

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, OCTOBER 6, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 52

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

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

Let us pray:

Creator of the universe, giver of all life, we gather before You this Monday afternoon, acknowledging Your presence and pausing to invite Your participation in the decisions to be made and the work to be done on behalf of our Commonwealth.

Monday can be a tough day as we remember work left over, new work to be done, and the other demands of people which hardly give us time to think. So we pause and ask that You will enable us to take one step at a time and to think through each challenge carefully so that our constituents are assured of our deliberate commitment to truth and achievement on their behalf.

We pause, too, to remember our colleague and fellow legislator, Herman Mihalich, and his many contributions to the work of this legislature. We pray for him, we pray for his family, and now we pray in thanksgiving for the fresh start to a new day, a new week, and the opportunity to live a new day filled with the promise of success.

We give Thee thanks, O God. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, October 1, 1997, will be postponed until printed. The Chair hears no objection.

### JOURNAL APPROVED

The SPEAKER. Without objection, the Journal for Wednesday, April 2, 1997, will stand approved as printed. The Chair hears no objection. The Journal stands approved.

#### ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, it should be noted that the page lights — the switches on your desks which summon pages or advise pages that you have need for their services — are inoperable today. So you can raise your hands, and I will excuse you.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 1859** By Representatives STAIRS, GEIST, OLASZ, READSHAW, BELARDI, GEORGE, GIGLIOTTI, HERMAN, KAISER, MICOZZIE, HERSHEY, HALUSKA, MELIO, DONATUCCI, WOGAN, BUNT, JOSEPHS, BELFANTI, LEVDANSKY, DRUCE, E. Z. TAYLOR, L. I. COHEN, MCGEEHAN, WALKO, GODSHALL, CURRY, WAUGH, TRICH, PETRARCA, RAYMOND and J. TAYLOR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for credits for emission inspection tests.

Referred to Committee on TRANSPORTATION, October 6, 1997.

**No. 1860** By Representatives McCALL, COY, THOMAS, GEORGE, COLAIZZO, COWELL, CURRY, BELARDI, OLASZ, BEBKO-JONES, STURLA, SCRIMENTI, SHANER, BATTISTO, ORIE, TIGUE, LEVDANSKY, HERMAN, MELIO, BLAUM, JOSEPHS, GRUITZA, STABACK, WALKO, CORRIGAN, HALUSKA, MUNDY, VEON, BELFANTI, SURRA, ITKIN, ROBERTS, RAMOS, TRICH and MANDERINO

An Act amending the act of December 2, 1992 (P.L.741, No.113), known as the Children's Health Care Act, further providing for children's health care; and making a repeal.

Referred to Committee on AGING AND YOUTH, October 6, 1997.

**No. 1861** By Representatives PIPPY, STERN, DALEY, TRELLO, D. W. SNYDER, ZUG, E. Z. TAYLOR, DENT, PISTELLA, HERSHEY, TANGRETTI, WOGAN, PETRARCA, NAILOR, SEYFERT, CHADWICK, PLATTS, HENNESSEY, BELFANTI, READSHAW, B. SMITH, BARRAR, ROONEY, STABACK, BENNINGHOFF, C. WILLIAMS, HUTCHINSON, ORIE, BARD, MUNDY, GEORGE, McNAUGHTON, WAUGH, SCHULER, EGOLF, CURRY, COLAIZZO, CIVERA, ROSS, HERMAN, ARGALL, BELARDI, McILHATTAN, BROWNE and ROBERTS

An Act providing for a waiver of tuition and other fees for children of certain deceased police officers, firefighters and armed forces service personnel at community colleges and State-owned and State-related institutions of higher education; and providing for additional powers and duties of the Pennsylvania Higher Education Assistance Agency and the Department of General Services.

Referred to Committee on EDUCATION, October 6, 1997.

**No. 1862** By Representatives DRUCE, PIPPY, PETRARCA, READSHAW, TULLI, GIGLIOTTI, McCALL, TRELLO, FICHTER, PESCI, WALKO, HABAY, BELFANTI, KENNEY, CIVERA, ORIE, BUNT, WOGAN, STAIRS, BARRAR, HALUSKA, LEVDANSKY, DALLY, JOSEPHS, ZUG, DALEY, SHANER, RAYMOND and SEYFERT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for fee limitations for the emission inspection program.

Referred to Committee on TRANSPORTATION, October 6, 1997.

**No. 1864** By Representatives GODSHALL, BARLEY, SAYLOR, COLAIZZO, GIGLIOTTI, OLASZ, PRESTON, BROWN, BATTISTO, ORIE, ROBERTS, MICOZZIE, McNAUGHTON, LEDERER, BELFANTI, HALUSKA, CIVERA, E. Z. TAYLOR, LUCYK, HASAY, MILLER, LEH, WAUGH, EGOLF, PLATTS, STERN, BOSCOLA, FARGO, LAUGHLIN, GEIST, COY, FICHTER, HERMAN, PESCI, ZIMMERMAN, KAISER, HUTCHINSON, BAKER, BUNT, L. I. COHEN, MAJOR, TRELLO, MARSICO, WILT, BENNINGHOFF, SEYFERT and RAYMOND

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, providing for the phased reduction and elimination of the tax on amusements and for recovery of extraordinary expenses.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, October 6, 1997.

**No. 1865** By Representatives BUNT, LYNCH, BARRAR, MASLAND, PESCI, JAROLIN, CONTI, TIGUE, EACHUS, SCHRODER, PETRARCA, FAIRCHILD, ARMSTRONG, STEELMAN, PETRONE, KREBS, RUBLEY, KENNEY, ARGALL, BARD, HERMAN, WAUGH, VANCE, WOGAN, DENT, STEIL, FICHTER, STEVENSON, STABACK, LEVDANSKY, MELIO, TANGRETTI, RAYMOND, CARONE,

SAYLOR, HANNA, PLATTS, D. W. SNYDER, GANNON, SEMMEL, BOSCOLA, MAITLAND, BROWNE and SEYFERT

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing the use of an initiative process to amend the Constitution as a power reserved to the people.

Referred to Committee on STATE GOVERNMENT, October 6, 1997.

**No. 1866** By Representatives BUNT, MANDERINO, D. W. SNYDER, E. Z. TAYLOR, TIGUE, BELARDI, OLASZ, MELIO, LAUGHLIN, GIGLIOTTI, BROWN, WALKO, ZIMMERMAN, BELFANTI, PRESTON, RAMOS, CLARK, STABACK, ITKIN, CURRY, YOUNGBLOOD, JOSEPHS, CIVERA, STEELMAN, BOSCOLA, TRELLO, MAITLAND, BROWNE, BENNINGHOFF and C. WILLIAMS

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, requiring issuers of life insurance policies to provide written, detailed reasons to applicants who are denied life insurance policies.

Referred to Committee on INSURANCE, October 6, 1997.

**No. 1867** By Representatives BUNT, FICHTER, ITKIN, FAIRCHILD, MANDERINO, TIGUE, BELARDI, CORRIGAN, GANNON, RUBLEY, HALUSKA, FARGO, LAUGHLIN, PESCI, JAROLIN, HERSHEY, WALKO, SAINATO, COY, ZIMMERMAN, SCRIMENTI, BELFANTI, PRESTON, SAYLOR, RAMOS, YOUNGBLOOD, WASHINGTON, DALLY, STABACK, E. Z. TAYLOR, SEMMEL, TRELLO, CARN, WILT and PETRARCA

An Act imposing obligations on certain motor vehicle lessors regarding security deposits; and providing remedies.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, October 6, 1997.

**No. 1868** By Representatives S. H. SMITH, WILT, LAUGHLIN, CLARK, TULLI, E. Z. TAYLOR, PLATTS, ARGALL, BARRAR, FICHTER, JOSEPHS, SATHER, RUBLEY, PESCI, MASLAND, THOMAS, SEYFERT, BENNINGHOFF, STEELMAN and TRELLO

An Act providing for the protection of public participation in environmental matters and for certain damages.

Referred to Committee on JUDICIARY, October 6, 1997.

**No. 1869** By Representatives GODSHALL, BROWN, LAUGHLIN, GEIST, COY, HERMAN, ZIMMERMAN, KAISER, BAKER, FAIRCHILD, BUNT, L. I. COHEN, STEELMAN, TRELLO, COLAIZZO, McCALL, OLASZ, SAINATO, BATTISTO, GORDNER, MICOZZIE, ARGALL, McNAUGHTON, ITKIN, RAMOS, LEDERER, YOUNGBLOOD, BELFANTI, HALUSKA, CIVERA, STABACK, E. Z. TAYLOR, LUCYK, MILLER, WAUGH, EGOLF, RUBLEY, BOSCOLA and WILT

An Act establishing the Recreational Trails Advisory Board; providing for funding for motorized and nonmotorized recreational trails; providing for powers and duties of the Department of Conservation and Natural Resources; establishing a fund; and providing for the disposition of certain tax revenues.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, October 6, 1997.

**No. 1870** By Representatives GODSHALL, NAILOR, BELARDI, MELIO, GIGLIOTTI, OLASZ, MICHLOVIC, BELFANTI, DEMPSEY, JAROLIN, BROWN, BATTISTO, ORIE, MICOZZIE, McNAUGHTON, ITKIN, LEDERER, STABACK, YOUNGBLOOD, CIVERA, E. Z. TAYLOR, LUCYK, TRAVAGLIO, SATHER, HASAY, McGEEHAN, SEMMEL, BOSCOLA, ROBINSON, LAUGHLIN, GEIST, FICHTER, ZIMMERMAN, ROEBUCK, BUNT, TRELLO, TRICH, PISTELLA and RAYMOND

An Act providing for the regulation of sellers of travel; requiring that certain bonds be secured for the benefit of customers; requiring bank deposits; and providing penalties.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, October 6, 1997.

**No. 1871** By Representatives McCALL, DeWEESE, BELARDI, KENNEY, READSHAW, LAUGHLIN, MELIO, COY, VEON, KAISER, MICHLOVIC, OLASZ, BELFANTI, RAMOS, SATHER, CURRY, ROEBUCK, MANDERINO, JOSEPHS, ARMSTRONG, LEVDANSKY, STURLA, TANGRETTI, TRELLO, O'BRIEN, TRICH, STEELMAN and C. WILLIAMS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for prohibition on expenditures for emission inspection program.

Referred to Committee on TRANSPORTATION, October 6, 1997.

**No. 1872** By Representatives McCALL, COY, THOMAS, EVANS, GEORGE, COLAIZZO, COWELL, CURRY, BELARDI, OLASZ, BEBKO-JONES, STURLA, SCRIMENTI, SHANER, BATTISTO, ORIE, TIGUE, LEVDANSKY, HERMAN, MELIO, BLAUM, JOSEPHS, GRUITZA, STABACK, WALKO, CORRIGAN, HALUSKA, MUNDY, VEON, BELFANTI, SURRA, C. WILLIAMS, ROBERTS, MANDERINO, RAMOS, TRICH and ITKIN

An Act amending the act of May 6, 1997 (P.L. , No.4A), known as the General Appropriation Act of 1997, making an appropriation to the Department of Public Welfare for the State Child Health Insurance Program (SCHIP).

Referred to Committee on APPROPRIATIONS, October 6, 1997.

**No. 1873** By Representatives GRUPPO, O'BRIEN, BAKER, ITKIN, EGOLF, SCRIMENTI, HALUSKA, CURRY, READSHAW, MILLER, CORPORA, WALKO, LEDERER, E. Z. TAYLOR, CLYMER, TRELLO, HERSHEY, KENNEY,

ROBINSON, GANNON, C. WILLIAMS, STAIRS, DALLY, SERAFINI, OLASZ, L. I. COHEN, HENNESSEY, YOUNGBLOOD, J. TAYLOR, ADOLPH, HUTCHINSON, BOSCOLA, SATHER, CORNELL, DeLUCA, NAILOR, KAISER, RAYMOND, PERZEL, LAWLESS and SEMMEL

An Act amending the act of March 29, 1996 (P.L.46, No.15), known as the Hepatitis B Prevention Act, providing for additional requirements.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 6, 1997.

**No. 1874** By Representatives CARONE, MASLAND, PLATTS, PESCI, NICKOL, BOSCOLA, RUBLEY, E. Z. TAYLOR, STEELMAN, HENNESSEY, MILLER and SEYFERT

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the circulation and filing of nomination petitions.

Referred to Committee on STATE GOVERNMENT, October 6, 1997.

**No. 1875** By Representatives CARONE, FAIRCHILD, COLAIZZO, MASLAND, LEVDANSKY, L. I. COHEN, NAILOR, FARGO, PLATTS, COWELL, SAYLOR, ARGALL, PESCI, KREBS, HESS, NICKOL, CORNELL, WAUGH, ALLEN, TANGRETTI, B. SMITH, BOSCOLA, WOJNAROSKI, DRUCE, TRAVAGLIO, TRUE, WILT, HASAY, MELIO, LAUGHLIN, JOSEPHS, STEELMAN, MILLER, ROBERTS, GRUITZA and SEYFERT

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, changing the day for general primaries and municipal primaries.

Referred to Committee on STATE GOVERNMENT, October 6, 1997.

**No. 1876** By Representatives CARONE, MASLAND, LEVDANSKY, PLATTS, PESCI, KREBS, WAUGH, MAITLAND, BOSCOLA, WILT, HASAY, RUBLEY, ORIE, MANDERINO, MELIO, KIRKLAND, RAMOS and SEYFERT

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for persons entitled to vote.

Referred to Committee on STATE GOVERNMENT, October 6, 1997.

## HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 258** By Representatives McCALL, DeWEESE, BELARDI, READSHAW, BEBKO-JONES, CAPPABIANCA, GEIST, LAUGHLIN, GIGLIOTTI, MELIO, COY, HERMAN, BARRAR, JAROLIN, KAISER, HERSHEY, REBER, OLASZ, TIGUE, BELFANTI, DENT, RAMOS, GODSHALL, SATHER, PLATTS, CURRY, ROEBUCK, MANDERINO, BUNT,

D. W. SNYDER, JOSEPHS, SHANER, HALUSKA, DRUCE, STURLA, STABACK, TANGRETTI, BOSCOLA, TRELLO, STAIRS and STEELMAN

A Concurrent Resolution memorializing the Congress of the United States to reduce the ceiling on the cost of repairs to bring a vehicle into compliance as required by the Federal Clean Air Act of 1990.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 6, 1997.

**No. 260** By Representatives S. H. SMITH, DeWEESE, ARGALL, FICHTER, CAPPABIANCA, LYNCH, BROWN, JAROLIN, ARMSTRONG, READSHAW, PESCI, TIGUE, SHANER, LUCYK, WOGAN, PHILLIPS, PISTELLA, BELFANTI, RAYMOND, CLARK, HASAY, MASLAND, FEESE, ROBERTS, LAUGHLIN, ALLEN, OLASZ, PIPPY, BAKER, WALKO, GEIST, HERSHEY, E. Z. TAYLOR, CORRIGAN, HORSEY, YOUNGBLOOD, HUTCHINSON, MELIO, DeLUCA, ROONEY, STERN, BEBKO-JONES, TRELLO, LEH, SATHER, McNAUGHTON and DALEY

A Resolution calling upon the President of the United States to avoid entering into any new climate treaty commitments pursuant to the Berlin Mandate that could adversely affect the United States; and calling upon the United States Senate to reject any proposed protocol or amendment not in compliance with Senate Resolution No. 98.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, October 6, 1997.

**No. 264** By Representatives O'BRIEN, WOGAN, ORIE, THOMAS, BUXTON, EGOLF, GEIST, RAMOS, SHANER, SEMMEL, YOUNGBLOOD, BENNINGHOFF, COY, LAUGHLIN, RUBLEY, ROEBUCK, HENNESSEY, CAPPABIANCA, HERMAN, OLIVER, PLATTS, GRUPPO, TIGUE, SATHER, MELIO, M. COHEN, BAKER, DeLUCA, ROSS, SAYLOR, STABACK, GIGLIOTTI, C. WILLIAMS, WILT, STEELMAN, SEYFERT, HERSHEY, HALUSKA, BARD, BOSCOLA, BEBKO-JONES, E. Z. TAYLOR, READSHAW, WALKO, SCRIMENTI, FICHTER, FAIRCHILD, KENNEY, BELARDI and BELFANTI

A Resolution urging the Governor to include the nationally recognized Child Lures Community Plan in his 1998-1999 budget proposal.

Referred to Committee on RULES, October 6, 1997.

### SENATE BILL FOR CONCURRENCE

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

**SB 1136, PN 1352**

Referred to Committee on STATE GOVERNMENT, October 6, 1997.

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Snyder, who requests leave for the gentleman, Mr. O'BRIEN, from Philadelphia for today's session. Without objection, leave will be granted. The Chair hears none.

The Chair recognizes the Democratic floor leader, who requests leave of absence for the gentleman, Mr. ITKIN; the gentleman, Mr. SANTONI; the gentleman, Mr. LaGROTTA; the gentleman, Mr. PISTELLA; and the gentleman, Mr. COWELL, for today's session. The Chair hears no objection, and leaves are granted.

### MASTER ROLL CALL

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

The following roll call was recorded:

#### PRESENT—196

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

## ADDITIONS—0

## NOT VOTING—0

## EXCUSED—6

Cowell  
ItkinLaGrotta  
O'Brien

Pistella

Santoni

**HISTORY DAY PROJECT WINNERS  
PRESENTED**

The SPEAKER. The House will come to order.

The Chair recognizes the lady, Ms. Mundy, and requests the lady to come to the rostrum. The Chair recognizes the lady.

The lady, Ms. Mundy, will yield.

Members will please take their seats.

Ms. MUNDY. Ladies and gentlemen, I feel—

The SPEAKER. The lady will yield; the lady will yield.

Ms. MUNDY. Excuse me.

The SPEAKER. Staff members with the privilege of the floor do not have the privilege of conversation.

The Chair recognizes the lady.

Ms. MUNDY. Thank you, Mr. Speaker.

Ladies and gentlemen, I feel proud today to honor the academic achievements of high school and middle school students from all three of the school districts I represent and to honor the dedication and commitment of their parents and teachers.

I am pleased to introduce these students, who won in State-level competition at Penn State to take their 1996 History Day projects to the national competition at the University of Maryland.

From Wyoming Area School District, we honor today Lindsey Williams, Katie Terrana, Renae Tokash, teacher Joyce Stocker, and principal P. J. Melvin.

From Wyoming Valley West School District, we honor David Tarantini, Megan Wallowak, Mandy Finkel, Kaci Fisher, Brianne Wright, Kate Flannery, and Raelynn Zappulla, and teachers Mary Jean Tarantini and Art Valli.

From Dallas Area School District, we honor Amanda and Kathryn Palmatier, teacher Mary Ann Storz, and our school superintendent from Dallas, Dr. Gil Griffiths.

Of course, we recognize that these accomplishments were encouraged and supported by caring, dedicated, and involved parents, some of whom are with us today.

These students worked for months to prepare their impressive History Day projects, which took honors at the State and national competitions. The projects included such interesting topics as "Children of the Holocaust" and "Tiananmen Square: Struggle for Democracy." Their indepth research included actual interviews with people who were present for these historic events. I understand there was actually a phone call to Beijing to speak with someone who was in Tiananmen Square that historic day.

In order to win, these students not only relied on the displays they had created, but they demonstrated their knowledge and understanding of the importance of these events in historic context as they were interviewed by the judges.

With me at the podium are four of these outstanding students. The other students, along with their teachers and parents, are seated at the rear of the hall.

Representative Jarolin, Representative Hasay, and I would like to present these citations in recognition of these students' remarkable achievements, and if the parents and the teachers and the students at the rear of the hall and in the gallery would stand, we would ask our colleagues to join us in applauding their hard work and outstanding academic achievements. Thank you.

**MIDDLETOWN MAGIC  
GIRLS SOFTBALL TEAM PRESENTED**

The SPEAKER. The gentleman, Mr. Wright, please come to the lower podium.

The House will come to order; the House will come to order.

Mr. Wright.

Mr. WRIGHT. Thank you, Mr. Speaker.

My fellow members, I would like to welcome to the hall of the House some world-series-class softball players from beautiful Bucks County — the Middletown Magic 14-and-under girls fast-pitch softball team, the 1997 NSA (National Softball Association) and ASA (Amateur Softball Association) Pennsylvania State champions.

We are honoring these fine young women today for not only winning the State championship title of the National Softball Association and the Amateur Softball Association State title but also for their courageous representation of the Commonwealth in the two national tournaments.

On their way to these national competitions, this dedicated team of young ladies amazed most softball enthusiasts they encountered. Aside from nearly playing flawless softball, the Middletown Magic racked up some amazing stats and an unprecedented record, playing 110 games since the team was selected last year.

These 11 athletes committed themselves to a rigorous training session, and it all paid off. They competed against teams from 14 other States. From April to mid-August, they played in 12 tournaments and emerged as undefeated State champions in the NSA and ASA. These two titles qualified the Magic to compete in the National Softball Association world series in Chattanooga, Tennessee, and in the Amateur Softball Association national tournament in Rockford, Illinois. They played 9 games at the NSA nationals, placing second out of 156 teams.

The Magic finished their season with an overall record of 99 wins and 11 losses. Fifty-one of those wins were shutouts. This team truly represents the excellence that citizens of Pennsylvania strive to achieve and deserves our recognition.

I offer this citation on behalf of the Commonwealth of Pennsylvania for the excellent leadership of the team manager and coach, Roy Jenderko, along with coaches Phil Cavitt, Wendy Conley, Mike Cuozzi, Steve Dacey, and Jenn Jenderko, and to the team players — some of them are with me up front and the rest are in the back — Mary Kay Bee, Amanda Cavitt, Leah Conley, Christen Cuozzi, Sarah Crowell, Jaime-lyn Dacey, Rachel Goldberg, Jackie Jenderko, Dee Murray, Dawn Reimschuessel, and Krista VanWert, and to all the parents who came today and supported the team throughout the season.

It is an honor for myself, my colleagues, and all the citizens of Pennsylvania to congratulate those who represented us — the Middletown Magic 14-and-under girls fast-pitch softball team — at the national softball championships, and I would like for the team in the back to rise, and I would like the House to recognize the team on their job well done.

The SPEAKER. The House will be temporarily at ease until the guests at the rear of the House clear the chambers. Then we will begin the memorial services.

### MEMORIAL SERVICE FOR HON. HERMAN MIHALICH

The SPEAKER. Even though we were aware of the illness of our friend and colleague, Herman Mihalich, it was nevertheless a shock last week to learn of his untimely death. We are all deeply saddened.

As is our custom, we will now take a few moments for a memorial service to reflect upon his service to the Commonwealth.

### CONDOLENCE RESOLUTION

The SPEAKER. We shall now consider the condolence resolution for Representative Mihalich.

Sergeants at Arms will close the doors of the House.  
The clerk will read the resolution.

The following resolution was read:

#### COMMONWEALTH OF PENNSYLVANIA THE HOUSE OF REPRESENTATIVES

#### RESOLUTION

WHEREAS, Herman Mihalich, longtime state representative from Westmoreland County, passed away September 30, 1997 at the age of sixty-seven; and

WHEREAS, Born in 1930 in Monessen, Mr. Mihalich was elected to succeed former House Speaker James J. Manderino after his death in 1989. Prior to his election, Mr. Mihalich served as a staff member for Representative Manderino. He also served as director of the Fayette County Development Council from 1968-1971; administrative assistant to United States Congressman John Dent from 1961-1965; and a lobbyist for the Pennsylvania Tavern Association from 1959-1961. Additionally, he was a member of the Westmoreland County Industrial Development Corporation, the Polish National Alliance, the Croatian Fraternal Union, the Slovene National Benefit Society, the Monessen Lions Club and Elks Lodge 773; and

WHEREAS, Mr. Mihalich will be remembered for his tough stance on issues ranging from job development to securing funding for sewer and water projects in his home district. He was totally dedicated in heart and mind to his job and constituents, and all who knew him were impressed with the depth of his intelligence and compassion. He carried out his responsibilities with dedication, dignity and a great command for the issues, both for the people of his district and for all of Pennsylvania; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania note with great sadness the passing of Herman Mihalich, beloved family member and dedicated governmental leader; extend heartfelt condolences to his wife, Lois E. Pile Mihalich; sons, James M. and Herman C.; and daughters, Gwen E. and Kathryn A.; and be it further

RESOLVED, That a copy of this resolution, sponsored by Representatives Matthew Ryan, John M. Perzel and H. William DeWeese, be transmitted to Mrs. Lois E. Pile Mihalich.

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

On the question,  
Will the House adopt the resolution?

The SPEAKER. Those in favor of adoption of the resolution will rise as a mark of respect for Representative Mihalich. Guests will also please rise.

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

The SPEAKER. The resolution has been unanimously adopted. Members and guests may be seated.

### REMARKS BY SPEAKER

The SPEAKER. In the middle of the House — this House, our House — there is an empty chair pulled up to a desk draped in black. Too often over the years we in the House have observed this sad symbol of the passing of a colleague. Too often over the years, as Speaker and floor leader and member, I have participated in the memorial services of friends — friends of varied backgrounds, varied economic levels, varied races, and, of course, friends of different political parties. Today is another such day, a day of reflection of our own lives and the life of public servant Herman Mihalich.

When asked by a reporter last week to comment on Herman's passing, I called him "a fighter, a bulldog for his principles." I said, "He would take his bite and never let you go until he shook something out of you," and I think I was pretty close to target. That is just the way Herman was. He was from Monessen, an area known for its tenacity, its resiliency. He was strong. But underneath all that Monessen toughness was a kind, sympathetic, and humane human being.

He worked hard for the people in his district. He worked for the creation of jobs for the men and women who lost in the transition from Pennsylvania's industrial age — when steel mills meant good pay, good jobs — to a time when the steel mills closed and the steelworkers were out of work.

He was passionate and sincere when he spoke for his constituents. He promoted economic and community development programs. He secured millions of State dollars for the development of the Sony Corporation at New Stanton and the development of the Monessen Riverfront Industrial Park.

Herman advocated alternative-powered vehicles. He is the only man I know who ever drove an electric-powered Ford van 360 miles from the west to the east across Pennsylvania, and he is the only one I know who would even have thought to do it. I would never have done such a thing. But that was his tenacity.

Herman has been recognized for his contributions to the interests of senior citizens and community fire, ambulance, and rescue services. I think that is what he was best known for.

He worked for the late great leader here and Speaker, Jim Manderino, who was a legend in his own right, for over a dozen years before he was elected to the House to take Jim's place. That is when I first knew him, when he was working for Jim.

He in fact was elected twice in 1990, once in a special election and again in a regular election, at the November election. So he was duly elected and surely elected that first time.

We crossed swords a number of times through the years when he championed issues as a valued staff member and later as a legislator, and every time he was a perfect gentleman. As tough as he might have seemed, as strong and as vital as he was, he was at all times a perfect gentleman and a credit to his family.

Now Herman belongs to history. He will not be forgotten. By those whose lives he touched, he will be missed. He will be missed not only by us but by his friends in Westmoreland County, his constituents, his Harrisburg and district staff, but most of all by you, his beloved family.

### REMARKS BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader, Mr. Perzel, to make remarks at this time.

Mr. PERZEL. Thank you, Mr. Speaker.

I rise to offer my condolences to the family and the friends of Representative Herman Mihalich.

Representative Mihalich and I were on opposite sides on many of the debates that took place on the floor of this House of Representatives, Mr. Speaker, but over the years I had the opportunity to observe him on many occasions, and I tangled with him on several.

Representative Mihalich was as committed to his constituents and to solving their problems as any member that I have met in this House over the last 20 years. When he stood on the floor of the House, it was not to speak for the sake of speaking; he was not standing to play to the television cameras. Herman Mihalich stood to champion the families, the displaced, the workers in his district.

For many years, before his election, he served as an aide to his predecessor, the former Speaker and House majority leader, Jim Manderino, which you just mentioned a few moments ago, whose place he took after Mr. Manderino's death. When he stood on the floor, it was in the mold of Jim Manderino — to call us to account and to stand up for the people of the 58th District in Westmoreland County.

Outside of this chamber, our paths did not often cross, Mr. Speaker, but over the last 2 years I noticed one thing about Representative Mihalich: He was tough, he was a fighter, and he did not give in to anything, even though he was very ill. For that I grew to admire him very much. I was saddened to hear that he had passed on, Mr. Speaker. Pennsylvania has lost truly a fighter.

On behalf of the Republican Caucus, I would like to offer my sincere sympathy and condolences to Representative Mihalich's wife, Lois, his four children — Gwen, James, Herman, and Kathryn — and his six grandchildren.

Mr. Speaker, he would stand on this floor and, boy, you knew he was here, Mr. Speaker. I did not always agree with Herman, but when he stood up, you sure knew he was here, and he fought for those people in Monessen.

God knows we will miss him, Mr. Speaker. Thank you.

### REMARKS BY DEMOCRATIC LEADER

The SPEAKER. The Chair now recognizes the Democratic floor leader, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

On a cold March morning in 1953, Walter Reuther, the president of the UAW (United Automobile Workers), and the General Motors vice president were touring a big automobile plant outside of Detroit. They suddenly shifted to a new wing of the plant, bespangled with new machinery and up-to-date automation, and the vice president of General Motors smugly, condescendingly said, "Walter, none of these machines are going to be paying union dues." Reuther fired back, "They're not going to be buying new Fords either."

Leonard, Kathy, Gwen, Herman Charles, Nico, Val, Lois, Janet, staff from back home, friends from back home, members of the House, and Mr. Speaker: Herman Mihalich, as the majority leader indicated, was unique. We are all unique, of course, but many times that uniqueness is not expressed in such a propulsive force, and yet, as the Speaker indicated, underneath that tough carapace was a gentleman.

Over the weekend I talked to Joann Pettit, the widow of our other fallen colleague, and Joann shared with me the friendship that had developed during this time of stress on behalf of Herman and Al Pettit, and it was just one more manifestation of the cross-pollination, the political cross-pollination, that goes on in this chamber.

Notwithstanding the visceral attack mode that sometimes we find ourselves in, notwithstanding the tumults and vexations that are inherent in the public weal, and notwithstanding the innate liberalism of Herman Mihalich — a word that he was unabashedly proud of, as Gwen, his daughter, shared with me the other day in Monessen — and the strong, upright conservatism of Al Pettit, these two men, juxtaposed against each other in their personal and public lives, quintessentially shout out good things about our General Assembly.

Herman, as we all know and has been said, was a native son of the Monongahela Valley, and he was an aggressive and instinctive defender of what the 18th century French philosophes and 18th century American patriots and constitutional framers called our natural rights. No one, no one more than this liberal man, this son of the Monongahela Valley, more aggressively pursued the objective of natural rights for the men and women in the riparian settings of Monessen — no one.

I asked Don Walko the other day in Monessen how he would sum up Herman's public service, as we were with Senator Wozniak and Kathy Manderino and other colleagues chatting informally, and when Don and I walked over to the side, he said, if I had to crystallize it to one sentence I would say that no one represented working people better than Herman — working people. I think Don hit the proverbial nail on the head. When one looked at Herman, when one talked to Herman, when one felt Herman's presence in the room, it was like a great cascade of palpable feeling that Herman stood up for working people. In the same way that David Richardson exemplified his constituency, uniquely, singularly, Herman Mihalich did the same thing. There is no one out there, probably because of the generation and the experience, the linkage with Representative Manderino, and that inextricable linkage with his family and friends at the



Benevolent and Protective Order of Elks in Monessen or a Slovenian society or a Croatian brotherhood, that uniqueness manifest itself in representing, as Don Walko said, working people.

As I relinquish the microphone in closing, I think of Herman Mihalich as a young boy leaving Monessen High School, inspired by coach Johnny Michelosen at Pitt, on the gridiron — 1948, 1949, 1950. Truman was President, and the age of Eisenhower was about to dawn, and Herman Mihalich was playing football for Pitt — never tentative, always assiduous. Herman was a football player. I remember a couple scraps we had here on the floor, Mr. Speaker, and I am sure you do, too, one of them as recently as a couple years ago. We looked like the Taiwanese legislature, and that football player of yore was about to defend the honor of one point of view or another, but the Speaker's intercession abated our momentary apprehensions. But his physicality radiated in this chamber and in the Mon Valley just like it did at the University of Pittsburgh.

Hail to Pitt. Hail to Herman.

### REMARKS BY MR. LEVDANSKY

The SPEAKER. The gentleman from Allegheny County, Mr. Levdansky, desires recognition? He is now recognized.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Lois, Herman, Gwen, Kathryn, Nico, Bob, Donna, Debbie, Janet, and Pat, his staff, his family: I want to express the condolences and the sympathy of all the members of the House for a fallen colleague and friend, and I thank you for the honor and privilege to be able to share a few thoughts here this afternoon.

As a freshman legislator in January of 1985, I came to know Herman as Jim Manderino's top personal staff person and political confidant. Whenever I needed help or advice, I usually went to Herman, because he was the brains behind the brains in our caucus. Why bother the Democratic leader when Herman was available and so always willing to give assistance to me?

As I have learned since then, Herman, for me, was really a living example of the contrasts inherent in human life.

Herman was the son of Croatian immigrants whose personal and political roots ran deep in the working-class struggles of his generation, and yet, he was one of the most cultured men I have ever met. He had a voracious intellectual appetite. He constantly read books, journals, periodicals, and at least several newspapers every day. His knowledge and sense of history was amazing.

He spoke at least seven different languages that I could identify. He was the best traveling companion I could pick, whether it be on our drive back and forth from the Mon Valley to Harrisburg or on an economic development trip he and I took with several other colleagues and businessmen to Siberia in February of a couple years ago.

Herman has been characterized by some as a "tough fighter who could be meaner than a junkyard dog." I simply saw him as compassionate, highly intelligent, mentally and physically strong as a bull, and a most courageous legislator. To find any one of these characteristics and qualities in the same public official today is unusual, but to have the unique and rare combination of intelligence, compassion, courage, and determination makes for a very effective legislator. Herman Mihalich and Jim Manderino both possessed these rare combinations, and to me, these two men

from Monessen seemed larger than giants. While at heart an eternal optimist, Herman was somewhat disappointed because more of my generation of politicians do not have these qualities and do not seem to recognize and appreciate and value these qualities in others.

While Herman seemed tough to others, to me he was a caring, living encyclopedia, always willing to share of himself to help me. He gave me advice and shared his insights. We had a common political ideology, a common purpose, we come from common people — ethnic, Eastern European descendants — and we have common political adversaries. He strengthened my resolve to stand up and fight hard and smart for what we both believe in.

We shared our anxiety about the destiny of our beloved Democratic Party on our rides back and forth to Harrisburg, and even on the rare occasions — the rare occasions — when he and I were on the opposite sides of an issue, Herman was always willing to help me do better.

Herman defeated me on the floor just last November on an amendment that I offered to add some money to the budget for magnetic levitation. He beat me because he knew more about the subject than I did. He was smarter, and he conveyed that to the public and to the people in this chamber. The next day when I was driving us back home, he imparted to me more technical knowledge of MAGLEV and high-speed rail and a better political understanding of the issue than I had before I began that debate that week.

When it came to representing the interests of the people and the communities of the 58th Legislative District, the entire Mon Valley region of southwestern Pennsylvania, the working class, and the Democratic Party, nobody can match the performance — performance, not the promises — of Herman Mihalich.

Herman was content and confident in his role of problem solver, both as a staff person to Jim Manderino and as a State legislator. His life was a success, personally and professionally, long before he succeeded Jim Manderino as the legislator from the 58th District.

Herman never sought the limelight but saw his role as facilitating solutions to the problems of his people and the communities he was privileged and proud to represent. He knew how to deliver government help to his people and communities, and he probably forgot more about State government than I have learned in my 13½ years here.

Herman was a quiet, knowledgeable, tenacious, and effective public servant. His legislative mission was to serve and to help his colleagues better serve our missions. Herman Mihalich never engaged in political pandering. You always knew where Herman stood on the issues.

Losing Herman as a colleague is like losing a sense of purpose for me. Herman knew and revered the history of the institution of the House of Representatives. He saw the House as an institution designed to help people. For him, the purpose of government was to correct the excesses inherent in a laissez-faire political and economic system. In this sense, his politics defined a liberal political ideology — believing that an active, effective, compassionate government should serve people above private interests.

Herman represented the generation of public officials who have a clear sense of purpose and meaning of holding public office. His



purpose was not simply to get reelected. Herman did not believe in Mayor Daley's old credo, "Don't make no waves; don't back no losers." Herman stood firmly for what he believed in, never concerned about the prevailing political winds of that particular day.

Herman was not content just to "hold" public office; rather, he wanted to do something with it to benefit the people, never himself.

Herman lived a good life and worked hard, just like the ethnic people back home that he was privileged and proud to represent. He enjoyed life's work and life's rewards.

Herman left some "loose ends" by his untimely death, just as his predecessor, Jim Manderino, did. Herman continued the fight in opposition to the environmental devastation caused by the disposal of hazardous waste at Yukon, a place in his legislative district. I promised Herman that I would continue this fight for him, and I expect to make good on that promise and commitment someday in the future.

For me, Herman Mihalich was sort of a combination of a favorite uncle, a brother, and a friend all rolled in one. Not only was he intelligent and compassionate, but he was also open-minded, personable, and even at times downright mischievous. He was really for me the ultimate good friend. He is the person you want to be around and have fun with. He was intelligent and he had street smarts. He constantly challenged me to do better, and when you were working on a project or an issue of mutual interest, you could count on Herman to do more than his share of the work. Like a good friend, you could count on him for a fair, impartial analysis and critical and constructive suggestions, whether or not you wanted them. When I needed some political or personal support, he was always there when I needed him.

Herman will go down as a brutally honest, intellectually keen, politically brilliant, and most generous man. He served with honor, integrity, and compassion. Herman enjoyed the love of his family, the support and camaraderie of his friends, and the deep and abiding respect of his colleagues.

Clearly my life is better for having known him, and I would just like to, in closing, read a little verse that was spoken at the grave site on Friday, and it goes as thus:

I'd like the memory of me  
to be a happy one,  
I'd like to leave an afterglow  
of smiles when life is done.  
I'd like to leave an echo  
whispering softly down the ways,  
Of happy times and laughing  
times and bright and sunny days.

I'd like the tears of those who  
grieve, to dry before the sun  
Of happy memories that I leave  
When life is done.

While his life on this earth is over, I will forever cherish his memory. Thank you.

## REMARKS BY MR. COHEN

The SPEAKER. The gentleman, Mr. Cohen.

Mr. COHEN. Mr. Speaker, family and friends and staff of Herman Mihalich, history has generally forgotten the January 4, 1949, election for Speaker of the Pennsylvania House in which Republican Herbert Sorg of Elk County defeated Democrat James Lovett of Westmoreland County by a vote of 115 to 90. From the perspective of October 1997, perhaps the most important thing about that election was that 19-year-old Herman Mihalich was in the audience that day, and his life, and therefore our lives, was immeasurably changed by his experience.

Herman would go on, as we all know, to work for the Sales Tax Division of the State in 1955, to become a key legislative adviser to majority leader James Manderino in 1977, and a member himself in 1990.

Herman was unique among legislators in the number of years his life was focused on Pennsylvania State government and unique in his ability to continuously seek out new ideas and relate the past to the future. Others supported the development of electrical cars. As Speaker Ryan said, only Herman drove across Pennsylvania in an electric car. Others opposed further aid to nonpublic schools; only Herman passionately cited the histories of Yugoslavia and Quebec to buttress his position. He was, as Speaker Ryan said, a bulldog who never gave up.

He was also a visionary who never stopped dreaming. Many of Jim Manderino's ideas came from Herman and many of his decisions were implemented by Herman. Herman represented his district well, but he deeply, passionately worked for all people everywhere. Public office to Herman was a means and not a goal.

September 30 was much too soon for Herman to die. There were many, many thousands and thousands of hours he wanted to spend with his wife, his children, and his grandchildren. He had causes and public interests that he wanted to advance. He had inventions and business ideas that he wished to pursue. He had goals to achieve and people to help. He was proud to be a Democrat — proud to be a liberal Democrat — proud to stand up time after time for working people adversely affected by powerful institutions. He was a sum of all the people he had ever met and all the libraries of books he had ever read.

We will all miss him. He will be succeeded by someone else, but he will be irreplaceable in our hearts and memories.

The SPEAKER. The Chair thanks the gentleman.

## FAMILY INTRODUCED

The SPEAKER. At this time I would like to introduce some of Herman's family and staff. I know I do not have the names of everyone who is sitting there, so some few people will have to excuse me: his wife, Lois; his daughters, Gwen and Kathryn; Herman and his wife, Valerie, and son, Nico; staff members Janet Wells, Donna Armstrong, and Deborah Sickles-Jones. And these other folks, I have to apologize; I do not have their names.

Thank you.

**REMARKS BY MRS. LEDERER**

The SPEAKER. Mrs. Lederer, do you seek recognition?

Mrs. LEDERER. Yes, Mr. Speaker.

To the Mihalich family, we will miss Herman as a colleague and mostly as a friend.

Herman first came to Harrisburg after graduation from the University of Pittsburgh in 1955. He was interviewed and hired for a position in sales tax by the First Deputy Secretary of Revenue, Bill Lederer. From that day on, he served his colleagues of Pennsylvania with dignity, devotion, and honor.

We will miss you, Herman.

The SPEAKER. The Chair thanks the lady.

**REMARKS BY MR. GEORGE**

The SPEAKER. The gentleman, Mr. George, did you seek recognition? The gentleman is recognized.

Mr. GEORGE. Thank you, Mr. Speaker. I appreciate this.

Mr. Speaker, I guess what I will be saying will in some way be redundant, but if I may, I would like to sum up what you and other fine speakers talked about this morning. But the reason I rise today is because Herman Mihalich was not just a colleague to me, he was my personal friend.

In the 10 years that I served as the majority chairman of the Conservation Committee, he was more than a member to me; he was my mentor. You summed it up perfectly, Mr. Speaker, you and the others, when you talked about when he grabbed on to a matter that he held on to it with all the vim and vitality that he could. Some mentioned the fact it was like a bulldog. Well, I am sure there are many around here have teeth marks because of the way he went about these matters and how important it was.

Herman Mihalich, if I were to talk to someone who did not know him, I would say that Herman, above all, excelled in integrity and honesty. Herman Mihalich's integrity, as most of us aspire to prove, was always the utmost, and unfortunately, there are many that merely aspire but never reach that height.

The people of his district, I know, were very well served. They could rest well knowing that Herman was down here not just serving the special interests but the general interests of all of those that he served. Even when his health began to fail him, his dedication never waned and the people he served were never failed. It was truly an inspiration, Mr. Speaker, to see a man who was not feeling his best climb those stairs and give it the very utmost that he could.

There is an old proverb, they tell me, Mr. Speaker, that comes to mind that fits Herman Mihalich to a tee. It is stated, "As a man moves through life, he takes something from everyone he meets, and to each one of those people, he leaves a piece of himself." How lucky we all were to have had the opportunity to take a little piece of Herman Mihalich into our lives and into our hearts. This chamber will truly, truly be just a little bit emptier without Herman Mihalich in it, and to his wife and family, we share your loss.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**BENEDICTION**

The SPEAKER. In closing, the closing prayer will be offered by Representative Thaddeus Kirkland.

Members and guests will please rise.

Mr. KIRKLAND. Thank you, Mr. Speaker.

As we prepare to leave this place, to the family, be reminded that Herman Mihalich, the Honorable Herman Mihalich, was victorious, victorious even unto death, not because he ran the halls quicker than anyone else and not because he was stronger than all the other legislators, for the Bible says — the Bible says — that the victory is not given to the swift nor the battle to the strong, but to the one who endures to the end. Herman Mihalich endured to the very end.

Let us pray:

Our Father and our God, it is once again that we come to the close of this service of remembrance, thanking You, O God, for all that You have done; thanking You, O God, for all the friends and the family who have come out on behalf of Your victorious servant, the Honorable Herman Mihalich.

We thank You, O God, for how You allowed him to walk the halls with us. We thank You, O God, for his presence, for his strength, for his character, for his love, and for his friendship. And, O God, we are reminded that as long as we remember him within our hearts, such men as the Honorable Herman Mihalich will never die.

And now, O God, may Your grace by way of Your blessed Son and Your Holy Spirit rest, rule, and abide within us, henceforth and forevermore. Let the children of God say, amen. Amen.

The SPEAKER. Members and guests may now be seated.

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

**REPUBLICAN CAUCUS**

The SPEAKER. Mr. Perzel?

Mr. COHEN, do you have a caucus announcement?

Republicans will report immediately to the caucus room. The House will be in recess for a period of 1 hour.

Republicans, please report immediately to the caucus room.

**DEMOCRATIC CAUCUS**

The SPEAKER. Mr. Cohen.

Mr. COHEN. Mr. Speaker, there will be an immediate meeting of the House Democratic Caucus to go over the schedule for today and tomorrow.

**APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to call an immediate meeting of the House Appropriations Committee for the majority Appropriations conference room at the rear of the hall. Excuse me; in the House majority Appropriations conference room back at our complex.

The SPEAKER. For the benefit of the Republican members, I have requested that you go to the caucus room now because there are guests — there is at least one guest there — and we are a half an hour late for that particular guest.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. Because of the memorial service, members were unable to file their amendments by 2 o'clock. Accordingly, without objection, I am extending the period until 2:30 to file the amendments. So if you were trying to get in by 2 o'clock, you now have another 15 minutes to get that done.

### RECESS

The SPEAKER. The House will be in recess until 3:15.

### RECESS EXTENDED

The time of recess was extended until 4 p.m.

### AFTER RECESS

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

### COMMUNICATION FROM GOVERNOR

#### APPROVAL OF HOUSE BILL

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

**HB 231.**

#### COMMUNICATION FROM PUBLIC UTILITY COMMISSION

The SPEAKER. The Chair acknowledges receipt of the Annual Report on the Dual Party Relay Service and Telecommunication Device Distribution Program Act, submitted by the Pennsylvania PUC (Public Utility Commission) pursuant to Act 34 of 1995.

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

### BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

**HB 1826, PN 2298**

By Rep. FLICK

An Act repealing the act of June 4, 1945 (P.L.1191, No.413), entitled "An act to authorize the Pennsylvania Post-War Planning Commission under certain conditions to enter into agreements with political subdivisions of this Commonwealth for the financing of plans and specifications for public works; and making an appropriation."

#### INTERGOVERNMENTAL AFFAIRS.

**HB 1827, PN 2299**

By Rep. FLICK

An Act repealing the act of May 14, 1874 (P.L.175, No.105), entitled "An act relating to accounts of the several county officers of this commonwealth."

#### INTERGOVERNMENTAL AFFAIRS.

**HB 1828, PN 2300**

By Rep. FLICK

An Act repealing the act of April 8, 1851 (P.L.353, No.227), entitled "An act relating to County Prisons, to the Foster Home Association, and Cawanesque Plank Road Company, to apportion the rent of wharves and docks in the port of Philadelphia, and relative to the service of process on foreign insurance companies and other corporations."

#### INTERGOVERNMENTAL AFFAIRS.

**HB 1829, PN 2301**

By Rep. FLICK

An Act repealing the act of June 19, 1941 (P.L.142, No.77), entitled "An act authorizing political subdivisions to appropriate money for participation in Federal Surplus Commodities Stamp plans; to borrow money and issue bonds for said purpose; providing for payment of such appropriations into a special fund in the State Treasury; appropriating the money in such fund, and authorizing the purchase of necessary insurance."

#### INTERGOVERNMENTAL AFFAIRS.

**HB 1830, PN 2302**

By Rep. FLICK

An Act repealing the act of April 16, 1845 (P.L.532, No.348), entitled "An act to increase the revenues and diminish the legislative expenses of the commonwealth."

#### INTERGOVERNMENTAL AFFAIRS.

**HB 1831, PN 2303**

By Rep. FLICK

An Act amending the act of October 11, 1984 (P.L.906, No.179), known as the Community Development Block Grant Entitlement Program for Nonurban Counties and Certain Other Municipalities, repealing the allocation mechanism.

#### INTERGOVERNMENTAL AFFAIRS.

**HB 1832, PN 2304**

By Rep. FLICK

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, repealing certain agency duties of local officials.

**INTERGOVERNMENTAL AFFAIRS.****BILLS REREPORTED FROM COMMITTEE****HB 21, PN 2359 (Amended)**

By Rep. BARLEY

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, further providing for contents of actuarial valuation report.

**APPROPRIATIONS.****HB 371, PN 1974**

By Rep. BARLEY

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

**APPROPRIATIONS.****HB 656, PN 2260**

By Rep. BARLEY

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

**APPROPRIATIONS.****HB 1347, PN 1550**

By Rep. BARLEY

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 access to computer information systems by persons outside the General Assembly.

**APPROPRIATIONS.****HB 1487, PN 1779**

By Rep. BARLEY

An Act authorizing the Department of Community and Economic Development to adopt a program of training, examination, qualification and continuing education of tax collectors.

**APPROPRIATIONS.****HB 1567, PN 2225**

By Rep. BARLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, suspending the operating privileges of persons who are convicted of committing vandalism offenses.

**APPROPRIATIONS.****HB 1768, PN 2205**

By Rep. BARLEY

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for payment of indemnification and depopulation incentives for avian influenza.

**APPROPRIATIONS.****HB 1809, PN 2259**

By Rep. BARLEY

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, further defining "garbage" for purposes of domestic animals.

**APPROPRIATIONS.****SB 55, PN 953**

By Rep. BARLEY

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for operating watercraft under influence of alcohol or controlled substance, for chemical testing and for classification of offenses and penalties.

**APPROPRIATIONS.****SB 220, PN 1374 (Amended)**

By Rep. BARLEY

An Act amending the act of August 9, 1955 (P.L.323, No.130), entitled The County Code, further providing for the collection of county taxes during vacancies in the office of elected tax collectors in municipalities.

**APPROPRIATIONS.****BILLS ON SECOND CONSIDERATION**

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

**HB 21, PN 2359; HB 371, PN 1974; HB 656, PN 2260; HB 1347, PN 1550; HB 1487, PN 1779; HB 1567, PN 2225; HB 1768, PN 2205; HB 1809, PN 2259; SB 55, PN 953; and SB 220, PN 1374.**

**BILLS RECOMMITTED**

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

SB 220;  
SB 55;  
HB 1487; and  
HB 656.

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

**BILL REMOVED FROM TABLE**

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

Mr. BARLEY. Mr. Speaker, I move that HB 1628 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILL RECOMMITTED**

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

Mr. BARLEY. Mr. Speaker, I move that HB 1628 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**ACTUARIAL NOTES**

The SPEAKER. The Chair acknowledges receipt of the following actuarial notes: actuarial note for HB 1282, PN 1451; actuarial note for HB 1280, PN 1449; actuarial note for amendment 3367 to HB 846, PN 946; actuarial note for HB 810, PN 910.

(Copies of actuarial notes are on file with the Journal clerk.)

**CALENDAR****BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1573, PN 1933**, entitled:

An Act amending the act of September 20, 1961 (P.L.1541, No.657), known as the Pennsylvania Agricultural Commodities Marketing Act of 1968, further providing for the definition of "agricultural commodity."

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

**YEAS—195**

Adolph	Donatucci	Maher	Schuler
Allen	Druce	Maitland	Scrimenti
Argall	Eachus	Major	Semmel
Armstrong	Egolf	Manderino	Serafini
Baker	Evans	Markosek	Seyfert
Bard	Fairchild	Marsico	Shaner

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

**NAYS—0****NOT VOTING—1**

Bishop

**EXCUSED—6**

Cowell  
Itkin

LaGrotta  
O'Brien

Pistella

Santoni

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 1730, PN 2154**, entitled:

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for certain activities by persons holding disabled person permits.

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

Mr. **GODSHALL** offered the following amendment No. A3366:

Amend Sec. 1 (Sec. 2923), page 2, lines 3 and 4, by striking out all of said lines and inserting  
hunting.

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

The **SPEAKER**. On the question of the adoption of the amendment, Mr. Godshall.

Mr. **GODSHALL**. Thank you, Mr. Speaker.

This is merely a clarifying amendment. The bill as it is drawn up is in conflict with the right-to-carry or self-protection law in this State, and what this amendment does is correct a technicality.

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

The following roll call was recorded:

## YEAS—190

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

DeLuca	Leh	Ross	Zimmerman
Dempsey	Lescovitz	Sainato	Zug
Dent	Levdansky	Sather	
Dermody	Lloyd	Saylor	Ryan,
DeWeese	Lucyk	Schroder	Speaker

## NAYS—3

Cohen, L. I.	Rubley	Williams, C.
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## NOT VOTING—3

Bishop	Gannon	Raymond
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## EXCUSED—6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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. **GODSHALL** offered the following amendment No. A3629:

Amend Sec. 1 (Sec. 2923), page 2, line 2, by inserting after  
"wheelchair"  
or any other motorized conveyance

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

The **SPEAKER**. The gentleman, Mr. Godshall.

Mr. **GODSHALL**. Thank you, Mr. Speaker.

This is also a technical amendment that has been worked out with the House Game and Fisheries Committee. The legislation refers to a person who is permanently confined to a wheelchair, and this amendment expands the definition of the vehicle that a permanently disabled person could be hunting in to "any other motorized conveyance" — specifically, an ATV (all-terrain vehicle) or a snowmobile.

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

The following roll call was recorded:

## YEAS—196

Adolph	DiGirolamo	Maher	Schuler
Allen	Donatucci	Maitland	Scrimenti
Argall	Druce	Major	Semmel
Armstrong	Eachus	Manderino	Serafini
Baker	Egolf	Markosek	Seyfert
Bard	Evans	Marsico	Shaner
Barley	Fairchild	Masland	Smith, B.
Barrar	Fargo	Mayernik	Smith, S. H.
Battisto	Feese	McCall	Snyder, D. W.
Bebko-Jones	Fichter	McGeehan	Staback
Belardi	Fleagle	McGill	Stairs

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

## NAYS-0

## NOT VOTING-0

## EXCUSED-6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

## YEAS-196

Adolph	DiGirolamo	Maher	Schuler
Allen	Donatucci	Maitland	Scrimanti
Argall	Druce	Major	Semmel
Armstrong	Eachus	Manderino	Serafini
Baker	Egolf	Markosek	Seyfert

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

## NAYS-0

## NOT VOTING-0

## EXCUSED-6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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. Page 2. HB 1759 is over.



\* \* \*

The House proceeded to third consideration of **HB 474, PN 1911**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. **BELFANTI** offered the following amendment No. **A3721**:

Amend Title, page 1, line 3, by removing the period after "minor" and inserting

; and providing for sale or illegal use of certain solvents.

Amend Bill, page 3, by inserting between lines 12 and 13

Section 2. Section 7303(f) of Title 18 is amended to read:

§ 7303. Sale or illegal use of certain solvents.

\* \* \*

(f) Definition.—As used in this section the phrase "any substance containing a solvent having the property of releasing toxic vapors or fumes" shall mean any substance containing one or more of the following chemical compounds: acetone, acetate, benzene, butyl alcohol, ethyl alcohol, ethylene dichloride, freon, isopropyl alcohol, methyl alcohol, methyl ethyl ketone, pentachlorophenol, petroleum ether, or toluene.

Amend Sec. 2, page 3, line 13, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

The **SPEAKER**. The Chair recognizes the gentleman.

Mr. **BELFANTI**. Thank you, Mr. Speaker.

Mr. Speaker, I have been asked by the State District Attorneys Association, at the behest of my district attorney in Northumberland County, to offer an amendment that would make certain solvents illegal — in particular, the sniffing of Freon gas or the inhalation of Freon gas.

We had a situation in my district where a young person died from breathing this gas and the person that supplied it was unable to be prosecuted for a crime, making Freon one of the types of substances that are illegal to induce into your body to get a high from.

So for that reason I am offering this amendment. I would appreciate the members' support.

The **SPEAKER**. The Chair thanks the gentleman.

The gentleman, Mr. Baker.

Mr. **BAKER**. Mr. Speaker, I support the amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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. VITALI offered the following amendment No. A3792:

Amend Title, page 1, line 2, by inserting after "Statutes,"  
providing for fraud in awarding Commonwealth  
grants; and

Amend Sec. 1, page 1, line 7, by striking out "a section" and inserting  
sections

Amend Sec. 1, page 1, by inserting between lines 7 and 8

§ 4704. Fraud in awarding Commonwealth grants.

(a) ~~Offenses defined.—It shall be unlawful for a public official or employee to:~~

(1) ~~Engage in a scheme or artifice to defraud relating to a Commonwealth grant program.~~

(2) ~~Knowingly make false statements in order to misrepresent competitive fairness in awarding Commonwealth grants.~~

(3) ~~Alter, add or delete or attempt to alter, add or delete or direct another person to alter or attempt to alter, add or delete Commonwealth grant documents or work products with intent to conceal intervention and involvement of a public official.~~

(4) ~~Dismiss or sanction a public employee for refusing to process a grant application when the employee knows or believes the application does not meet the eligibility requirements of the grant program.~~

(b) ~~Penalty.—A violation of this section shall be a misdemeanor of the third degree.~~

On the question,

Will the House agree to the amendment?

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

Mr. VITALI. Thank you, Mr. Speaker.

This amendment would add a section to the Pennsylvania Crimes Code entitled "Fraud in awarding Commonwealth grants."

Essentially, what this amendment would do would make it a misdemeanor of the third degree to, one, engage in a scheme or artifice to defraud relating to a Commonwealth grant program. This language is language we have taken from the Federal laws, which has given Federal prosecutors the authority to deal with fraud in the awarding of Federal moneys.

The second section would make it, again, a misdemeanor of the third degree to knowingly make false statements in order to misrepresent the competitive fairness in the awarding of Commonwealth grants. Basically, it would make it a crime to lie with regard to whether a grant program is or is not competitive.

Third, it would also be a crime to alter, add, delete, or attempt to do the same, Commonwealth grant documents or work products with the intent to conceal the intervention of a public official in the award process.

And finally, it would be a crime to dismiss an employee who refuses to process a grant which that employee knows or believes does not comply with the applicable rules, regulations, and policy statements.

Although this Crimes Code statute applies to Commonwealth grants generally, it was drafted with regard to dealing with the abuses of the Pennsylvania Community Revitalization Program, which, in my view, is fraught with fraud.

For example, I have reviewed personally several hundred files, and I have personally seen deletions of the names of Representatives of this body from those documents, blackouts of names of members of the General Assembly. Clearly, the intent is

to delete references to the political nature of the program, and equally clearly, that is wrong. That should not be done. People have a right to expect better.

Another provision deals with fraud, dealing with false statements with regard to the competitive nature of the program. That is clearly what is happening with regard to the Community Revitalization Program. The Governor has made statements that all grant applications are compared to one another and that they are awarded on a merit-need basis. That clearly is not happening, that clearly is a false statement, and this General Assembly knows that.

I have spoken with members of this General Assembly who have told me they have been allotted a certain amount of money — \$30,000 in one case I can recall — and they were told, pick the projects yourselves. They were told they had the money before the administration knew what the projects were.

We are trying— Thank you. I was corrected on that.

This amendment is not, to be clear, designed to eliminate political grants. This is not designed to eliminate the Community Revitalization Program or any other program. There is a school of political thought that feels it is acceptable to use Commonwealth grants as coin of the realm in political dealmaking, and I accept people who feel that way. What I cannot accept and what I believe the people of Pennsylvania cannot accept is being lied to, having documents altered and not being told the truth.

What this simply does is require that when public officials process grants, they are honest and truthful. I can see no reason why your constituents would want you to vote against this.

I would also like to add, because typically with these types of amendments that are difficult politically, being defeated on a constitutional amendment is a way to attack this. I can tell you, in anticipation of those arguments, I have reviewed this language with the Philadelphia district attorney's office, and they have made suggestions, and I have modified that, and they could articulate no other suggestions at the time I spoke with them.

I can also tell you that with regard to subsection (a)(1), the language "to engage in a scheme or artifice to defraud" is taken from the Federal language, which already has had cases heard under it.

This is solid language. It, in my view, passes any constitutional muster. It is good Crimes Code language, and I would ask for an affirmative vote. Thank you.

The SPEAKER. On the question, the gentleman, Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

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

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

Mr. LAWLESS. Mr. Speaker, in your opening statement you indicated that people are getting money, people of this General Assembly are getting money awarded to their districts — and I am paraphrasing — but getting money awarded to their districts before any paperwork was even handed in. Where did you get this information, and how did you come about making a public statement such as that? What proof do you have of this so-called fraud, and "fraud" is an extremely harsh word. Where do you get your information from? You failed to tell this body where this information is coming from. You are making accusations, and quite frankly, you are making accusations of fraud about members

of this House, and I would like to know where you are getting your information.

Mr. VITALI. Thank you, Mr. Speaker.

Probably the most potent evidence one can have is the personal testimony of someone who has been involved. I in fact have that information. I have spoken with members of this General Assembly, and I am not going to mention names because I know the rules prohibit it, as does decorum, and I am not going to mention names today because information has been told to me in confidence. But I have spoken with members of this General Assembly who have told me they have been approached, they have been approached and they have been told they have \$30,000; they can divide it up into up to three grants, however they choose; get your applications back to me, and the money is yours. I have been told by members of this General Assembly that this is what is going on.

Let us not be disingenuous about this, Mr. Speaker, or anyone else. We all know that this is going on, because we all know how it works; we all know how it worked under WAM's (walking-around moneys); we all know whose office we go to to check the status of these off, and I am not going to mention those names, although I certainly could, and if the Speaker would give me liberty, I would start mentioning certain names, but I do not care to do that, but I think most people know I can.

So I have proof; I have proof from people who have been personally involved.

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

The SPEAKER. On the amendment, Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, I think the people of this General Assembly need to know what the gentleman from Delaware County is up to. Last year I received one grant in my legislative district. It was for two police departments. The gentleman put a press release out in my district accusing me of exactly what he is talking about here, accusing me of fraud. Well, it backfired. The people in my district were happy that I was able to get money for my police departments.

The fact of the matter is, this is a program that has existed. There is money in this program. The gentleman from Delaware County should take the steps necessary to assure his constituents that this money comes to his district and stop griping about those of us who are able to get this money back to our districts.

Mr. Speaker, as you well know and as my leader knows from Philadelphia, at times I give Mr. Perzel gray hair. The fact of the matter is, he has never, ever, ever stopped an application for this program for me to go back to my district and he has never held that against me.

I urge this amendment be defeated. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Trello.

Mr. TRELLO. Mr. Speaker, I have been around this General Assembly an awful long time, and I know of many occasions where the four Governors that I served under appropriated money before it was authorized in case of an emergency when there was a grant. After all, this is our money, my taxpayers' money that live in my district, and some of this money should be used to help solve their problems.

If the gentleman knows of some fraud that is taking place at this present time, we have an Attorney General; we have the legal procedure for him to file charges against somebody if he wants to,

but I think his purpose is to stop these programs that benefit like the gentleman, the previous speaker, his police department.

I have a community in my district where all the steel mills are gone, they lost their tax base altogether, they want to fight crime, but they do not even have a police car to go out and fight crime. And thanks to this program, I was able to get a couple of police cars several years ago so that my police department can fight crime.

I think if he has a pure case of fraud, then he ought to go see the Attorney General, and I would urge that this amendment be voted down. Thank you.

The SPEAKER. Does the lady, Ms. Mundy, seek recognition?

Ms. MUNDY. Thank you, Mr. Speaker.

Mr. Speaker, the previous speaker mentioned that we have an Attorney General in Pennsylvania who could prosecute if there was fraud going on, but that is the point of the amendment. There is no crime in statute to prosecute.

We have a competitive grant program in this State that is not competitive. Now, as a supporter of the former WAM program, I do not object to people getting grant money back in their districts if we clearly delineate what is WAM and what is competitive grant program, but to tell the people of Pennsylvania that we have a competitive grant program, that they should invest the time and effort to apply for grants on a competitive basis, and then to award these grants the way they are being awarded is simply not right.

Let us vote for the Vitali amendment and set it right. Thank you, Mr. Speaker.

The SPEAKER. On the question, Mr. Tangretti.

Mr. TANGRETTI. Thank you, Mr. Speaker.

I had no intentions of addressing this issue, but since some of the comments have been made by some of the other members, I thought it might be wise to maybe recall for the members some of the testimony that occurred during the appropriations hearings this past March.

Both the executive director of the Museum Commission and the acting director of the Department of Community and Economic Development were less than forthcoming in terms of explaining how grants were reviewed and were awarded; could not tell us the process, for all intents and purposes, of how that occurred. As a matter of fact, all of the grants that were declared unconstitutional by the Supreme Court in the previous budget, all 40 of them, mysteriously appeared in this competitive program as the first 40 to be funded. Even though there were 800 other applications in the Department of Community and Economic Development to be reviewed, miraculously, those 40 that were declared unconstitutional in the previous budget showed up.

I think that we have to own up to the fact that this is not the same program that many of us were talking about and partook of in previous administrations. This is a program that is used for other reasons and for other purposes. It is not the legislative initiative grant that we all, most of us, used for our benefit and our constituents' benefits back home.

What is wrong with putting in statute language that makes something a crime that is a crime? What is wrong with putting in statute language that takes someone knowingly saying that this is a meritoriously reviewed program and awarding grants on a basis completely unrelated to merit? What is wrong with that? If we believe in the process as it relates to a merit review, we should not have a problem with that. Why would we be against this

amendment? Or for that matter, if we know that somebody who works in a department is told to make a project fit the definition when that individual knows that it does not fit the definition of what this project should be funded for, why should that not be a crime? Why are we afraid of that?

I think we are denigrating this institution and this process by turning what was a legitimate way of bringing money back into all of our districts, unrelated, unrelated to our votes on this floor, and we have made it and we have perverted it and we have let this administration pervert it into something that is wrong and deceitful.

I, for one, am going to support this amendment because it is the right thing to do.

The SPEAKER. The gentleman, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I think this issue has gotten politicized and we have forgotten to look at the language of the amendment.

If you look at the language of the amendment on line 23, it would appear to be impermissible for a bureau head to impose any kind of sanction or reprimand on someone who works for him who has made his own independent judgment about an application for a grant — and let us forget community revitalization; let us go community development block grant, something on which there is a State law that says how the money is supposed to be given out — and that employee says, “Golly, gee, I don’t think this meets the requirements.” Now, I will daresay there is probably not one member in here who has not at one time or another contacted some State agency and said, “Gee, I think somebody is misinterpreting this application, and it really does meet the requirements.” And suppose you are successful in convincing the bureau director that you are right, and he says, “We’ve gotten counsel’s opinion on this, and we think this meets the requirements,” and the employee says, “The heck with you. I don’t think it does, and I’m not going to do it.” Now, I do not know what the sanction ought to be, but it seems to me that you cannot run an operation when somebody who is at the bottom of the ladder has the right to say, “I’m going to obey this rule when I choose to obey it, and when some attorney for the department tells me I’m wrong, I’m still going to disobey it.” I do not think that is right. Now, I know that is not what this is intended to deal with, but that is what the language says.

The language also says, in lines 13 through 15, “Knowingly make false statements in order to misrepresent competitive fairness....” I do not even know what that is. I do not know, if somebody comes into my office and says, “How come our grant didn’t get funded and somebody else’s did,” and I write a letter— Let us take a Keystone Fund recreation grant. I had this happen. I had some municipalities that got money and some which did not, and I wrote a letter and I got an explanation back as to where you are weak. When does that constitute, when does that information constitute making some kind of a misrepresentation about competitive fairness? How do I know or how does the bureau director who is writing that letter know whether he is in compliance with the statute or not?

Maybe there is a need for a code of conduct. I thought there was a need for a statute that said that you could not spend any money in the Community Revitalization Program until everybody in this chamber set the rules. I did not prevail on that.

But I do not think it is right to make this a crime, and I think it is totally political, and I intend to vote “no.”

The SPEAKER. The gentleman, Mr. Feese.

Mr. FEESE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to pick up where the gentleman from Somerset left off.

The language in the second subsection would also make it a crime for many members of the House here, as public officials; after hearing the allegations that this is not a competitive program, it would make it a crime for us to go back to our constituents and say, we have a competitive grant program that you could submit an application. Because we are public officials, under this proposal, we are then possibly knowingly making false statements of the competitive fairness of the grant program because we are now charged with knowledge of the allegations that the program is not in fact competitive.

The language is simply drafted too broadly. It has a good intent. There are different subsections of it that I think are drafted correctly, (1) and (3), but (2), subsection (2), simply casts such a broad net of criminality that many of us in here would now be subject to criminal liability for arguing that these are competitive grants to our constituents, and I agree with the gentleman from Somerset, we should defeat the amendment. Thank you.

The SPEAKER. The lady, Ms. Carone.

Ms. CARONE. Thank you, Mr. Speaker.

I rise in support of the amendment. Representative Vitali, the sponsor, is trying to create a program that is fairly distributing money throughout the Commonwealth and encouraging organizations to apply for funds in order to be able to be considered based on merit and in competition.

I would like to say that it was very disappointing in May to have an executive director of a COG (council of government) contact my office and say, “Do Republicans have \$40,000, too? A Democrat in my county has just told one of my municipalities to resubmit their grant application and do it very quickly.” There was a deadline of that week, I believe, for \$40,000. I felt that we were back to the old system again of choosing particular persons, distributing money, without going through competition based on merit.

I believe that the sponsor of this amendment has worked very hard, more than any of us, to look at determining how best to spend taxpayer money fairly and encouraging organizations to do the best they can to create model programs and receive State dollars as a result. Thank you.

The SPEAKER. The gentleman, Mr. Gruitza.

Mr. GRUITZA. Will the sponsor of this amendment submit to interrogation?

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

Mr. GRUITZA. Mr. Speaker, you had mentioned that this language was modeled after a Federal statute?

Mr. VITALI. Subsection (a)(1), the “scheme or artifice to defraud” tracks, I believe it is section 1341 of the U.S. Code.

Mr. GRUITZA. Okay. I guess where my concern is, is the second paragraph or section, lines 13 through 15. Is there Federal language that parallels that language?

Mr. VITALI. No.

Mr. GRUITZA. So that language really has not been tested by the Federal courts or any other court, for that matter, to the best of your knowledge?

Mr. VITALI. That phraseology is used throughout the Pennsylvania Crimes Code, and I might also suggest that the Crimes Code language we pass on a daily basis is not tested in the Federal courts.

Mr. GRUITZA. Well, but that language does not exist anywhere else in the Crimes Code. You know, I guess— Let me back up. I am sure that the language “knowingly make false statements” does occur in the context of a number of statutes, and that is what you are referring to. Is that correct?

Mr. VITALI. Maybe I can cut this.

I reviewed that phrase in particular with three assistant district attorneys from Philadelphia when they were up here 2 weeks ago. They suggested certain deletions. They suggested I delete the word “misleading,” which I did. We made other adjustments, and as that stood, they, three prosecutors, were comfortable with that as it is. They had felt we had tightened it up enough so that they, three assistant district attorneys from Philadelphia, were comfortable with that language.

Mr. GRUITZA. On the amendment, Mr. Speaker?

The SPEAKER. The gentleman is in order.

Mr. GRUITZA. Mr. Speaker, to touch base with what Representative Lloyd and Representative Feese had mentioned.

I want to be very clear here. I respect the gentleman’s intent and what he is going after here and what he is trying to do. My concern goes to the language of this legislation, as Mr. Lloyd’s concern goes to the language.

Let us be very clear to the members here. If I understood the maker of the amendment, this is untested language. This does not exist, this second paragraph does not exist under any Federal law, and I am not aware of it existing under any State law.

We have to look at the big picture here. You know, imagine mayor whoever — you know, I am going to use a fictitious name — Mayor Jones in whatever city out in western Pennsylvania is disgruntled because he was not awarded a grant, where a little town down the river was awarded a grant, and in the heat of the moment, he says, well, you know how things go in Harrisburg with this Republican administration or with this Democratic administration; this is politics; this was not fair; this was not a competitive grant; this was all politics. Now, we live in a political arena here. Has that mayor, without thinking, exposed himself to criminal prosecution because of the language under this section? And I would say, I would say that he may very well have done so, depending on which assistant district attorney might be sitting in what office and what his political affiliation might be and what his agenda might be.

The issue here is not what Mr. Vitali is trying to do. I respect what Mr. Vitali is trying to do, and I believe that what he is trying to do is create a level playing field and a fair playing field for our constituents and for the taxpayers and, really, for all of us. However, the language could really open up a Pandora’s box and could subject an awful lot of people who unknowingly could really step into a real situation exposing themselves not to civil liability or not to some sort of an ethical reprimand but to criminal prosecution, and I think that the members of the chamber ought to really consider that. This is a very important vote here. It does not just affect us; it affects any school board member, it affects any county commissioner, any mayor, any borough manager, anybody who might have an opinion on the awarding of some grant and makes a careless statement or a statement that he really cannot

support, and if the cards fall the wrong way, this individual could find himself in serious trouble under this second paragraph of this amendment.

So I am going to vote “no,” and it is not because I do not agree with the gentleman’s intent and his good purpose. I just have a real problem with the language here. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Masland.

Mr. MASLAND. Thank you, Mr. Speaker.

At the risk of being accused of legislative or legal piling on, I must say that I agree with the previous speakers from Lycoming, Somerset, and Butler. Butler? Close.

With all due respect for the maker of this amendment — and I have voted for just about every good-government thing that comes down the road, and many times because I like the concept, I like the principle — as I have spent a little bit more time reading over the language in this amendment, as much as I like the concept and as much as I like the principle, I do not like the language, and I think it will do what some of the previous speakers have alluded to, and therefore, I urge a “no” vote. Thank you.

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

There is no doubt that the gentleman from Carlisle, the gentleman from Lycoming, and the gentleman from Somerset have spoken on the specificity of the language involved, and all of us in this chamber can count. There is no doubt that the momentum behind this effort will be stopped short of 102 votes.

However, on the Vitali amendment and the spirit which propels it, I think the larger political community must realize that Tom Ridge got elected in Pennsylvania as Governor with one of the cardinal elements of his campaign effort being that he would get rid of WAM’s. Walking-around money was what he derisively called it, and legislative initiative grants were what Dick Thornburgh and Bob Casey and several generations of legislative leaders called it. What we are doing here today is reacting to this recent phenomenon. Ridge, Tom Ridge, fatuously and self-righteously has proclaimed that he has gotten rid of WAM’s, and he has created all kinds of serpentine, labyrinthine grant processes over in the bowels of the bureaucracy.

The gentleman from Delaware County is today — probably unsuccessfully today because of some recondite constitutional or statutory language that needs addressed, at least from the worthy members of this body’s perspective — this organization or a series of organizations here in Commonwealth government is being asked to aggressively pursue an egalitarian process, one where each member, each municipality, each borough and township would be treated the same.

There is a guy named Sam McCullough. Wherever you are, Sam, I hope you are listening or I hope the word gets through. Sam McCullough and the Vitali amendment are someday going to collide, and hopefully, hopefully, they will come together amicably, productively, before that collision takes place. McCullough is the political colonel appointed by the Ridge administration to take over what we used to know as DCA (Department of Community Affairs). These grants are under his new auspices.

All of the chicanery that we all know about — a few folks in the back rows talk to somebody up in there, and then they talk to the floor leader, and the floor leader runs back and talks to the Ridge people — it is all Tom Ridge’s fault. He did not get rid of WAM’s;

he created a monster. The young man from Delaware County is trying to absolve us of this pernicious element within our midst. It certainly is not fair. Everybody knows that. You do not have to have more than a tincture of intellectual wherewithal to know that some of us get nothing and others get \$1 million or \$2 million.

So I realize what is going to happen here in a minute, Mr. Speaker, but I have confidence in Sam McCullough. Sam McCullough is a friend of mine. He is a worthy steward of the GOP, and he is one of the luminaries in the Ridge Cabinet.

So I am hopeful that when this amendment meets its doom, that Sam McCullough and the Ridge administration are finally going to realize that if the Ridge campaign promise of fair and equitable distribution of grant money is going to be realized, it is going to probably have to be realized by administrative fiat from Sam McCullough's desk, because although the lady from Butler County and I agree on this, the gentleman from Westmoreland and I agree on this, the lady from Luzerne and I agree on this, it is obvious that the votes are not going to be with us.

So vis-a-vis the Vitali amendment, I am very hopeful that the Ridge administration, disingenuous to this point, will come clean in the future. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment.

People in this country look at public officials and they hold us in high esteem and they expect us to do more than the average person, and you tell me, in this amendment, how you can vote "no" on this amendment when it simply says it shall be unlawful for a public official to engage in a scheme or artifice to defraud; knowingly make false statements; alter, add, or delete or attempt to alter or delete Commonwealth grant documents; dismiss or sanction a public employee for refusing to process a grant application when the employee knows or believes the application does not meet the eligibility requirements of the grant program.

This is very, very elementary as far as doing something wrong, and for the life of me, I do not know how we could vote "no" on this amendment, and I think our constituents would be very shocked to know that we would vote "no" on this amendment. Thank you very much.

The SPEAKER. The gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I would like to start off by saying that this is good, solid, tight language that I have reviewed with a number of people and groups, and I would like to go over each phrase.

But I find it interesting the way the various speakers are micromanaging and microanalyzing this section of the Crimes Code when we have in the past 5 years I have been up here passed Crimes Code statute after Crimes Code statute and we are not looking at the individual words and thinking, how is this going to impact upon this constituent or that constituent, but when our butts are on the line, then we start looking really closely. What is the reason we are looking so closely at this?

I want to just go over each of these phrases, because quite frankly, this is good, tight language, and I would ask you to go over this with me and take a look at this.

In subsection (a)(1), it says it is a crime to "engage in a scheme or artifice to defraud." Now, as we discussed before, that tracks Federal language that has already been tested in the courts. I do not see any problems with that.

Subsection (a)(2), "knowingly" — and I think the Representative from York County left out a key word here — "knowingly make false statements in order to misrepresent." "Knowingly make false statements" — you know it is false, and your intent is to misrepresent. They are very tight qualifiers here, and we worked this phrase over with the Philadelphia district attorney's office. That is a tight sentence despite the criticisms that have been made.

Subsection (a)(3), I do not believe that there have been any criticisms with regard to making it a crime to alter grant documentation. I will not spend a lot of time on that because there have been no criticisms of it.

I think the Representative from Somerset County indicated he had a problem with the word "believes" in item (4). Well, I have gone over this, albeit in caucus, with the Representative from Somerset County, and that was not one of the things that were pointed out. I do believe that language is tight. The "knows or believes" phraseology is in the Pennsylvania Crimes Code in various sections. It is not a problem. But even if this were a problem, even if there was a word here or a word there that could be adjusted, how many bills do we pass, how many amendments do we pass and then just clean it up in the Senate, be it either in committee or on the Senate floor. We do it again and again and again and again.

So I would suggest to you, if you really want to solve the problem, let us not microanalyze this; let us deal with it on its surface. This does not eliminate WAM's; this does not eliminate all these grants. All this says is this: We need to be honest with the people of Pennsylvania; we need to be honest with the municipal officials who are applying for this money, the community groups who are applying for this money, the citizens whom we are making representations to.

All this is saying is, we need to be honest with the people of Pennsylvania, and I ask for a "yes" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the amendment, the gentleman, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, given the arguments and concerns on both sides of the aisle, I urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—59

Battisto	Dent	Lucyk	Sainato
Bebko-Jones	Dermody	Markosek	Scrimenti
Belardi	DeWeese	Mayernik	Steelman
Belfanti	Donatucci	McCall	Sturla
Browne	Eachus	Melio	Surra
Caltagirone	Evans	Mundy	Tangretti
Carn	George	Olasz	Travaglio
Carone	Hanna	Pesci	Trich
Casorio	Jarolin	Petrarca	True
Cohen, M.	Josephs	Petrone	Veon
Colafella	Kaiser	Pippy	Vitali
Corpora	Kirkland	Rieger	Walko
Coy	Krebs	Robinson	Williams, C.

Curry	Laughlin	Roebuck	Yewcic
Daley	Lescovitz	Rooney	

## NAYS—135

Adolph	Fairchild	Maher	Semmel
Allen	Fargo	Maitland	Serafini
Argall	Feese	Major	Seyfert
Armstrong	Fichter	Manderino	Shaner
Baker	Fleagle	Marsico	Smith, B.
Bard	Flick	Masland	Smith, S. H.
Barley	Gannon	McGeehan	Snyder, D. W.
Barrar	Geist	McGill	Staback
Benninghoff	Gigliotti	McIlhattan	Stairs
Birmelin	Gladeck	McNaughton	Steil
Bishop	Godshall	Michlovic	Stern
Blaum	Gordner	Micozzie	Stetler
Boscola	Gruitza	Miller	Stevenson
Boyes	Gruppo	Myers	Strittmatter
Brown	Habay	Nailor	Taylor, E. Z.
Bunt	Haluska	Nickol	Taylor, J.
Butkovitz	Harhart	Oliver	Thomas
Buxton	Hasay	Orie	Tigue
Cappabianca	Hennessey	Perzel	Trello
Cawley	Herman	Phillips	Tulli
Chadwick	Hershey	Platts	Vance
Civera	Hess	Ramos	Van Home
Clark	Horsey	Raymond	Washington
Clymer	Hutchinson	Readshaw	Waugh
Cohen, L. I.	Jadlowiec	Reber	Williams, A. H.
Colaizzo	James	Reinard	Wilt
Conti	Keller	Roberts	Wojnaroski
Cornell	Kenny	Rohrer	Wright, M. N.
Corrigan	Lawless	Ross	Youngblood
Dally	Lederer	Rublely	Zimmerman
DeLuca	Leh	Sather	Zug
Dempsey	Levdansky	Saylor	
DiGirolamo	Lloyd	Schroder	Ryan,
Druce	Lynch	Schuler	Speaker
Egolf			

## NOT VOTING—2

Preston	Wogan
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## EXCUSED—6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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?

The SPEAKER. Mr. Vitali.

Mr. VITALI. Mr. Speaker, I rise to request about 15 seconds to speak on unanimous consent. I promise to be brief.

The SPEAKER. Pardon me. To speak on what?

Mr. VITALI. Unanimous consent.

The SPEAKER. I hear objection, Mr. Vitali.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. I would like the record to reflect that the gentleman, Mr. Gladeck, from Montgomery County has requested that unanimous consent not be given. Thank you, Mr. Speaker.

The SPEAKER. I am sorry?

Mr. DeWEESE. Mr. Gladeck from Montgomery County, I would like for the record to state that he has indicated unanimous consent would not be given.

The SPEAKER. Do you want Freddy's job, Mr. DeWeese?

Mr. DeWEESE. Someday I might want it.

## MOTION TO SUSPEND RULES

The SPEAKER. Mr. Surra, I have notice here that you have an amendment; it was filed late; it will require a suspension of the rules.

Mr. SURRA. Yes, Mr. Speaker. With one staff person here in Harrisburg and us being in session on Wednesday afternoon, it was filed this morning, and I would like to suspend the rules for amendment No. A3929, which is an effort by Representative Benninghoff and myself to deal with possession of tobacco in Pennsylvania as far as it deals with minors, Mr. Speaker.

On the question,

Will the House agree to the motion?

Mr. SURRA. Mr. Speaker?

The SPEAKER. The gentleman, Mr. DeWeese, do you yield to the gentleman, Mr. Surra?

Mr. Surra.

Mr. SURRA. Briefly, Mr. Speaker, I would appreciate your assistance in suspending the rules. Representative Benninghoff and I have been trying for the last few weeks to bring this measure to the floor.

Currently in Pennsylvania, minors under 18 years old in our schools are not allowed to possess tobacco, they are not allowed to buy tobacco products. This amendment briefly just makes what we have now on school property be the law of the land, Mr. Speaker, and I would appreciate the members' support.

The SPEAKER. The Chair thanks the gentleman.

On the question of suspension, Mr. Snyder.

Mr. SNYDER. Mr. Speaker, unfortunately, we will have to ask for a negative vote on suspension of the rules. The voting schedule was set last week, and I think we made it very clear last week how the process works. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question of suspension of the rules—

Mr. SURRA. Mr. Speaker?

The SPEAKER. The question before the House is suspension of the rules.

On that question, the gentleman, Mr. Surra.

Mr. SURRA. I would like to interrogate somebody, the majority leader if he is here.

The SPEAKER. On the question of suspension.

Mr. SURRA. Mr. Speaker, I had a commitment from the majority leader to assist us in this effort.

The SPEAKER. The Parliamentarian advises me that, without benefit of research, interrogation has never been allowed under



suspension, and I frankly have no recollection one way or the other on that. I will rely on the Parliamentarian's—

Mr. SURRA. Okay, Mr. Speaker. If I could be recognized on suspension.

The SPEAKER. You can be recognized on suspension.

Mr. SURRA. Mr. Speaker, if everybody remembers a few weeks ago, I stood and I thanked the majority leader and I withdrew an amendment to a Title 18 bill and thanked him for his offer of assistance in bringing it to the floor, and because of not being able to determine what day it was and then being in session on a Wednesday, I was not able to get the amendment filed timely, so I am asking for some assistance to suspend the rules now, Mr. Speaker, and I appreciate your support.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

## YEAS—98

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

## NAYS—98

Adolph	Druce	Maitland	Schuler
Allen	Egolf	Major	Semmel
Argall	Fairchild	Marsico	Serafini
Armstrong	Fargo	Masland	Seyfert
Baker	Fichter	McGill	Smith, S. H.
Bard	Fleagle	McIlhattan	Snyder, D. W.
Barley	Flick	McNaughton	Stairs
Barrar	Gannon	Micozzie	Steil
Benninghoff	Geist	Miller	Stern
Birmelin	Gladeck	Nailor	Stevenson
Boyes	Godshall	Nickol	Strittmatter
Browne	Gruppo	Orie	Taylor, E. Z.
Bunt	Habay	Perzel	Taylor, J.
Carone	Harhart	Phillips	True
Chadwick	Hennessey	Pippy	Tulli
Civera	Herman	Platts	Vance
Clark	Hershey	Raymond	Waugh
Clymer	Hess	Reber	Wilt
Cohen, L. I.	Hutchinson	Reinard	Wogan
Conti	Kenney	Rohrer	Wright, M. N.
Cornell	Krebs	Ross	Zimmerman

Dally	Lawless	Rubley	Zug
Dempsey	Leh	Sather	
Dent	Lynch	Saylor	Ryan,
DiGirolamo	Maier	Schroder	Speaker

## NOT VOTING—0

## EXCUSED—6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

## YEAS—196

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

Coy	Laughlin	Rohrer	Wright, M. N.
Curry	Lawless	Rooney	Yewcic
Daley	Lederer	Ross	Youngblood
Dally	Leh	Rubley	Zimmerman
DeLuca	Lescovitz	Sainato	Zug
Dempsey	Levdansky	Sather	
Dent	Lloyd	Saylor	Ryan,
Dermoddy	Lucyk	Schroder	Speaker
DeWeese	Lynch		

## NAYS—0

## NOT VOTING—0

## EXCUSED—6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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

The SPEAKER. HB's 540 and 943 are over.

## REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. Mr. Baker.

Mr. BAKER. Mr. Speaker, I just wanted to thank the members for their vote and submit some comments for the record.

The SPEAKER. The gentleman is in order.

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

I want to talk about something that is tragic and disturbing, even chilling. It is the use of the Internet by pedophiles to target and recruit children for exploitation. It is extremely sad that some twisted individuals are using the incredible advances in computer and telecommunications technology to victimize children, but they are.

According to Ernest Allen, president of the National Center for Missing and Exploited Children, it is impossible to estimate how many children are victimized in cyberspace. In part, this is because child rape and molestation are the most underreported crimes. Even so, a 1992 report by the National Victim Center revealed that 61 percent of all rape victims are under 18 and 32 percent of all rape victims are 12 to 17 years old. And in 1996, the U.S. Department of Justice released a study showing that 78 percent of all inmates serving time in State prison for sexual assault had in fact abused a child. Thirty percent of these inmates had abused multiple victims.

The National Center often becomes aware of sexual crimes involving online access when the targeted child runs away from

home in order to meet the "friend" he met through the Internet. These pedophiles, dubbed "cyber enticers," freely roam the Internet searching for young prey. They find children through chat rooms, bulletin boards, and online sites designed for and frequented by children. They masquerade as a member of the targeted child's peer group, gain trust, and then exploit that child.

Recently, in testimony before the U.S. Senate, Mr. Allen and the National Center encouraged States to play a larger role in combating cybersex crimes. States, together with Federal authorities, must make the Internet a scary place for the cyber enticer.

According to the National Center, 13 States already have cybersex laws: criminal statutes which prosecutors can use to go after pedophiles using the Internet. I want Pennsylvania to be the 14th.

My bill, HB 474, makes it a crime to intentionally contact or communicate with a child for the purpose of exploiting that child sexually. The term "contacts or communicates with" includes using any electronic or telecommunications system to exploit a child, including a computer. Additionally, the bill contains language so that cyber enticers outside of Pennsylvania who attempt to prey on the Commonwealth's children will be able to be brought to justice here, under our criminal long-arm jurisdiction statute.

My belief is that we must give our police and prosecutors "high tech" statutes so that they can go after "high tech" pedophiles. If these predators are going online, so must our criminal law.

I ask for an affirmative vote. Together let us make Pennsylvania a frightening place for any cyber enticer that dares to communicate with any of the Commonwealth's children.

\* \* \*

## Q &amp; A for HB 474

1. Why do we need a law aimed at putting cyber enticers in jail, especially when there is Federal law?

The best way to answer that is to paraphrase what Ernest Allen, the president of the Center for Missing and Exploited Children, has said about the need for local and State participation in cybersex cases. In testimony before Congress, he said that local law enforcement has a vital role to play. Local police are often the first point of contact for the victim and his or her family. Local police and district attorneys have a real interest in making sure that the children within their jurisdictions are safe. Moreover, if Federal authorities decide not to prosecute, the case disappears, but the victim remains. The only way to deter cyber predators is to construct a legal web so tight — at the State and Federal levels — that there is a real threat they will be caught.

Speaking as a legislator, we owe it to our children, Pennsylvania's children, to enact an anti-cyber enticer law.

2. Does your bill affect the First Amendment right to free speech in any way?

The U.S. Supreme Court has made it very clear that child pornography is not protected by the First Amendment. When an adult induces a child to commit a sexual act and then records it on film, it is a crime. When an adult attempts to lure a child to his home in order to exploit that child sexually, it is a crime. These are not examples of constitutionally protected speech. So the Commonwealth is within its right to criminalize hunting children on the Internet for the purpose of sexual exploitation.

But the concern about speech is a valid one. Just to make sure we got it right, we worked with the National Center for Missing and Exploited Children, the prosecutor of a State which has successfully used its anti-cyber enticer law in criminal prosecutions, and the American Civil Liberties Union. All said my bill passes constitutional muster.

### 3. Do existing criminal statutes not take care of cyber enticers ?

Yes and no. While it is true that existing criminal statutes are available to prosecutors, there may be some confusion as to how they apply to communications on the Internet. FBI Director Louis Freeh has talked about the need to build strong legal precedents in order to gain convictions. I cannot think of a better way to build that than by enacting legislation designed to stop cyber enticers dead in their tracks. Further, my bill includes language which specifically applies to predators outside the Commonwealth who would try to contact a child within Pennsylvania in order to steal his innocence. This way, the Commonwealth can exert its "long-arm" jurisdiction over this predator and bring him to trial here — where the crime was committed and where the evidence is.

These predators are clever. They pretend to be a member of the child's peer group, establish trust through a series of contacts with the child — through the use of bulletin boards, chat rooms, and e-mail — and then either go "visit" the child, lure him into running away from home, or kidnap him. Since these pedophiles have gone "high-tech," our criminal laws must, too. Thirteen other States have some kind of anti-cyber enticer statute. It is time that Pennsylvania become the 14th.

## BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1125, PN 1622**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting unauthorized administration of an intoxicant; and providing for additional penalties for certain drug-induced rape.

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

The SPEAKER. The Chair recognizes the gentleman— The gentleman, Mr. Belfanti, withdraws his amendments.

The gentleman, Mr. Vitali, withdraws his amendments, which would have been out of order.

I just like to say that every now and then.

Mr. Surra, on HB 1125 I have you noted here for further amendments with a notation that they, too, are late. Never mind. All right.

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

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

The question is, shall the bill pass finally ?

The Chair recognizes the lady from Montgomery, Ms. Bard.  
Ms. BARD. Thank you, Mr. Speaker.

The purpose of this legislation is to provide protection to drug-induced sexual assault and rape. In particular, this statute is designed to combat rohypnol and other substances known as date-rape drugs, which are powerful, odorless, tasteless tranquilizers. These drugs cause difficulty speaking within 10 minutes of ingestion and incapacitate and cause amnesia after 20 to 30 minutes.

Recent congressional testimony by a Drug Enforcement Agency expert noted that untold numbers of unsuspecting young women are being victimized and abused by criminals who spike their drinks with rohypnol. The DEA official further stated that DEA considers the abuse and trafficking of rohypnol to be nearly at epidemic proportions, the same proportions that we have seen with the abuse of crack cocaine and methamphetamine.

A 1996 survey released by the Pennsylvania Coalition Against Rape indicated that 23 rape cases in the Commonwealth involved the suspected use of date-rape drugs. At least two cases are currently being investigated at Penn State.

This legislation provides some penalties for the surreptitious administration of an intoxicant or a controlled substance to another person, and the bill also provides additional penalties for use of drugs in committing rape.

I ask for support for this legislation to help protect women from abuse and victimization. Thank you, Mr. Speaker.

On the question recurring,  
Shall the bill pass finally ?

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

## YEAS—195

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

Brown	Gordner	Mundy	Sturla
Browne	Gruitza	Myers	Surra
Bunt	Gruppo	Nailor	Tangretti
Butkovitz	Habay	Nickol	Taylor, E. Z.
Buxton	Haluska	Olasz	Taylor, J.
Caltagirone	Hanna	Oliver	Thomas
Cappabianca	Harhart	Orie	Tigue
Carn	Hasay	Perzel	Travaglio
Carone	Hennessey	Pesci	Trello
Casorio	Herman	Petrarca	Trich
Cawley	Hershey	Petrone	True
Chadwick	Hess	Phillips	Tulli
Civera	Horsey	Pippy	Vance
Clark	Hutchinson	Platts	Van Horne
Clymer	Jadlowiec	Preston	Veon
Cohen, L. I.	James	Ramos	Vitali
Cohen, M.	Jarolin	Raymond	Walko
Colaella	Josephs	Readshaw	Washington
Colaizzo	Kaiser	Reber	Waugh
Conti	Keller	Reinard	Williams, A. H.
Cornell	Kenney	Rieger	Williams, C.
Corpora	Kirkland	Roberts	Wilt
Corrigan	Krebs	Robinson	Wogan
Coy	Laughlin	Roebuck	Wojnaroski
Curry	Lawless	Rohrer	Wright, M. N.
Daley	Lederer	Rooney	Yewcic
Daly	Leh	Ross	Youngblood
DeLuca	Lescovitz	Rubley	Zimmerman
Dempsey	Levdansky	Sainato	Zug
Dent	Lloyd	Sather	
Dermody	Lucyk	Saylor	Ryan,
DeWeese	Lynch	Schroder	Speaker
DiGiroiamo			

## NAYS—0

## NOT VOTING—1

Bishop

## EXCUSED—6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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.

## ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair is pleased to advise the members that one of our own, Representative Dante Santoni, Jr., and his wife, Sharon, are the proud parents of their first child, a daughter born on Saturday, October 4. He is on leave, so Mr. Petrone is taking the bow for him.

## GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall today Jessica Weixler and Joshua Prox, who are serving as guest pages. Also, seated in the House gallery is Jessica's mother, Reni Weixler. They are here today as guests of Representative Peter Zug. Would these folks please rise. Welcome to Harrisburg.

## BILLS ON THIRD CONSIDERATION

## BILLS PASSED OVER

The SPEAKER. Page 3. HB's 1331, 1494, 1473 are all—

Mr. BELFANTI. Mr. Speaker?

The SPEAKER. Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Prior to passing over SB 307, I would like to be recognized.

The SPEAKER. I intend to recognize you; yes.

The first three bills on page 3 are over.

## RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Belfanti, with respect to SB 307.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, earlier today it seemed as though SB 307 would be pulled from the calendar because there were a series of amendments that were offered, some which were of a controversial nature.

The staff of both the majority and minority House Labor Relations Committees have discussed the importance of this measure with all of the amendment offerers, and we have all agreed to withdraw our amendments — at least that is my belief — so that we can proceed with the adoption of SB 307.

The SPEAKER. The gentleman, Mr. Belfanti, moves to suspend the rules of the House to permit the immediate consideration of SB 307. Is that my understanding?

Mr. BELFANTI. Yes, Mr. Speaker.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question, Mr. Gladeck.

Mr. GLADECK. On the suspension of the rules, Mr. Speaker?

The SPEAKER. Will the majority floor leader yield to the gentleman, Mr. Gladeck?

Mr. Gladeck.

Mr. GLADECK. I concur with Representative Belfanti, and I would ask that the House suspend the rules so that we can consider SB 307 immediately. Thank you.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

## YEAS—191

Adolph	Donatucci	Maher	Schuler
Allen	Druce	Maitland	Scrimenti
Argall	Eachus	Major	Sermel
Armstrong	Egolf	Manderino	Serafini
Baker	Evans	Markosek	Seyfert
Bard	Fairchild	Marsico	Shaner
Barley	Fargo	Masland	Smith, B.
Barrar	Feese	Mayernik	Smith, S. H.
Battisto	Fichter	McCall	Snyder, D. W.
Bebko-Jones	Fleagle	McGeehan	Staback
Belardi	Flick	McGill	Stairs
Belfanti	Gannon	McIlhattan	Steelman

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

## NAYS—4

Carone	Krebs	Platts	Steil
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## NOT VOTING—1

Bishop

## EXCUSED—6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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.

## BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 307, PN 1298, entitled:

An Act prohibiting termination and discipline of an employee for failing to report to work during a state of emergency; and providing penalties.

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

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

The question is, shall the bill pass finally?

Mr. GEORGE. Mr. Speaker?

The SPEAKER. The gentleman, Mr. George, on the question of final passage.

Mr. GEORGE. Mr. Speaker, I rise to the matter of a personal inquiry.

The SPEAKER. Point of personal privilege?

Mr. GEORGE. Personal privilege, personal something.

The SPEAKER. That is okay.

Mr. GEORGE. Whatever.

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

Mr. GEORGE. Well, Mr. Speaker, the gentleman a moment ago stood before you and our colleagues and said that he had an agreement from all sponsors of various amendments, and I am afraid that is just not true. So the reason I ask, does that mean my amendment will not be brought forward for me to see whether or not the members are in agreement with it?

The SPEAKER. It is my understanding if amendments are to be offered, we will go over the bill for the day.

Mr. GEORGE. Well, the amendment, in my opinion, is going to be offered if the Speaker allows it to be offered.

Mr. BELFANTI. Mr. Speaker?

Mr. GEORGE. Mr. Speaker?

The SPEAKER. Will the gentleman yield.

For what purpose does the gentleman, Mr. Belfanti, rise?

Mr. BELFANTI. Mr. Speaker, a point of personal privilege whenever the gentleman, Mr. George, has completed his remarks.

The SPEAKER. The gentleman, Mr. Belfanti.

Mr. BELFANTI. Mr. Speaker, I apologize if there is an error in communication here. Mr. DeFrank in Senator Kasunic's office informed the staff of the Labor Relations Committee that all of the amendments, including Mr. George's, were going to be withdrawn. That is why I made my earlier motion based upon that premise.

I do apologize for not talking to Mr. George directly, but it is just one of those days where I had a number of amendments to a number of bills, and I was not trying to do anything to cause any affront to the gentleman, Mr. George.

The SPEAKER. Without objection—

Mr. George, have you completed your remarks?

It would be the intention of the Chair—

Mr. GEORGE. No, Mr. Speaker, if you will.

The SPEAKER. Wait a minute; wait.

I am going to give you an opportunity to speak; I am going to give you an opportunity to speak.

It is my intention, it is my intention, after you have concluded speaking, it is my intention to put the bill over because it was the general—

## BILL PASSED OVER

Mr. GEORGE. If the gentleman, the Speaker, will allow, I would ask that it be put over.

The SPEAKER. Fine.

Without objection, this bill will go over. The Chair hears no objection.

I thank the gentleman, Mr. George.

\* \* \*

The House proceeded to third consideration of **HB 492, PN 2195**, entitled:

An Act establishing standards regulating residential swimming pool, hot tub and spa design and construction; providing for safety precautions and protection against potential immersion accidents for children; and imposing a penalty.

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

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

The question is, shall the bill pass finally?

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

#### YEAS-137

Adolph	George	Mayernik	Smith, B.
Allen	Gigliotti	McGeehan	Snyder, D. W.
Argall	Gladeck	McNaughton	Stairs
Armstrong	Godshall	Melio	Steelman
Bard	Gruitza	Michlovic	Steil
Barley	Gruppo	Micozzie	Stetler
Battisto	Habay	Myers	Stevenson
Benninghoff	Haluska	Olasz	Strittmatter
Blaum	Hanna	Oliver	Sturla
Boscola	Harhart	Orie	Tangretti
Browne	Hennessey	Perzel	Taylor, E. Z.
Bunt	Herman	Pesci	Taylor, J.
Butkovitz	Hershey	Petrarca	Thomas
Buxton	Hess	Petrone	Travaglio
Caltagirone	Horsey	Pippy	Trello
Carn	Hutchinson	Platts	Trich
Civera	James	Preston	True
Clymer	Jarolin	Ramos	Tulli
Cohen, L. I.	Josephs	Raymond	Vance
Colaella	Kaiser	Readshaw	Veon
Colaizzo	Keller	Reber	Vitali
Conti	Kenney	Reinard	Walko
Cornell	Kirkland	Rieger	Washington
Corrigan	Laughlin	Roberts	Williams, A. H.
Curry	Lawless	Robinson	Williams, C.
Daley	Lederer	Roebuck	Wilt
Dally	Leh	Rooney	Wogan
DeLuca	Levdansky	Ross	Wojnaroski
Dent	Lucyk	Rublely	Wright, M. N.
Dermody	Maher	Sainato	Youngblood
DiGirolamo	Major	Schroder	Zimmerman
Donatucci	Manderino	Schuler	
Druce	Markosek	Semmel	
Fichter	Marsico	Serafini	Ryan,
Gannon	Masland	Shaner	Speaker

#### NAYS-57

Baker	Corpora	Jadlowiec	Rohrer
Barrar	Coy	Krebs	Sather
Bebko-Jones	Dempsey	Lescovitz	Saylor
Belardi	DeWeese	Lloyd	Scrimenti
Belfanti	Eachus	Lynch	Seyfert
Birmelin	Egolf	Maitland	Smith, S. H.

Boyes	Fairchild	McCall	Staback
Brown	Fargo	McGill	Stern
Cappabianca	Feese	McIlhattan	Surra
Carone	Fleagle	Miller	Tigue
Casorio	Flick	Mundy	Van Horne
Cawley	Geist	Nailor	Waugh
Chadwick	Gordner	Nickol	Yewcic
Clark	Hasay	Phillips	Zug
Cohen, M.			

#### NOT VOTING-2

Bishop	Evans
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#### EXCUSED-6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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. The next bill, HB 1755, is over.

#### RESOLUTIONS PURSUANT TO RULE 35

##### RESOLUTION PASSED OVER

The SPEAKER. The first resolution, HR 243, is over.

\* \* \*

Mr. FEESE called up **HR 252, PN 2292**, entitled:

A Resolution commemorating the founding of Muncy Borough, Lycoming County, 200 years ago, in 1797, and proclaiming October 11, 1997, as the official birthday of Muncy.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

#### YEAS-190

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

Birmelin	Geist	McIlhatten	Steelman
Blaum	George	McNaughton	Steil
Boscola	Gigliotti	Michlovic	Stern
Boyes	Gladeck	Micozzie	Stetler
Brown	Godshall	Miller	Stevenson
Browne	Gordner	Mundy	Strittmatter
Bunt	Gruitza	Myers	Sturla
Butkovitz	Gruppo	Nailor	Surra
Buxton	Habay	Nickol	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	Horse	Pippy	Vance
Clymer	Hutchinson	Platts	Van Home
Cohen, L. I.	Jadlowiec	Preston	Veon
Cohen, M.	James	Ramos	Vitali
Colaella	Jarolin	Raymond	Walko
Colaizzo	Josephs	Readshaw	Washington
Conti	Kaiser	Reber	Waugh
Cornell	Keller	Reinard	Williams, A. H.
Corpora	Kenney	Rieger	Williams, C.
Corrigan	Kirkland	Roberts	Wilt
Coy	Krebs	Robinson	Wogan
Curry	Laughlin	Roebuck	Wright, M. N.
Daley	Lawless	Rohrer	Yewcic
Dally	Lederer	Rooney	Youngblood
DeLuca	Leh	Ross	Zimmerman
Dempsey	Lescovitz	Rubley	Zug
Dent	Levdansky	Sainato	
Dermody	Lloyd	Sather	Ryan,
DeWeese	Lucyk	Saylor	Speaker

## NAYS-0

## NOT VOTING-6

Belfanti	Evans	Tangretti	Wojnaroski
Bishop	Melio		

## EXCUSED-6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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

\*\*\*

Mr. SCRIMENTI called up **HR 256, PN 2296**, entitled:

A Resolution declaring the month of October 1997 as "Pennsylvania Grape Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

## YEAS-195

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

## NAYS-0

## NOT VOTING-1

Bishop

## EXCUSED-6

Cowell	LaGrotta	Pistella	Santoni
Itkin	O'Brien		

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



\* \* \*

Ms. JOSEPHS called up **HR 257, PN 2297**, entitled:

A Resolution honoring Mother Teresa for her many contributions and dedication to humanity.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—195

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

## NAYS—0

## NOT VOTING—1

Bishop

## EXCUSED—6

Cowell  
ItkinLaGrotta  
O'Brien

Pistella

Santoni

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

## SUPPLEMENTAL CALENDAR A

## RESOLUTION PURSUANT TO RULE 35

Mr. SURRA called up **HR 263, PN 2339**, entitled:

A Resolution commending the Rocky Mountain Elk Foundation.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—195

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

Dermody  
DeWeese  
DiGirolamo

Lucyk  
Lynch

Saylor  
Schroder

Ryan,  
Speaker

NAYS—0

NOT VOTING—1

Bishop

EXCUSED—6

Cowell  
Itkin

LaGrotta  
O'Brien

Pistella

Santoni

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

### VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Shaner. Do you desire recognition?

Mr. SHANER. Thank you, Mr. Speaker.

On HB 492 my switch malfunctioned. I wish to be recorded in the negative.

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

Are there any other corrections?

Mr. Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

On SB 188, suspension of the rules on amendment 3832, on October 1, I inadvertently voted negative. I would like to have my record corrected to vote in the affirmative. Thank you.

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

Any further corrections? Any announcements? Any further reports of committees?

### DEMOCRATIC CAUCUS

The SPEAKER. The gentleman, Mr. Cohen.

Will the gentleman yield.

Will the House come to order. Mr. Cohen has an announcement.

Mr. COHEN. Thank you, Mr. Speaker.

The SPEAKER. Will the gentleman yield.

The House will come to order for the announcements.

Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to remind Democratic members there will be a caucus tomorrow at 11:30 to go over any amendments to bills as well as several bills that we did not have a chance to caucus on today — 10:30; 10:30, I meant. I am told I said 11:30.

The SPEAKER. The Democrat members will caucus at 10:30; 10:30.

### REPUBLICAN CAUCUS

The SPEAKER. The Republican members will meet in caucus at 10:30 tomorrow morning. Both caucuses will meet at 10:30.

### COMMUNICATION

#### LOBBYIST LIST PRESENTED

The SPEAKER. 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

October 1, 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 September 1, 1997 through September 30, 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.)

### BILL PASSED OVER

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

### ADJOURNMENT

The SPEAKER. Is there any further business? Republican or Democrat floor leaders, further business? Further announcements? Further reports of committees?

Hearing none, the Chair recognizes the gentleman from Westmoreland County, Mr. Casorio.

Mr. CASORIO. Mr. Speaker, I move that this House do now adjourn until Tuesday, October 7, 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 5:37 p.m., e.d.t., the House adjourned.