perhaps with a firefighter and a builder against a building tradesman's position.

Therefore, Mr. Speaker, I do believe that a board, which I supported in the legislation that we adopted last session, should be reinserted in this bill. It is my hope that these minor corrections will be made in the Senate. I am not under any illusions that my speech is going to change the final outcome of today's vote, but I would like to go on record as a reluctant "no" vote, because although this bill is 95 percent where it ought to be, I think we could probably get to 98 or 99 percent of where we ought to be.

Thank you, Mr. Speaker.

On the question recurring,
Shall the bill pass finally?

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

YEAS—140

- | | | | |
|--------------|------------|------------|---------------|
| Adolph | DiGirolamo | Major | Sather |
| Allen | Eachus | Markosek | Saylor |
| Argall | Egolf | Marsico | Schroder |
| Armstrong | Fairchild | Mayernik | Schuler |
| Bard | Fargo | McCall | Semmel |
| Barley | Fichter | McGill | Serafini |
| Barrar | Fleagle | McIlhattan | Shaner |
| Battisto | Flick | McNaughton | Smith, B. |
| Bebko-Jones | Gannon | Michlovic | Snyder, D. W. |
| Benninghoff | Geist | Miller | Stairs |
| Birmelin | George | Mundy | Steelman |
| Boscola | Gigliotti | Nailor | Stern |
| Browne | Gladeck | Nickol | Stetler |
| Bunt | Godshall | O'Brien | Stevenson |
| Buxton | Gordner | Olasz | Strittmatter |
| Cappabianca | Gruitza | Orie | Sturla |
| Carone | Gruppo | Perzel | Tangretti |
| Chadwick | Habay | Pesci | Taylor, E. Z. |
| Civera | Haluska | Petrarca | Taylor, J. |
| Clymer | Hanna | Petrone | Travaglio |
| Cohen, L. I. | Harhart | Phillips | Trello |
| Colafella | Hennessey | Pippy | Trich |
| Conti | Herman | Platts | True |
| Cornell | Hershey | Ramos | Tulli |
| Corpora | Hess | Raymond | Vance |
| Corrigan | Itkin | Readshaw | Van Horne |
| Cowell | Kaiser | Reinard | Veon |
| Coy | Kenney | Rieger | Vitali |
| Curry | Kirkland | Roberts | Waugh |
| Daley | Krebs | Rohrer | Wilt |
| Dally | Laughlin | Rooney | Wogan |
| DeLuca | Leh | Ross | Wright, M. N. |
| Dent | Lescovitz | Rubley | Yewcic |
| Dermody | Lynch | Sainato | Zimmerman |
| DeWeese | Maitland | Santoni | Zug |

NAYS—50

- | | | | |
|-------------|-----------|-----------|--------------|
| Baker | Cohen, M. | Lloyd | Robinson |
| Belardi | Colaizzo | Lucyk | Seyfert |
| Belfanti | Dempsey | Manderino | Smith, S. H. |
| Bishop | Druce | McGeehan | Staback |
| Blaum | Feese | Melio | Steil |
| Boyes | Hasay | Micozzie | Thomas |
| Brown | Jadlowiec | Mihalich | Tigue |
| Butkovitz | James | Myers | Walko |
| Caltagirone | Jarolin | Oliver | Washington |
| Carn | Josephs | Pistella | Williams, C. |
| Casorio | Keller | Preston | Wojnaroski |
| Cawley | Lawless | Reber | Youngblood |
| Clark | Lederer | | |

NOT VOTING—0

EXCUSED—13

- | | | | |
|------------|-----------|-----------------|---------|
| Donatucci | LaGrotta | Roebuck | Ryan, |
| Evans | Levdansky | Scrimenti | Speaker |
| Horsey | Masland | Surra | |
| Hutchinson | Pettit | Williams, A. H. | |

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.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 196 By Representatives FLICK, PISTELLA, SAYLOR, TRICH, ARMSTRONG, DENT, HENNESSEY, SEYFERT, BARD, HORSEY, BARRAR, ZIMMERMAN and EGOLF

A Concurrent Resolution memorializing Congress to adopt certain "Sense of the Congress" language to clarify the intent of Congress in enacting the Unfunded Mandates Reform Act of 1995.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, June 3, 1997.

RULES COMMITTEE MEETING

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

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 84, PN 1916 (Amended) By Rep. PERZEL

A Resolution directing the Urban Affairs Committee to inquire into the practices of municipal authorities.

RULES.

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

SB 182, PN 948 By Rep. WOGAN

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

CONSUMER AFFAIRS.

RULES SUSPENDED

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

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended so that the House may immediately consider HR 84, PN 1916, on supplemental calendar C.

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

The following roll call was recorded:

YEAS-179

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

NAYS-9

Armstrong	Krebs	Maitland	Steelman
Carone	Lawless	Nailor	Steil
Hanna			

NOT VOTING-2

Bishop	Micozzie
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EXCUSED-13

Donatucci	LaGrotta	Roebuck	Ryan,
Evans	Levdansky	Scrimenti	Speaker
Horsey	Masland	Surra	
Hutchinson	Pettit	Williams, A. H.	

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. PETRONE called up HR 84, PN 1916, entitled:

A Resolution directing the Urban Affairs Committee to inquire into the practices of municipal authorities.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-189

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

Curry	Lederer	Rohrer	Wright, M. N.
Daley	Leh	Rooney	Yewcic
Dally	Lescovitz	Ross	Youngblood
DeLuca	Lloyd	Rubley	Zimmerman
Dempsey	Lucyk	Sainato	Zug
Dent			

NAYS-0

NOT VOTING-1

Bishop

EXCUSED-13

Donatucci	LaGrotta	Roebuck	Ryan,
Evans	Levdansky	Scrimenti	Speaker
Horsey	Masland	Surra	
Hutchinson	Pettit	Williams, A. H.	

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

SUPPLEMENTAL CALENDAR D

RESOLUTION PURSUANT TO RULE 35

Mr. B. SMITH called up HR 197, PN 1921, entitled:

A Resolution observing the week of June 2 through 8, 1997, as "National Fishing Week" and proclaiming June 7, 1997, as "Fish for Free Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-187

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

Cappabianca	Haluska	Orie	Tigue
Carn	Hanna	Perzel	Travaglio
Carone	Harhart	Pesci	Trello
Casorio	Hasay	Petrarca	Trich
Cawley	Hennessey	Petrone	True
Chadwick	Herman	Phillips	Tulli
Civera	Hershey	Pippy	Vance
Clark	Hess	Pistella	Van Home
Clymer	Itkin	Platts	Veon
Cohen, L. I.	Jadlowiec	Preston	Vitali
Cohen, M.	James	Ramos	Walko
Colafiglia	Jarolin	Raymond	Washington
Colaizzo	Josephs	Readshaw	Waugh
Conti	Keller	Reber	Williams, C.
Cornell	Kenney	Reinard	Wilt
Corpora	Kirkland	Rieger	Wogan
Corrigan	Krebs	Roberts	Wojnaroski
Cowell	Laughlin	Robinson	Wright, M. N.
Coy	Lederer	Rohrer	Yewcic
Curry	Leh	Rooney	Youngblood
Daley	Lescovitz	Ross	Zimmerman
Dally	Lloyd	Rubley	Zug
DeLuca	Lucyk	Sainato	

NAYS-1

Steelman

NOT VOTING-2

Kaiser Lawless

EXCUSED-13

Donatucci	LaGrotta	Roebuck	Ryan,
Evans	Levdansky	Scrimenti	Speaker
Horsey	Masland	Surra	
Hutchinson	Pettit	Williams, A. H.	

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

INTERGOVERNMENTAL AFFAIRS
COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Flick, who announces that the House Intergovernmental Affairs Committee will briefly meet in the rear of the House upon the adjournment for the purpose of considering HR 196.

There will be no further votes in today's session.

Mr. COY. Mr. Speaker?

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

Mr. COY. To inquire of the Chair about tomorrow's schedule.

The SPEAKER pro tempore. The Chair has been advised by the majority leader's office that tomorrow will be a nonvoting, token session day.

Mr. COY. Thank you, Mr. Speaker.

RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne County, Mr. Eachus.

Mr. EACHUS. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 4, 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 5:05 p.m., e.d.t., the House adjourned.