

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, OCTOBER 7, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 53

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Let us pray:

Guiding force of the universe, we pause in the midst of our daily work to recognize Your presence and avow Your importance to those of us entrusted with the leadership of this Commonwealth.

Each day dawns with new issues and overwhelming challenges, yet opportunities for improving life for our citizens. Thus, each day demands our best. Grant us, therefore, this day the energy we need to continue in our task. Motivate us with a God-given vision that defines our future, and show us the promise of a greater society than we have ever known.

It is out of appreciation for all that You have done for us, O God, that we pray this prayer. 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 Monday, October 6, 1997, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the gentleman, Mr. Snyder, who requests a leave for today's session for the gentleman from Schuylkill, Mr. ARGALL. The Chair hears no objection, and the leave will be granted.

The Chair recognizes the gentleman from Allegheny County, Mr. Itkin, who requests leaves for Mr. SANTONI, Mr. PISTELLA, Mr. LaGROTTA, and Mr. LEVDANSKY, all for today's session. The Chair hears no objection, and leaves will be granted.

The Democrat leadership has contacted the Chair asking that the start of business be delayed until they have completed a caucus at approximately 11:30.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1878 By Representatives E. Z. TAYLOR, CLYMER, MANDERINO, L. I. COHEN, DENT, RUBLEY, J. TAYLOR, VANCE, EGOLF, CAWLEY, DERMODY, McCALL, M. COHEN, LEDERER, MELIO, PESCI, STURLA, MILLER, SHANER, MICOZZIE, HERMAN, THOMAS, DALLY, GODSHALL, FLICK, JOSEPHS, CORPORA, SAYLOR, DRUCE, BENNINGHOFF, HENNESSEY, OLASZ, ROSS, LAUGHLIN, BARD, SATHER, RAMOS, C. WILLIAMS, BAKER, BELFANTI, CLARK, COY, DEMPSEY, FAIRCHILD, MAITLAND, McNAUGHTON, PRESTON, RAYMOND, READSHAW, SCHRODER, SCHULER, SEYFERT, B. SMITH, STEELMAN, SURRA, TIGUE, TRELLO, VAN HORNE, WALKO, YOUNGBLOOD and BROWNE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a tax credit for long-term care premiums paid by individuals.

Referred to Committee on FINANCE, October 7, 1997.

No. 1879 By Representatives NICKOL, NAILOR, BELARDI, STABACK, CLARK, RUBLEY, ROSS, SATHER, FARGO, GEIST, PISTELLA, VANCE, WAUGH, OLASZ, RAMOS, SCRIMENTI, JAMES, FAIRCHILD, ARMSTRONG, STEELMAN, PLATTS and TRELLO

An Act amending the act of July 3, 1986 (P.L.388, No.84), known as the Sunshine Act, providing for attorney fees.

Referred to Committee on STATE GOVERNMENT, October 7, 1997.

No. 1880 By Representatives RAMOS, HORSEY, DENT, GODSHALL, FICHTER, M. COHEN, DeLUCA, MELIO, STURLA, C. WILLIAMS, WASHINGTON, YOUNGBLOOD, ROONEY, KIRKLAND and TRELLO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of wearing certain masks, hoods and other devices.

Referred to Committee on JUDICIARY, October 7, 1997.

No. 1881 By Representatives ARMSTRONG, FARGO, BROWN, McILHATTAN, LAUGHLIN, McCALL, PESCI, ZIMMERMAN, READSHAW, CURRY, BELFANTI, McGEEHAN, JAMES and ROBERTS

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for qualifications of electors at primaries.

Referred to Committee on STATE GOVERNMENT, October 7, 1997.

No. 1882 By Representatives MARKOSEK, BELARDI, VAN HORNE, PRESTON, OLASZ, READSHAW, LAUGHLIN, STEELMAN, RUBLEY, DALEY, ITKIN, DeLUCA, BELFANTI, SCRIMENTI, CLARK, RAMOS, YOUNGBLOOD, TRELLO, M. COHEN, TRAVAGLIO and BOSCOLA

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, further providing, in weights and measures, for general powers and duties, for investigations, for orders, for specific powers and duties, for local administration, for concurrent jurisdiction, for division of responsibilities, for enforcement and regulations, for offenses and penalties, for injunctions, and for disposition of funds.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, October 7, 1997.

No. 1883 By Representatives WILT, WAUGH, BELARDI, GORDNER, STERN, BARRAR, MELIO, HERSHEY, HENNESSEY, LYNCH, HORSEY, CORPORA, BOSCOLA, BARD, PLATTS, TRUE, GEIST, B. SMITH, KENNEY, EGOLF, ORIE, SEYFERT, RAMOS, BATTISTO, ARMSTRONG, YOUNGBLOOD, L. I. COHEN, TRELLO, BENNINGHOFF and M. COHEN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for vehicle immobilization for defendants convicted of driving under the influence of alcohol or controlled substances.

Referred to Committee on JUDICIARY, October 7, 1997.

No. 1884 By Representatives STEVENSON, WALKO, STAIRS, JAMES, COLAIZZO, WOJNAROSKI, GORDNER, CURRY, C. WILLIAMS, MASLAND, McCALL, MUNDY, LAUGHLIN, ORIE, ARGALL, ALLEN, KENNEY, DENT, PIPPY, FICHTER, ARMSTRONG, STEELMAN, RUBLEY, BARD, GRUITZA, BARRAR, DEMPSEY, DRUCE, SEYFERT, DALEY, TULLI, MARKOSEK, BATTISTO, WILT, SAYLOR, RAMOS, GEIST, HERSHEY, YOUNGBLOOD, E. Z. TAYLOR, SURRA, BUNT, HENNESSEY, MANDERINO, BROWNE, BAKER, SCRIMENTI, SEMMEL, B. SMITH, MARSICO, PISTELLA, BOSCOLA, DERMODY, BELARDI, RAYMOND, VAN HORNE and ROSS

An Act regulating libraries; providing for the State Librarian, for the State Library and for the State Library Commission; establishing the State Library Fund; providing for library financing; establishing the State Library System; making tax exemptions and authorizing and requiring local taxation; entering into an interstate compact; and making repeals.

Referred to Committee on EDUCATION, October 7, 1997.

No. 1885 By Representatives STRITTMATTER, COLAIZZO, JOSEPHS, TRUE, HERSHEY, FLEAGLE, COY, McNAUGHTON, OLASZ, SCHULER, BAKER, BOSCOLA, ARGALL, ZIMMERMAN, SCHRODER, E. Z. TAYLOR, LYNCH, ROHRER, EGOLF, LEH, C. WILLIAMS, TULLI, BROWNE, ARMSTRONG, WALKO, HUTCHINSON, DeLUCA, PETRARCA, BENNINGHOFF, HASAY, HENNESSEY, SEMMEL, GEIST, ALLEN, STEELMAN, SATHER, STERN and RAMOS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for a charity tax credit.

Referred to Committee on FINANCE, October 7, 1997.

No. 1886 By Representatives TULLI, DeLUCA, McNAUGHTON, BUXTON, COY, WAUGH, VANCE, FEESE, COWELL, NICKOL, SCHRODER, WOJNAROSKI, BARD, ALLEN, EGOLF, MILLER, WILT, ROSS, FICHTER, FARGO, STABACK, TRUE, BOSCOLA, STERN, BENNINGHOFF and SEYFERT

An Act amending the act of July 8, 1978 (P.L.752, No.140), known as the Public Employee Pension Forfeiture Act, further defining "crimes related to public office or public employment"; and making editorial changes.

Referred to Committee on JUDICIARY, October 7, 1997.

No. 1887 By Representatives DRUCE and CONTI

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, further providing for purchase of agricultural conservation easements.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, October 7, 1997.

No. 1888 By Representatives STURLA, ITKIN, J. TAYLOR, DeWEESE, BELARDI, READSHAW, LAUGHLIN, GIGLIOTTI, WOJNAROSKI, THOMAS, MELIO, COY, OLASZ, DEMPSEY, SAINATO, BELFANTI, SCRIMENTI, RAMOS, CURRY, SHANER, JOSEPHS, CASORIO, L. I. COHEN, TRAVAGLIO, WALKO, TANGRETTI, BOSCOLA, TRELLO, VAN HORNE, C. WILLIAMS, TRICH, STEELMAN, PETRARCA, DeLUCA and M. COHEN

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, authorizing a crime prevention and local law enforcement program; providing for financial assistance to law enforcement agencies; establishing the Crime Prevention and Local Law Enforcement Fund; and making a repeal.

Referred to Committee on JUDICIARY, October 7, 1997.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 271 By Representatives STEIL, FICHTER, MASLAND, FARGO, BARRAR, LaGROTTA, HERSHEY, JAROLIN, TIGUE, SCHRODER, MARSICO, GIGLIOTTI, STERN, SAYLOR, C. WILLIAMS, HENNESSEY, LAUGHLIN, TRICH, E. Z. TAYLOR, RUBLEY, MELIO, MILLER, M. COHEN, WAUGH, LYNCH, PESCI, VAN HORNE, ARMSTRONG, HALUSKA, STABACK, VANCE, DALLY, DERMODY, ROBERTS, ROSS, BOSCOLA, CORRIGAN, STEELMAN, L. I. COHEN and SATHER

A Resolution establishing a joint committee study of the impact of the extension and termination of the early retirement benefit for public school employees and State employees.

Referred to Committee on RULES, October 7, 1997.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1476, PN 2358**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate
October 6, 1997

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, October 20, 1997, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, October 20, 1997, unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,
Will the House concur in the resolution of the Senate?
Resolution was concurred in.
Ordered, That the clerk inform the Senate accordingly.

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

HB 1586, PN 1946 By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for intimidation of witnesses and victims and for jury tampering.

JUDICIARY.

HB 1757, PN 2182 By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of solicitation of minors to traffic drugs.

JUDICIARY.

HB 1777, PN 2384 (Amended) By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for mitigating circumstances for murder in the first degree; and defining "mentally retarded."

JUDICIARY.

HB 1778, PN 2385 (Amended) By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for obscene and other sexual materials.

JUDICIARY.

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON
AGRICULTURE AND RURAL AFFAIRS**

HB 1029, PN 1158 By Rep. GANNON

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

JUDICIARY.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, seated in the balcony, as the guests of Representative Keith McCall, a group of citizens from Lehigh, Pennsylvania. Would the guests please acknowledge their presence.

RAILWAY PARK LITTLE LEAGUE TEAM PRESENTED

The SPEAKER. Will the gentleman, Mr. Allen, and the gentleman, Mr. Lucyk, come to the desk.

The House will come to order.

The Chair recognizes the gentleman, Mr. Allen.

Mr. ALLEN. Thank you, Mr. Speaker.

Ladies and gentlemen of the House, the Schuylkill County delegation welcomes to the hall of the House of Representatives the Railway Park Little League team from Pottsville, Pennsylvania.

Joining us on the rostrum today are the team manager, Irv Schappell, a 42-year veteran of Little League coaching; and players Jim Tokonitz, Michael Pilo, and Jeff Ridge, no relative to the Governor. In the rear of the House are the other team members: Brad Bowers, Dave DeStefano, Brian Doyle, Jim Hoban, Eric Hufnagle, Justin Marx, Anthony Mehling, Alex Miranda, Matthew Price, Jonathan Williams, and John Zedonek; and coaches Tom DeStefano and Bob Rokosky; also, the mayor of the city of Pottsville, the Honorable Joseph Muldowney.

The Railway Park Little League team is the 1997 Pennsylvania State champion, the 1997 Eastern United States champion. This team played in the Little League World Series in Williamsport, Pennsylvania. At the Little League World Series, the Railway Park team played before the largest nighttime crowd — 35,700 people — in Little League history.

Will the members of the House give a warm welcome to the Railway Park Little League team of Pottsville. Thank you.

MISS PENNSYLVANIA AMERICAN TEEN PRESENTED

The SPEAKER. To the left of the Speaker sits Julie Ann Silvasy, Miss Pennsylvania American Teen. Please rise, Julie Ann.

I have asked that she come to the podium so that you might see who will be representing Pennsylvania.

Julie is here with her parents, Nancy and Dennis; her brother, Jason; her grandmother, Jane Deardon; her uncle, Mike Brown.

Julie will compete for the national title at Walt Disney World in late November. I would like you to recognize this young lady and her talents and wish her good luck in the upcoming competition.

She is the constituent of the very proud George T. Kenney, Jr.

GUESTS INTRODUCED

The SPEAKER. Here today as the guests of the Delaware County delegation is a group of senior citizens from the Council of Organizations of Senior Citizens, Inc. They are seated at the rear of the hall of the House. Would they please rise.

The House will stand at ease awaiting the completion of the Democrat caucus.

The House will come to order.

Members will please take their seats. We have a number of guests I would like to introduce and then start on the calendar. It is the intention of the Chair to work straight through. There will be no luncheon break.

GUESTS INTRODUCED

The SPEAKER. To the left of the Speaker, as the guest of Representative Tulli, the Chair welcomes Nicole Fureman. Would Nicole please rise.

As the guests of Representative Corpora, I am pleased to introduce to the House Miss Adriene Karam, Miss Teen of Pennsylvania — Miss Karam, would you please rise — along with her parents, Deborah and Anthony Karam. Miss Karam is a senior at Easton Area High School, and we are pleased and grateful that you have given us the opportunity to meet with you here today.

Today, as the guest of Representative Craig Dally, we have with us a constituent of his, Kristen Maloney, who is a champion gymnast, who finished 13th in the all-around competition of the world gymnastics championships in Lusanne, Switzerland. Would Ms. Maloney please rise.

As the guests of Representative Lisa Boscola, we have with us today America's National Teen-Ager from Pennsylvania, Kristen Repyneck. Would Kristen please stand. Thank you. I am advised that she is a participant in the America's National Teen-Ager Scholarship Foundation Program, and she was selected as the main scholarship recipient of the Pennsylvania State Program. We are very proud of you for accomplishing that. Congratulations.

RULES COMMITTEE MEETING

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

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 1476, PN 2358

By Rep. PERZEL

An Act amending the act of July 6, 1989 (P.L.169, No.32), entitled Storage Tank and Spill Prevention Act, further providing for Underground Storage Tank Indemnification Board and its powers and duties, for the Underground Storage Tank Indemnification Fund, for eligibility of claimants including certified tank installers and for audit, sunset and performance reviews; and providing for Underground Storage Tank Environmental Cleanup Program and the Upgrade Loan Program.

RULES.

CALENDAR

BILLS ON THIRD CONSIDERATION

BILLS PASSED OVER

The SPEAKER. Page 1 of today's calendar. HB's 371, 1768, and 1809 are over.

The House proceeded to third consideration of HB 623, PN 2010, entitled:

An Act requiring disclosure of new motor vehicle damage; and providing for enforcement.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 623 be recommitted to Appropriations.

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

The House proceeded to third consideration of HB 1759, PN 2184, entitled:

An Act repealing the act of April 14, 1905 (P.L.162, No.118), entitled "An act regulating the method and procedure in the erection of line or partition fences."

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 1759 be recommitted to Appropriations.

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

BILLS PASSED OVER

The SPEAKER. The balance of the bills on page 2 are over for today.

The House proceeded to third consideration of HB 1567, PN 2225, entitled:

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.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 1567 be recommitted to Appropriations.

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

BILLS PASSED OVER

The SPEAKER. HB 1473 and HB 21 are over, without objection. The Chair hears none.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT-197

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

Cowell	Kirkland	Robinson	Wojnaroski
Coy	Krebs	Roebuck	Wright, M. N.
Curry	Laughlin	Rohrer	Yewcic
Daley	Lawless	Rooney	Youngblood
Dally	Lederer	Ross	Zimmerman
DeLuca	Leh	Rubley	Zug
Dempsey	Lescovitz	Sainato	
Dent	Lloyd	Sather	Ryan,
Dermody	Lucyk	Saylor	Speaker
DeWeese	Lynch	Schroder	

ADDITIONS—0

NOT VOTING—0

EXCUSED—5

Argall	Levdansky	Pistella	Santoni
LaGrotta			

LEAVES ADDED—1

Gordner

LEAVES CANCELED—1

Argall

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1347, PN 1550**, entitled:

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.

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

Mr. HERMAN offered the following amendment No. A2852:

Amend Sec. 1 (Sec. 2), page 2, lines 3 through 26, by striking out all of said lines and inserting

(2) With the approval of the Senate Committee on Management Operations and the Bi-partisan Management Committee of the House of Representatives, to provide access to legislative information within the computer information systems operated by the committee to persons outside the General Assembly as the committee deems appropriate. Such access will be provided in the manner approved by the committee, the Senate Committee on Management Operations and the Bi-partisan Management Committee of the House of Representatives. No information residing in the computer information systems operated by the committee shall be released or disseminated by the committee or its employes to persons outside the General Assembly without the approval of:

(i) The Senate Committee on Management Operations if the document or information was originated, prepared, generated or maintained in whole or in part by the Senate.

(ii) The Bi-partisan Management Committee of the House of Representatives if the document or information was originated, prepared,

generated or maintained in whole or in part by the House of Representatives.

(3) Notwithstanding paragraph (2), to provide access to information relating to bills, legislative histories and session calendars to the Governor's Office, the heads of departments and such other offices within State government as the committee, with the approval of the Senate Committee on Management Operations and the Bi-partisan Management Committee of the House of Representatives, shall determine.

Amend Sec. 1 (Sec. 2), page 2, line 27, by striking out "(3)" and inserting

(4)

Amend Sec. 1 (Sec. 2), page 3, line 2, by striking out "(4)" and inserting

(5)

Amend Sec. 1 (Sec. 2), page 3, line 5, by striking out "(5)" and inserting

(6)

Amend Sec. 1 (Sec. 2), page 3, line 8, by striking out "(6)" and inserting

(7)

Amend Sec. 1 (Sec. 2), page 3, line 11, by striking out "(7)" and inserting

(8)

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

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

Mr. HERMAN. Thank you, Mr. Speaker.

This amendment affects the ability of the Legislative Data Processing Center to disseminate information to the Governor's Office, State agencies, and the public at large.

Basically, the Legislative Data Processing Center is overseen by the Legislative Data Processing Committee, which is a bipartisan, bicameral committee made up of two representatives of each of the four caucuses of the General Assembly.

The legislation that created the Legislative Data Processing Center and the committee which oversees its operations was adopted in 1968 and only made the information that you as members of the General Assembly and staff see every day regarding your computer terminal, regarding House voting schedules, calendars, statutes, amendments, and bills, only available to the members of the General Assembly or staff. It does not, however, allow for that information to be made available, even through the computer terminal, to the Governor's Office, the heads of the departments of the various agencies and offices, and there have been many requests that this may be made done.

The committee has made a decision, a policy decision, that we want to be able to do this so that not only will the Governor's Office and the heads of departments and offices of State government also have access to this information via the computer terminal but also the public at large. This will save the taxpayers millions of dollars in terms of providing for this information and save an astronomical amount of dollars of printing and mailing costs.

The amendment that I am offering, amendment 2852, is sponsored by myself, Representative Michlovic, Representative Stetler, and Representative Nailor, who are the appointees to the Legislative Data Processing Committee.

What this amendment will do is to streamline the language of the legislation to ensure that the committee also works in cooperation with the Bipartisan Management Committee and the Committee on Management Operations of the Senate to ensure that that public information, which is strictly information that should be made available to the public, is done so while also protecting the integrity of the General Assembly and each of the caucuses in the kind of information that they want to discuss and be made available to the members only.

The amendment also requires legislatively that the Governor's Office, as well as the heads of all the departments and various offices of State government, will also have access to the information via the computer terminal.

I greatly request your support of this amendment. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, I join with Representative Herman and my colleagues on the Legislative Data Processing Committee in sponsoring this amendment and urge its approval.

I just wanted to say that the purpose of the whole bill is to change the statute under which we were set up, the LDP Committee was set up, to allow more access of documents and information through the computer network.

When the committee was set up more than 20 or 30 years ago, we did not have the technology we have today to provide that information not only to the members but to the public, and this legislation's whole purpose then is to avail ourselves of that new technology and to provide that, through that technology, provide that information to a larger number of people across this Commonwealth.

But at first we have to be careful, because there is in this whole equation an issue of capacity and what we are able to do and when we are able to do it. We have to do that through the logical steps that are placed upon us — upon the equipment we have available, the computer capacity we have available. And so what we are trying to do with this is provide the LDP with the authority to make the logical decisions, to take the appropriate steps to make this information available.

The Herman amendment changes some of the language in the bill that has caused some of the controversy. I support the Herman amendment and ask that you do, too. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-196

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

Benninghoff	Gannon	McNaughton	Steelman
Birmelin	Geist	Melio	Steil
Bishop	George	Michlovic	Stern
Blaum	Gigliotti	Micozzie	Stedler
Boscola	Gladeck	Miller	Stevenson
Boyes	Godshall	Mundy	Strittmatter
Brown	Gordner	Myers	Sturla
Browne	Gruitza	Nailor	Surra
Bunt	Gruppo	Nickol	Tangretti
Butkovitz	Habay	O'Brien	Taylor, E. Z.
Buxton	Haluska	Olasz	Taylor, J.
Caltagirone	Hanna	Oliver	Thomas
Cappabianca	Harhart	Orie	Tigue
Carn	Hasay	Perzel	Travaglio
Carone	Hennessey	Pesci	Trello
Casorio	Herman	Petrarca	Trich
Cawley	Hershey	Petrone	True
Chadwick	Hess	Phillips	Tulli
Civera	Horsey	Pippy	Vance
Clark	Hutchinson	Platts	Van Horne
Clymer	Itkin	Preston	Veon
Cohen, L. I.	Jadlowiec	Ramos	Vitali
Cohen, M.	James	Raymond	Walko
Colafigliola	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	Krebs	Roebuck	Wojnaroski
Curry	Laughlin	Rohrer	Wright, M. N.
Daley	Lawless	Rooney	Yewcic
Dally	Lederer	Ross	Youngblood
DeLuca	Leh	Rublely	Zimmerman
Dempsey	Lescovitz	Sainato	Zug
Dent	Lloyd	Sather	
Dermody	Lucyk	Saylor	Ryan,
DeWeese	Lynch	Schroder	Speaker
DiGirolamo	Maher		

NAYS-0

NOT VOTING-1

Cowell

EXCUSED-5

Argall	Levdansky	Pistella	Santoni
LaGrotta			

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

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

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

Mr. CLYMER. Mr. Speaker, with the Herman amendment going in, I am withdrawing my amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Vitali, I have you listed for two amendments. Is that accurate?

Mr. VITALI. That is correct, Mr. Speaker.

The SPEAKER. The clerk will read the first of the Vitali amendments.

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

Mr. VITALI offered the following amendment No. A3980:

Amend Sec. 1 (Sec. 2), page 1, line 14, by inserting after "Section 2."
(a)

Amend Sec. 1 (Sec. 2), page 3, by inserting between lines 14 and 15

(b) In addition to that authorized by subsection (a), the committee shall as soon as practicable make all of the following information available to the public by means of access by way of the largest nonproprietary, nonprofit cooperative public computer network:

(i) The legislative calendar, the schedule of legislative committee hearings and a list of the committees of the General Assembly and their members.

(ii) The text of each bill introduced in each current legislative session, including each amended form of each bill.

(iii) The bill history of each bill introduced and amended in each current legislative session.

(iv) The bill status of each bill introduced and amended in each current legislative session.

(v) Any veto message concerning a bill in each current legislative session.

(vi) The Pennsylvania Code and Bulletin.

(vii) The Constitution of Pennsylvania.

(viii) All statutes in effect in the Commonwealth.

(c) The information referred to in subsection (b) shall be made available in the shortest feasible time after the information is available in the legislative data processing information system.

(d) No fee or other charge shall be assessed for accessing the information referred to in subsection (b).

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

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

Mr. VITALI. Thank you, Mr. Speaker.

I would first like to salute the two previous speakers because I fully support the concept behind this legislation, and the concept is to make these public documents — bills, amendments, House calendars, Pennsylvania law — to make these available to the public because the public should have access. They should have access in an easy fashion; they should have Internet access. They pay for it, and they are required. So I salute the purpose of the Herman amendment and the bill in chief.

What my amendment would do would be to take this a step further. What the Herman amendment does is give discretionary power to the Senate Committee on Management Operations and the Bipartisan Management Committee, give them the discretion to decide what they want, which of these public documents they want to put out. I think we are beyond that. I think we have the technical capacity to put this information out right away. What my amendment would do would be to, with regard to about eight categories of information, require that as soon as practical, this information be put out on the Internet, be put out on the Internet at no cost to the taxpayer and be regularly updated. Specifically, what it requires is that as soon as practical, legislative calendars, bill text, bill histories, bill status, the Pennsylvania Code, and the Pennsylvania Constitution be put out. Now, I know there will be

an objection to this amendment, but in my view, there is no reason why the public should not have this information as soon as practical.

You will hear technical objections to this that we have to phase it in. I have spoken with technical people, and the information you now have on LDPC, the information on your computer screens in your office, all of that is the information we are talking about, and you know you have gotten bill texts and you have gotten this other information. This could all be put out by the end of the day. Before you get home today, this could be out there. We have the technical capability to do that now, so I do not buy, frankly, any technical objections to this.

Much of this information, as the members know, is already out there on various legislative home pages. We can link with various members' pages. Representative Cowell has an excellent educational page; and Representative Evans, an excellent appropriations page; and George, an environmental page, and so forth. This is all out there.

So technically, I think we have a demonstration of how much we can do. There are not technical barriers to this. What we are really dealing with is the policy question of, should we put this out now; is there any reason why the public should not have this, and I would submit to you, they pay for it; they have a right to it; there are no technological barriers.

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

The SPEAKER. The Chair thanks the gentleman.

On the question, the gentleman, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, my colleague, Mr. Vitali, and I have a disagreement on this amendment. I shall oppose the amendment, and it is simply a matter of that issue I raised earlier in my discussion — our ability to meet all the needs of not only the public in providing information to them, but our first obligation is to the members of the General Assembly, their staff members back home. We also have obligations to meet in various State-line agencies — the Governor's Office, the Attorney General's Office — provide them with ports and access for this information. And not that that is not all possible; that is the purpose, again, for giving us the ability and the legal right to do all of this.

And certainly the items that Mr. Vitali has put on the list are among the first items that we will attempt to do that with, but the question arises, what if we have the capacity or the ability to put one section of these amendments on and not the other? Until we become more—

The SPEAKER. The gentleman will yield.

The noise level is too high.

Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

It becomes a question of, where is the priority in this list, and that is what you appoint us, the members of the LDP Committee, to do, to take a look at our computer capacity; what is a logical progression of information — the bill text, the analysis of the bill, or should we put the Constitution on that system first — and if we put that all in statute, I am afraid that we can be challenged on choosing those priorities, and that is my objection here.

I think that we are going to try to do the job that meets the needs of the members of this General Assembly in a practical way. We certainly will include these 12 items on that, but let us make that decision. Let us choose the priorities in setting, gearing that

up. We are in a better position, having a knowledge of the capacity of our equipment, the array of people coming in making demands on our system, to make those decisions better than we are here as a General Assembly putting it in statute, and that is all I am asking.

Let us oppose this amendment, because I think it confines us too rigorously to those items. And again, I want to emphasize, this is the whole purpose of the bill. We want to put these items on that line, put it out to the public through our Pennsylvania library system, through the Internet system eventually, and do all of that. But do not restrict us, putting it in law, and then subject us to challenge as to why we chose this item over that item.

Thank you, Mr. Speaker. I oppose amendment 3980, and I ask the members of the House to do likewise. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Herman.

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

I greatly appreciate the comments of Representative Michlovic. He and Representative Stetler and Representative Nailor and I serve on the committee which oversees the operations of the Legislative Data Processing Center. His comments cannot be more true. We need the legislation passed today or soon in the future with the Senate's cooperation and the Governor to give us the authority to do much of the things that Representative Vitali wants in this amendment. However, these are policy decisions that need to be made by the committee on what information is going to be made available and how it is going to be made available in the most cost-effective way for the taxpayers.

Now, I have talked to Representative Vitali and I assured him that many of these things that he has discussed will be discussed by the committee once you give us the legislative approval to do so, but there is no reason for this measure to be adopted, and it should be defeated. I fear that doing so, while he lists and delineates the types of things that should be on and may be accessible to the public, the bottom line is that as we go further in the technological stage, as the General Assembly advances, there may be more information, and then we now have set a policy that we are going to have to change the law every time, and we do not need to do that.

Secondly, Mr. Speaker, there is a technical flaw, I believe, in this amendment on line 7 where Mr. Vitali even says that "as soon as practicable" this information will be made available. Well, I can see if this had a timeframe on it that it would be done tomorrow or by the end of the calendar year, but as far as dictating in this legislation that this will be done "as soon as practicable" is certainly very subjective, it is not defined, and for that reason as well, this amendment should surely be voted down.

I encourage all the Democrat members of the Democratic Caucus to listen to Representative Michlovic in voting against this amendment, and I certainly encourage the members of the Republican Caucus to strike this amendment down as well. Representative Vitali has another amendment that is going to be offered, and we have agreed to accept his second amendment, but on this amendment we would certainly appreciate your negative vote.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I respectfully disagree with the previous speakers that this is a policy decision that needs to be made by the half dozen members

of that committee. Whether the citizens of this State ought to have access to bills via the Internet, to me, is not a policy decision; it is something this legislature can and should decide they are entitled to. Whether the citizens of Pennsylvania should have Internet access to Pennsylvania's Constitution is not a policy decision to be made by the six members of that committee; it is something this body can and should decide they have a right to today. Whether the citizens of Pennsylvania should be able to see the bills which we are considering or the calendars telling us what we are going to be considering, the bills that affect their lives, in all due respect, I do not believe it is a policy decision to be made by the six members of that committee. I believe that we as a legislature representing these 12 million Pennsylvanians, we should decide. This is not a matter for discussion. We will ensure by voting "yes" today that they will have the right to Internet access to that, and I think that is what this is all about.

Now, some of these capacity considerations, frankly, I just do not believe are valid. I mean — and I just ask you to bring a little common sense to this — you can go back to your Harrisburg office, and in 3 minutes you can pull up on the computer any existing law, and you know that because you have done it; you can pull up bill analyses; you can pull up all this stuff. Where is the technical problem with any of these things? Where is the technical problem? We can already do it; we are doing it, but it is just we as a legislature who have access to it. All we have to do, in order to give the rest of the State access to the same information we have right now, is just link it up to the Internet, and I am assured by a very competent Democratic staffer that this can be done this afternoon; it is not a question.

But even if you disagree that it can be done this afternoon, the legislation does not require it to be done in a fixed time period. The legislation uses the words "as soon as practicable," which we as the lawyers of this General Assembly and practically everyone else knows is language we use in instance after instance and has a well-known meaning by the court. We can do it as soon as possible. It does not put us under any hardship.

I would respectfully disagree that whether this stuff should or should not go out should be left to those six members. I think it is not a question for discussion. Your constituents are entitled to it, and I ask you to give them that Internet access right away, and I ask for an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—83

Bebko-Jones	Dally	Manderino	Shaner
Belardi	Dent	Masland	Staback
Belfanti	DeWeese	McCall	Steelman
Bishop	Donatucci	Melio	Steil
Blaum	Eachus	Miller	Surra
Boscola	Evans	Mundy	Tangretti
Browne	George	Myers	Thomas
Buxton	Gordner	Orie	Tigue
Caltagirone	Habay	Pesci	Travaglio
Cappabianca	Hanna	Petrarca	Trello
Carn	Hennessey	Pippy	Trich
Carone	Itkin	Platts	Veon
Casorio	James	Preston	Vitali

Cawley	Jarolin	Ramos	Walko
Colafella	Josephs	Rieger	Washington
Conti	Kirkland	Roberts	Waugh
Corpora	Laughlin	Roebuck	Williams, A. H.
Corrigan	Lescovitz	Rooney	Williams, C.
Coy	Lloyd	Rubley	Wojnaroski
Curry	Lucyk	Sainato	Yewcic
Daley	Maher	Scrimenti	

NAYS—112

Adolph	Feese	Major	Schuler
Armstrong	Fichter	Markosek	Semmel
Baker	Fleagle	Marsico	Serafini
Bard	Flick	Mayernik	Seyfert
Barley	Gannon	McGeehan	Smith, B.
Barrar	Geist	McGill	Smith, S. H.
Battisto	Gigliotti	McIlhattan	Snyder, D. W.
Benninghoff	Gladeck	McNaughton	Stairs
Birmelin	Godshall	Michlovic	Stern
Boyes	Gruitza	Micozzie	Stetler
Brown	Gruppo	Nailor	Stevenson
Bunt	Haluska	Nickol	Strittmatter
Butkovitz	Harhart	O'Brien	Sturla
Chadwick	Hasay	Olasz	Taylor, E. Z.
Civera	Herman	Oliver	Taylor, J.
Clark	Hershey	Perzel	True
Clymer	Hess	Petrone	Tulli
Cohen, L. I.	Horsley	Phillips	Vance
Cohen, M.	Hutchinson	Raymond	Van Horne
Colaizzo	Jadlowiec	Readshaw	Wilt
Cornell	Kaiser	Reber	Wogan
DeLuca	Keller	Reinard	Wright, M. N.
Dempsey	Kenney	Robinson	Youngblood
Dermody	Krebs	Rohrer	Zimmerman
DiGiroilamo	Lawless	Ross	Zug
Druce	Lederer	Sather	
Egolf	Leh	Saylor	Ryan,
Fairchild	Lynch	Schroder	Speaker
Fargo	Maitland		

NOT VOTING—2

Allen	Cowell
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EXCUSED—5

Argall	Levdansky	Pistella	Santoni
LaGrotta			

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?

Mr. VITALI offered the following amendment No. A3981:

Amend Sec. 1 (Sec. 2), page 1, line 14, by inserting before "The"
(a)

Amend Sec. 1 (Sec. 2), page 3, by inserting between lines 14 and 15
(b)

Nothing contained herein shall prevent a member of the General Assembly from obtaining any information available from the legislative data processing center and posting the provided information on a legislative web site.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

I believe this is an agreed-to amendment.

What this amendment does is deal with some concerns that this bill, as amended, would prevent members of the General Assembly from doing what they are doing now, which is taking stuff from LDPC and putting it up on their legislative home pages. What this amendment would do is make it clear that that would not be the case, and we could continue to do that. So I ask for an affirmative vote.

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I have some serious concerns about the way this amendment is written. In my view, it does two things.

First of all, I think it entirely subverts the Herman amendment which the House agreed to, and the key language is, it says "obtaining any information available" from Legislative Data Processing. It does not say the information that would be determined to be available by this Senate Committee and the House Bipartisan Management Committee. It also does not limit it to information available to members.

I understand, I know there is a great deal of information available on that Legislative Data Processing system that is, for example, only for leadership or for upper members of staff. For example, I am thinking of payroll for staff for the House. Arguably, the way this language is written in this amendment, somebody could say, I want that information, and post it on the Internet. It just seems to go from the way it is written, and I would not have a problem if it limited itself to the information available under the Herman amendment, but it subverts what would be available under the Herman amendment.

And I know Representative Herman indicated that he was agreeing to this amendment; however, a careful reading of the amendment and the precise language that is used, I believe, subverts the intent of the Herman amendment. I think what should happen here is either we should vote "no" on this amendment, or perhaps Representative Vitali should withdraw the amendment and correct the language so that it specifically says that it is the information made available as a result of the Herman amendment through those two committees, and that we do not have a situation where we subvert the intent of those amendments, bypass what we want to do, and even provide information — for example, payroll and salaries of staff — available on the Internet.

I would urge a "no" vote on this amendment or suggest that it be withdrawn and drafted so that it is corrected. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, with regard to the gentleman, Mr. Gannon's comments, I think the way the Herman amendment was structured, so that the Bipartisan Management Committee in the House and the corollary committee in the Senate have some responsibilities in providing us direction — by "us" I mean the Legislative Data Processing Committee and the Center — which information they

make available to us to put on the net, that is how that amendment is structured, so that they keep certain priority kind of information such as payrolls of various staff members here, their retirement system information, et cetera, that they keep that information to themselves, as they responsibly would.

Therefore, I do not see a problem with the Vitali amendment, because what is left, what the Bipartisan Management Committee and its corollary committee in the Senate provide us, what is left is that information that probably should be available to the public — the text of the statutes, the various bills, the analyses of the bills, the Constitution, et cetera — those 12 items that were in the other amendment we talked about just a minute ago.

So I do not see the problem about getting into that sort of privileged kind of information that the gentleman was referring to, because those committees will be giving us direction about what information we should be putting on to the committee. And remember, those committees, the Bipartisan Management Committee is the committee of the leadership of this House in the House, both Democrat and Republican, so they are going to be very cautious about releasing information that they should not release regarding staff payrolls, et cetera.

But the Vitali amendment does provide that no member— There is a clarity in the Herman amendment, and that is that no member shall be in any way penalized by putting information that is available through the Legislative Data Processing Center, that no member that puts out that information to the public is in any way penalized for that, and it gives an assurance that no member or their staff in the home offices that provide that kind of information would be in any way subjected to any criticism or actual penalty.

So I support the Vitali amendment, and I ask the members of the House to support it as well.

The SPEAKER. The gentleman, Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

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

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

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, the amendment states, “any information available.” Mr. Speaker, could you define, quite frankly, what is available to the public here and to the members and what “any information” means? For instance, does that mean members’ expense accounts? Does that mean members’ political contributions? What exactly is “any information”?

Mr. VITALI. Thank you, Mr. Speaker.

To clarify that language, any information that is now available is information that we can get now, and that, frankly, is the information that is on many of our legislative home pages now. The intent of this amendment is to not give that committee the ability to shut us down. I think the question really becomes, what are we trying to hide here? What are we trying to hide, Mr. Speaker? What that means is any information now available to us will still be available to us, and I do not think we should be afraid of full and fair disclosure of true data about us.

Mr. LAWLESS. Mr. Speaker, what information in Montgomery County that is available on me is of interest to you when it is regarding— I am responsible to my constituents. Why would you be interested in what my constituents have about my expense account or my political contributions? I mean, I would think that you should be worried about Delaware County and

worried about your district. In fact, I have experienced exactly the political football that your intention in this legislation is. We talked about it yesterday. It has to do with you finding out that I was a recipient of a grant for my district, and then I read in my local paper that you put a press release out saying Lawless involved in slush fund. The slush fund was giving money to my police.

Mr. Speaker, may I speak on the amendment?

The SPEAKER. The gentleman is in order.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, I think the members of this House should be very concerned about this amendment. I have a Website. I put my information on my Website. I have nothing to hide from the public. The point that I am trying to make here and I believe the gentleman from Delaware County is trying to do is put every one of us at political risk because he has an intention to move forward with some agenda to make each one of us look bad.

For instance, as I indicated, once again, about my legislative grant for my police departments, when you read that in the press release that the man from Delaware County put out, it looks as if I am doing something wrong when, quite frankly, once the people in my district understood it, they were very happy what I did.

The problem here is, if the gentleman from Delaware County is interested in letting the people in his district know what exactly he pays for a lease for his car, what he pays for his district office, where he receives his contributions, political contributions, and, you know, let us not talk about not taking PAC (political action committee) money, because we all know the gentleman from Delaware County, who receives—

POINT OF ORDER

Mr. VITALI. Mr. Speaker? Point of order, Mr. Speaker.

It seems that the gentleman from Montgomery County is going very far afield, talking about press releases, unrelated issues, and now PAC contributions. I am going to just ask if he would stick to the amendment.

Mr. LAWLESS. Mr. Speaker, if I may?

The SPEAKER. The subject of the amendment is the subject of your debate. Now, please curtail your remarks.

Mr. LAWLESS. Mr. Speaker, the subject of the debate is the material and information which will be made available if this amendment is put into law, and what I am trying to make clear is why this is a bad amendment and the reasons why that material should not be used.

The SPEAKER. That is in order.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, I will make quick closing here.

I hope the members understand that, once again, the gentleman from Delaware County is not interested in his constituents and receiving the information available to them and providing them information of the money that he is spending as a legislator and that they should be aware of in his district. No, he is interested in putting it out on the Website on each and every one of us, and not just putting out real information but twisting it.

The SPEAKER. Mr. Lawless, I think that is, at best, speculation, and curtail your remarks to—

Mr. LAWLESS. Thank you, Mr. Speaker.

The SPEAKER. —argument on the amendment.

Mr. LAWLESS. Mr. Speaker, I will be very quick.

I ask that this amendment be defeated.

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, with the exception of those remarks that did not address the amendment, I want to echo the sentiments of Representative Lawless on his comments, but I think it is very important to look at the exact language and the precise language of this amendment, and I am going to assume that it was drafted this way, that it says "any information available." It does not limit itself to the information that would be provided through the Senate Committee on Management Operations and the Bipartisan Management Committee.

Now, that may have been the view when this amendment was first presented, but I have not heard the author of this amendment say, oh, my specific intent is to limit "any information" to mean only that information that is available as a result of the considered deliberations and decisions of that Senate committee and that House committee, and I am simply suggesting that he redraft the amendment and make the language precise, what he intends, say what many of us believe is intended, and that is that it say, that information made available as a result of the decision of those two committees. I am just concerned that there is an opportunity for a tremendous amount of mischief here if we leave this language stand the way it is and it says "any information."

Thank you, Mr. Speaker. I urge a "no" vote on the amendment.

The SPEAKER. Mr. Vitali, for the second time.

Mr. VITALI. Thank you, Mr. Speaker.

Let me again restate the intent of the amendment, which is to allow members to keep doing what they are doing with regard to their legislative home pages; that is to say, posting House calendars, bill text, amendments, and so forth. I am not aware that what the gentleman from Montgomery County referred to as far as member expenses is even on LDPC. I do not think it is. So this sort of fear that he is drawing up, I think it is just factually inaccurate. All I want is to allow members to keep doing what they are doing.

This is a very simple amendment. It is my understanding that the maker of the bill and the Democratic lead on the bill have agreed to it. In the absence of this amendment, language in the bill would allow the Legislative Data Processing Committee to cut members off. This is very basic information. It has nothing to do with member expenses; it has to do with what is up there now.

And frankly, what are we trying to hide here? This is basic stuff; people have a right to it. Some people choose to make this controversial, but it is an agreed-to amendment. I would ask you to view it as such, and I would ask for an affirmative vote. Thank you.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and notes the presence in the hall of the House of the gentleman, Mr. Argall, and accordingly removes him from leave.

CONSIDERATION OF HB 1347 CONTINUED

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

The following roll call was recorded:

YEAS—92

Battisto	DeWeese	McCall	Staback
Bebko-Jones	Eachus	Melio	Steelman
Belardi	Egolf	Michlovic	Stetler
Belfanti	Evans	Mundy	Sturla
Birmelin	George	Myers	Surra
Blaum	Gordner	Nailor	Tangretti
Boscola	Haluska	Nickol	Thomas
Browne	Hanna	Olasz	Tigue
Caltagirone	Harhart	Pesci	Travaglio
Cappabianca	Herman	Petrarca	Trello
Carn	Itkin	Petrone	Trich
Casorio	James	Pippy	Vance
Cohen, M.	Josephs	Platts	Van Horne
Colafella	Kaiser	Preston	Veon
Colaizzo	Kirkland	Readshaw	Vitali
Corpora	Krebs	Reber	Walke
Corrigan	Laughlin	Roebuck	Washington
Coy	Lescovitz	Rooney	Waugh
Curry	Lloyd	Rubley	Williams, A. H.
Daley	Manderino	Sainato	Williams, C.
Dally	Markosek	Schroder	Wilt
Dent	Masland	Scrimenti	Wojnaroski
Dermody	Mayernik	Shaner	Yewcic

NAYS—103

Adolph	Druce	Lederer	Sather
Allen	Fairchild	Leh	Saylor
Argall	Fargo	Lucyk	Schuler
Armstrong	Feese	Lynch	Semmel
Baker	Fichter	Maher	Serafini
Bard	Fleagle	Maitland	Seyfert
Barley	Flick	Major	Smith, B.
Barrar	Gannon	Marsico	Smith, S. H.
Benninghoff	Geist	McGeehan	Snyder, D. W.
Boyes	Gigliotti	McGill	Stairs
Brown	Gladeck	McIlhattan	Steil
Bunt	Godshall	McNaughton	Stern
Butkovitz	Gruitza	Micozzie	Stevenson
Buxton	Gruppo	Miller	Strittmatter
Carone	Habay	O'Brien	Taylor, E. Z.
Cawley	Hasay	Oliver	Taylor, J.
Chadwick	Hennessey	Orie	True
Civera	Hershey	Perzel	Tulli
Clark	Hess	Phillips	Wogan
Clymer	Horsey	Ramos	Wright, M. N.
Cohen, L. I.	Hutchinson	Raymond	Youngblood
Conti	Jadlowiec	Reinard	Zimmerman
Cornell	Jarolin	Rieger	Zug
DeLuca	Keller	Robinson	
Dempsey	Kenney	Rohrer	Ryan,
DiGirolamo	Lawless	Ross	Speaker
Donatucci			

NOT VOTING—3

Bishop	Cowell	Roberts
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EXCUSED—4

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS-197

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

NAYS-0

NOT VOTING-1

Cowell

EXCUSED-4

LaGrotta Levdansky 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.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of the majority leader, Mr. Perzel, Jeffrey Thomas and Edward Evert, seated to the left of the Speaker. Would the guests please rise.

VOTE CORRECTION

The SPEAKER. The gentleman from Bucks, Mr. Melio.

Mr. MELIO. Mr. Speaker, is it appropriate to make a correction to the record?

On HR 252 I would like to be recorded as an affirmative vote, please.

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

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to concurrence in Senate amendments to HB 1476, PN 2358, entitled:

An Act amending the act of July 6, 1989 (P.L.169, No.32), entitled Storage Tank and Spill Prevention Act, further providing for Underground Storage Tank Indemnification Board and its powers and duties, for the Underground Storage Tank Indemnification Fund, for eligibility of claimants including certified tank installers and for audit, sunset and performance reviews; and providing for Underground Storage Tank Environmental Cleanup Program and the Upgrade Loan Program.

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

The SPEAKER. On the question of the House concurrence in the amendments inserted by the Senate, those in favor will— The gentleman, Mr. Lynch?

The gentleman, Mr. George. Mr. George?

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, my purpose is to remind our colleagues that when this bill went over to the Senate, it went over there with 191 affirmative votes. This was the one bill that I can say, quite honestly, that did receive what you, Mr. Speaker, 35 years ago were in favor of, and that is a workable committee system.

We proposed and had accepted into this amendment many items that were not Republican, were not Democrat, were just good environmental, business-type amendments. For instance, we said that anyone that had been forgotten — mind, not under this administration but in the administration in which this act was passed — but for some reason were not included in the mechanism and the funding, that if they had a spill or had a remediation, that it would be taken care of as it was proposed by the members of this body and the Senate.

Also what was taken out of it, Mr. Speaker, it drops the Cleanup Program to \$3 million from \$10 million. It also drops the restriction in the Upgrade Loan Program to owners of six or fewer tanks.

Another item that I do not believe we should even begin to agree with is that it says now in the penalty version that the department “may,” not “shall.” So we are going to have these big petroleum producers and gas station operators who care very little about meeting the commitment that the bill insists on, and the end result is they may not be penalized.

But more than that, Mr. Speaker, if you are a member of this General Assembly and you want to go back home and say, I am doing the very best for you that you have asked for me to do, then you would certainly know that the people would be behind you on this one item alone, and that is, now those on the board will control the influx and the pricing on what will be paid a gallon, not the members of the General Assembly. No longer will the General Assembly have oversight on this bill. I do not believe that your people want that. I believe, even though there are many times they are not in agreement, they are much happier and much more willing to stand with you rather than to an industry that is going to play this game in their own behalf and not in the behalf of the rationale that was put here when this tank bill was passed by many of you that are here.

I ask for a noncommittal on this. I ask you to nonconcur.

The SPEAKER. The gentleman, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

While I realize that we passed a bill out of here from the House to the Senate that is a little bit different — and I say it is a little bit different, not substantively different at all — it passed the Senate through their committee process; it passed the Senate on a bipartisan effort 48 to nothing.

Now, I support the amendments that were put on in the Senate and strongly urge that we concur with this vote. Now, I am going to tell you what is at stake here. Primarily— And I am going to be very brief; I have been advised by my colleagues to be very brief.

We have an obligation here, which is in this bill, to create a low-interest loan for businesses out there which are going to have to come into compliance with DEP (Department of Environmental Protection) by December of 1998. Now, this is a new program. There was every intent made to get this bill ushered through in June to the Governor’s Office; it did not happen. These people need this loan program.

Now, if you nonconcur, let me tell you who you are going to be voting against. You are going to be voting against the Mid-Atlantic Truck Stop Operators, the farm community, the Pennsylvania League of Cities and Municipalities, the Pennsylvania Chemical Industry Council, the Pennsylvania State Association of Township Supervisors, the League of Women Voters, the Tank Installers of Pennsylvania, the Pennsylvania Petroleum Association, the

Association of Service Stations, Associated Petroleum Industries, on and on and on. But more importantly, you are going to be voting against the “ma and pa” gas stations that we have in rural Pennsylvania that have to have this loan program available, because if they do not come into compliance, they are either going to be forced out of business or heavily fined.

I strongly urge a concurrence vote on this. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman, Mr. Lynch, consent to interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation.

Mr. LLOYD. Mr. Speaker, you read a long list of groups which you said we are going to be voting against if we vote to nonconcur. Mr. Speaker, have those groups advised you that they were opposed to this bill as it left the House?

Mr. LYNCH. Mr. Speaker, these are the people who put the bill together in the form that it was prior to the amendments that were put on in the House.

Mr. LLOYD. So these groups have told you they are against the amendments that were added in the House, even though we all voted for them.

Mr. LYNCH. What I am saying to you, Mr. Speaker, is that they are the ones who were involved in the drafting of the legislation prior to the amendments which were put on in the House. Now, if you want to take it to mean that they are opposed to it, they may well be, but they certainly are in favor of the language as it now stands—

Mr. LLOYD. But, Mr. Speaker—

Mr. LYNCH. —having come back from the Senate.

Mr. LLOYD. But, Mr. Speaker, you do not know that they are opposed to the amendments that were added in the House.

Mr. LYNCH. I would believe that they probably are, but do I have that in writing? No, Mr. Speaker, I do not.

Mr. LLOYD. Mr. Speaker, on concurrence.

The SPEAKER. The gentleman, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, I guess if they are opposed to the amendments added by the House, then we are all in trouble anyway, and so there is no problem with getting in further trouble by voting to nonconcur. My guess is that they are not opposed to all of the amendments added in the House, and we ought not lose sight of the fact that voting to nonconcur does not kill this bill; it sends it to a conference committee where we can attempt to negotiate some of these things which we all voted for to see whether we can get part of that in the final version of the bill. There is no reason why we have to capitulate to the Senate today on this particular version of the bill.

A vote to nonconcur does not kill this process; it simply brings this into a position in which we can reach a reasonable compromise, and I join the gentleman, Mr. George, in asking for nonconcurrence.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to speak for nonconcurrence.

The amendments that we added in the House last June were good amendments, and I think they took a good piece of legislation and improved on it.

Mr. Speaker, my friends on the other side of the aisle — my Republican colleagues — I always hear that, you know, we are frustrated dealing with the bureaucrats and giving unelected officials more power. Mr. Speaker, the amendments that we put in let those fees be set through the regulatory process, which gave us some input. The Senate has taken that out, Mr. Speaker, and now we will have the Underground Storage Tank Indemnification Board set those fees.

Mr. Speaker, we also rolled the date back to when this took effect and helped about 160 of our “mom and pop” gas stations that were previously excluded be covered by this legislation, Mr. Speaker, and if you really are serious about taking care of the “mom and pop” small-gas-station owners in Pennsylvania who are really negatively impacted by these types of problems, the language that if you have six or fewer tanks to be covered takes care of those small operators. So whom are we trying to help? We put into the bill that if you have less than six tanks, we help you with this loan fund. We are not really concerned about the outfits that have 30, 40 tanks, who just a couple of them can bankrupt the fund if they would so choose.

So, Mr. Speaker, I think that we put in some good amendments. We all supported them then, and I think we ought to nonconcur and go to conference and fix the bill again. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. DeWeese, seek recognition?

Mr. DeWEESE. I do not want to be a lapdog to the Senate. It seems like this House is pushed around a great deal by Tom Ridge or by his Senate Republican leadership team.

I cannot figure out what is wrong with the argumentation of the gentleman from Somerset County. To nonconcur only sends this measure to a conference committee. I am sure the gentleman from Warren and the gentleman from Clearfield both have good points. I think things can be worked out in a conference committee. Why would we acquiesce, especially when those of us from rural settings, in Greene County, Fayette County, and Washington County where I represent, will be adversely impacted, I believe, by the bill as it came from the Senate?

Now, the world will not come to an end, but the gentleman from Elk County made a good point, and one or two other points need to be made. When this bill went back to the Senate, we put \$10 million for remediation into the bill. With a \$600-million surplus, it would seem that some of Tom Ridge’s money should go to environmental cleanup. I have got stations in my legislative district that need help. Ten million dollars goes a lot further than \$3 million.

Also, as the gentleman from Elk said, and it needs repeated, we are going to have some outside entity that we do not have much control over governing this process.

It just does not have to be concurred in today. We do not have a real busy legislative calendar this fall. We can send it to a conference committee, we can iron out our differences, and more, more “mom and pop” gasoline stations will find help if a nonconcurrency vote is accepted today and a conference committee is convened in the very near future.

Thank you, Mr. Speaker.

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

Mr. LYNCH. Thank you, Mr. Speaker.

And I appreciate the comments on the other side in referencing the “ma and pa” gas stations which I brought up, and you need to know that these “ma and pa” gas stations are going to have maximum protection under this bill.

Now, you know, I sense an attempt on the other side of the aisle to politicize this issue. This is not such. It went through our process with some amendments, and I might add a couple amendments that I added in committee which were removed by the Senate, which I agreed to. This is not a Democrat-Republican issue. The people who support this legislation do not care about Democrat-Republican. What they want is protection. They want this fund available so that people who need this fund to come into compliance by State regulations which were put into effect in 1989 can live with it.

It went through our process; it went over to the Senate, and it went through their process. There were no delays, no unnecessary moving ahead. It went through their committee process. It was voted on out of committee in the Senate unanimously by Republicans and Democrats. It went to the Senate floor as amended, was voted on again unanimously by Republicans and Democrats; we are back over here. This is not a capitulating-to-the-Senate thing. This is the process as it works.

I have been here a little over 4 years; the process works like this. If the Senate introduces a bill, we go through the same process over here. This is not bowing to anybody; this is letting it work. We are not a unicameral body here; we have two bodies, and they work well together, and that is what has happened here as shown by the bipartisan support in the Senate.

Again, I strongly urge a concurrence vote on this bill. Thank you, Mr. Speaker.

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, my purpose today is not to ridicule or make someone sound like they are not telling the truth, but I think I am obligated to explain this bill in the right rationale. Those of us that were here in 1989 passed this tank bill. Five years later the Indemnification Fund, it took 5 years to trigger in. That meant that there probably is not a legislator in this body that does not have someone that had a gas station, that “mom and pop” gas station, and they were told to clean it up and remove the tanks. And incidentally, the Federal Government triggered in for them to remove the tanks. But because the Indemnification Fund was not operational and because they were not covered with the Loan Program, they started to dig, and some of them encumbered \$35,000, \$40,000, and the end result is that even after the tanks were out of the ground and after they spent \$45 or \$50 a ton moving that contaminated soil, at this moment they still do not have a clean bill of health, if I can put it that way, on their property, which means they cannot get a bank to finance it if they want to sell it. What you did rightfully and responsibly when you sent the bill to the Senate is you allowed an amendment to be put in that did just what I am talking about — took care of your “mom and pop,” not the gas stations by the hundred that are owned by the big petroleum industry. And incidentally, that board that sat together and now composed all of these ideas to rip out the good

amendments that you now see are gone are those people that are involved with the petroleum industry.

So the gentleman says, well, you know, the low-interest loans, that was in the bill, and the truth of the matter is, as the gentleman from Somerset, I mean, whom do we want to take care of? Do we want to take care of the hundreds of little people that need our help, or do we want to take care of just one select group that want the sole control and are going to tell us how much they are going to pay, when they are going to pay it, who is going to be fined, who is not?

I submit to you, Mr. Speaker, we should do the right thing and not, or the wrong thing by— Pardon me. We should do the positive thing by nonconcurring. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Itkin.

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

I rise to ask for nonconcurrency in this legislation. I am really much concerned with the part of the provision in the bill that would delete the General Assembly's ability to approve fee increases. That is a part of the responsibility of the board.

Right now, current law, the fees are promulgated by regulation, and those regulations are then subject to legislative review by the standing committees of this House and Senate, and ultimately, we can disapprove those fee increases. If this bill goes through as it is currently constituted, it would preempt our ability, the legislature's ability, to be able to override or in some way constrain those fee increases. It would seem to me that that is an unfair provision, a delegation of authority from this legislature to some administrative board, and I would like to see that particular provision, onerous provision, removed.

Consequently, I rise with my other colleagues and ask that we vote to nonconcur in this legislation and send the bill to a conference committee where the points that have been raised can be worked out. I think this General Assembly has failed over the past few years from using the conference committee as an appropriate forum for dealing with differences between the two Houses, and I think it would be prudent for us, in this particular case especially, to cause the creation of a conference committee to deal with this issue, because I think most of us want to see this legislation dealt with; we just disagree on how it should occur.

So I would rise now to again ask for nonconcurrency. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Wayne, Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

I, too, rise to ask for a nonconcurrency.

Many of the arguments that I would have put before you have already been made, but let me suggest to you that I have been involved in this legislation from its inception, maybe not as a major player but certainly as a member of the Environmental Resources and Energy Committee, and one of the things that myself and Representative Smith and some others on the Republican side were concerned about when we instituted this legislation some 5-plus years ago was that we felt that the fees that were being attached to support this Indemnification Fund were exorbitant at the time. Representative Smith and I both fought to reduce them. We think we were successful in working with members of the Democratic Caucus in doing that, and even with that, we see that this fund is very well endowed and very healthy right now.

It is my concern, as has been previously stated, that we are taking away the legislative control and oversight for these fees by handing them over to the board. We passed an amendment in the House, the Environmental Resources Committee, that I thought was a good amendment, proposed by Representative George, that left the control with us in the legislature. What has happened in the Senate version is similar to letting— It would be like if we said to the Game Commission, you go ahead and you raise all the hunting license fees in the Commonwealth whenever you feel like it. We are not going to give the Game Commission that responsibility. We do not give it to many other people, and we ought not give it to this Indemnification Fund board, and for that reason I am asking that we nonconcur. I know that we still are going to be in session in October and November. We can get a conference committee to iron out these differences and hopefully put back in that amendment that gives the legislature the oversight on this particular piece of legislation.

As much as I appreciate the work that Representative Lynch has done, and I agree with almost everything else in this bill, that is a serious sticking point. To allow us to give away that control to a nonelected group of people that affects the lives and the incomes and the very financial and business existence, if you will, of thousands of people in Pennsylvania, I think, is not something we should be doing. It borders on the irresponsible, but I think we should maintain the control that we had when that bill passed the House and before the Senate stripped it out, and so I would ask members to nonconcur. Thank you.

The SPEAKER. The gentleman, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I think one of the things that has concerned me about this bill, and I know that several folks have had a letter or two about it, and it is not just on the matter of nonconcurrency; it is on a subject having to do with a bill that I think is important, and it is this concept: Folks that have had underground storage tanks have known for several years that they had to be upgraded. They had to be upgraded to prevent leakage and leakage detection. And there were a lot of folks out there, indeed a lot of small businesses — I know; I have a couple in my district — who went ahead and did the right thing, who borrowed the money from a bank, or paid the bill themselves if they had extra funds, to upgrade and to make their tanks in the shape which they need to be in so that they are not leaking.

Now, there are a number of folks who did not do anything. This bill is going to help the folks that did not do anything. This bill is not going to help the folks that went out ahead of time and did the right thing and borrowed money and paid the bill to upgrade the tanks and made a significant business investment, and I do not care whether they were corporations or "mom and pops" or whatever. But this bill says, okay, those of you who did not do anything, those of you who did not care about the environment, those of you who just were dilatorious are now, well, we are going to have a little low-interest loan fund for you now, and you are going to be able to come up with the money now or we are going to come up with it for you. I have a little trouble with that. I have a little trouble with the concept that the folks who really tried to make their underground tanks better and borrowed the money or made the investment on their own did it with their dollars, and the folks who did not, now we are going to bail them out.

I am not sure I have the solution, but I can tell you, I do not think this bill addresses that problem, and I think this bill has a big hole there for the people who made an investment already, who invested their dollars, and whom we are not doing anything for. I think we have to answer that question. I think that question needs answering. One way to answer it is to vote to nonconcur and try to make the bill better, as several people have. That is what I am going to do.

I am for the concept of this bill, but I think we can pass a better piece of legislation than the one that is before us today, and the way to do that is to vote to nonconcur, send it to a conference committee, and get a good result out, one that we can all feel better about and feel that we are really doing something for the people of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Roberts.

Mr. ROBERTS. Thank you, Mr. Speaker.

Representative Coy very eloquently addressed my concerns. In fact, the concerns that Mr. Coy has raised are concerns that I am trying to address in several amendments. In fact, I have a constituent that has pointed out several problems with this particular bill, one of which is the low-interest loans, and the question that I would ask is, for those people who have in fact tried their best to comply with the law and have existing loans in large amounts and who are paying high interest rates, should we not give them the opportunity to take advantage of a low-interest loan to give them some assistance, and that particular question is not addressed in this bill.

I have some very, very serious concerns with this bill as it is written. It does affect people in my district, and I would urge nonconcurrency on this bill so that we may be able to provide some quality amendments.

The SPEAKER. The question recurs, will the House concur in the amendments inserted by the Senate? On that question, those voting "aye" will be voting to concur; those voting "no" will be voting to nonconcur.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS-55

Allen	Geist	McIlhattan	Snyder, D. W.
Argall	Habay	McNaughton	Stevenson
Barley	Harhart	O'Brien	Strittmatter
Barrar	Hasay	Orie	Taylor, J.
Brown	Herman	Perzel	True
Browne	Hershey	Raymond	Tulli
Buxton	Hess	Reber	Vance
Chadwick	Hutchinson	Ross	Wogan
Civera	Jadlowiec	Schroder	Wright, M. N.
Cornell	Kenny	Schuler	Zimmerman
Dally	Lynch	Serafini	Zug
Dent	Maher	Seyfert	
Fargo	Maitland	Smith, B.	Ryan,
Fleagle	Marsico	Smith, S. H.	Speaker
Flick			

NAYS-142

Adolph	Dermody	Lloyd	Rooney
Armstrong	DeWeese	Lucyk	Rubley
Baker	DiGirolamo	Major	Sainato

Bard	Donatucci	Manderino	Sather
Battisto	Druce	Markosek	Saylor
Bebko-Jones	Eachus	Masland	Scrimenti
Belardi	Egolf	Mayernik	Semmel
Belfanti	Evans	McCall	Shaner
Benninghoff	Fairchild	McGeehan	Staback
Birmelin	Feese	McGill	Stairs
Bishop	Fichter	Melio	Steelman
Blaum	Gannon	Michlovic	Steil
Boscola	George	Micozzie	Stern
Boyes	Gigliotti	Miller	Stetler
Bunt	Gladeck	Mundy	Sturla
Butkovitz	Godshall	Myers	Surra
Caltagirone	Gordner	Naitor	Tangretti
Cappabianca	Gruitza	Nickol	Taylor, E. Z.
Carn	Gruppo	Olasz	Thomas
Carone	Haluska	Oliver	Tigue
Casorio	Hanna	Pesci	Travaglio
Cawley	Hennessey	Petrarca	Trello
Clark	Horsey	Petrone	Trich
Clymer	Itkin	Phillips	Van Horne
Cohen, L. I.	James	Pippy	Veon
Cohen, M.	Jarolin	Platts	Vitali
Colafella	Josephs	Preston	Walko
Colaizzo	Kaiser	Ramos	Washington
Conti	Keller	Readshaw	Waugh
Corpora	Kirkland	Reinard	Williams, A. H.
Corrigan	Krebs	Rieger	Williams, C.
Coy	Laughlin	Roberts	Wilt
Curry	Lawless	Robinson	Wojnaroski
Daley	Lederer	Roebuck	Yewcic
DeLuca	Leh	Rohrer	Youngblood
Dempsey	Lescovitz		

NOT VOTING-1

Cowell

EXCUSED-4

LaGrotta	Levdansky	Pistella	Santoni
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. I note some of the members leaving their seats. There is still at least one bill and approximately 10 resolutions to be run.

**THE SPEAKER PRO TEMPORE
(PATRICIA H. VANCE) PRESIDING**

VOTE CORRECTIONS

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

Mr. WOJNAROSKI. Madam Speaker, for the record, please.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. WOJNAROSKI. Madam Speaker, on HR 252 I am requesting that the record show that I would like to be recorded in the affirmative.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. WOJNAROSKI. Thank you, Madam Speaker.

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

Mr. ROBERTS. Madam Speaker, I would like to make a correction to the record, please.

The SPEAKER pro tempore. I am sorry; I did not hear what you said. Would you repeat that ?

Mr. ROBERTS. A correction to the record.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ROBERTS. For amendment A3981 to HB 1347, I was out of my seat at the time the vote was taken, and I would like to be shown as voting in the affirmative.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. ROBERTS. Thank you.

RULES SUSPENDED

The SPEAKER pro tempore. Turning to page 4, SB 307, PN 1298.

Does the gentleman, Mr. Belfanti, wish to be recognized on SB 307 ?

Mr. BELFANTI. Yes, Madam Speaker.

The members on the floor likely remember that yesterday we made an attempt to suspend the rules for the purpose of offering SB 307, and I was of the impression that the gentleman, Mr. George, along with all the other members who had amendments to this bill had agreed to withdraw them. I found out during the debate that that was not the case insofar as the gentleman, Mr. George.

Today it is my explicit understanding that the gentleman does wish to speak concerning his amendment and then hopefully proceed to suspending the rules and voting on this bill in an unamended form. So I would like to make a motion to suspend the rules for the purpose of moving SB 307 back onto today's voting schedule.

The SPEAKER pro tempore. The gentleman, Mr. Belfanti, moves that the rules be suspended to allow SB 307 to appear on the calendar today.

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

The following roll call was recorded:

YEAS-187

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

Bukovitz	Haluska	Olasz	Thomas
Buxton	Hanna	Oliver	Tigue
Caltagirone	Harhart	Orie	Travaglio
Cappabianca	Hasay	Perzel	Trello
Casorio	Hennessey	Pesci	True
Cawley	Herman	Petrarca	Tulli
Chadwick	Hershey	Petrone	Vance
Civera	Hess	Phillips	Van Horne
Clark	Horsey	Pippy	Veon
Clymer	Hutchinson	Preston	Vitaii
Cohen, L. I.	Itkin	Ramos	Walko
Cohen, M.	Jadlowiec	Raymond	Washington
Colaella	James	Readshaw	Waugh
Colaizzo	Jarolin	Reber	Williams, A. H.
Conti	Josephs	Reinard	Williams, C.
Cornell	Kaiser	Rieger	Wilt
Corpora	Keller	Roberts	Wogan
Corrigan	Kenney	Robinson	Wojnaroski
Coy	Kirkland	Roebuck	Wright, M. N.
Curry	Laughlin	Rohrer	Yewcic
Daley	Lawless	Rooney	Youngblood
Dally	Lederer	Ross	Zimmerman
DeLuca	Leh	Rubley	Zug
Dempsey	Lescovitz	Sainato	
Dent	Lloyd	Sather	Ryan,
Dermody	Lucyk	Saylor	Speaker
DeWeese			

NAYS-7

Carone	Krebs	Maitland	Stell
DiGirolamo	Lynch	Platts	

NOT VOTING-4

Cam	Cowell	Tangretti	Trich
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EXCUSED-4

LaGrotta	Levdansky	Pistella	Santoni
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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.

LEAVE OF ABSENCE

The SPEAKER pro tempore. Returning to leaves of absence, the gentleman, Mr. GORDNER, is placed on leave of absence for today.

CALENDAR CONTINUED

BILL ON FINAL PASSAGE POSTPONED

The House proceeded to consideration on final passage postponed 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 recurring,
Shall the bill pass finally ?

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

Mr. GEORGE. Thank you, Madam Speaker.

Madam Speaker, Mr. Belfanti is accurate in that yesterday there was some confusion between Mr. Gladeck's committee, Mr. Belfanti's, and myself, and therefore, I apologize in that a commitment is a commitment, and therefore, I am withdrawing my amendment.

On the question recurring,
Shall the bill pass finally?

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

YEAS-195

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

NAYS-0

NOT VOTING-2

Carn Cowell

EXCUSED-5

Gordner Levdansky Pistella Santoni
LaGrotta

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

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

RESOLUTIONS PURSUANT TO RULE 35

Mr. ARGALL called up HR 259, 2335, entitled:

A Resolution designating the week of October 12 through 18, 1997, as "Pennsylvania Anthracite Heritage Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-194

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

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

NAYS-1

Tangretti

NOT VOTING-2

Carn Cowell

EXCUSED-5

Gordner	Levdansky	Pistella	Santoni
LaGrotta			

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

Mr. FAIRCHILD called up HR 261, PN 2337, entitled:

A Resolution in tribute to those servicepersons who served valiantly in the Vietnam War and acknowledging and supporting the Moving Wall-Vietnam Veterans Memorial.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-191

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

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

NAYS-0

NOT VOTING-6

Carn	Jarolin	Saylor	Travaglio
Cowell	Kaiser		

EXCUSED-5

Gordner	Levdansky	Pistella	Santoni
LaGrotta			

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

Mr. LaGROTTA called up HR 262, PN 2338, entitled:

A Resolution expressing sadness over the death of Mother Teresa.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-193

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

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

NAYS-0

NOT VOTING-4

Carn	Cowell	Jarolin	Staback
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EXCUSED-5

Gordner	Levdansky	Pistella	Santoni
LaGrotta			

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

VOTE CORRECTIONS

The SPEAKER pro tempore. For what reason does the gentleman, Mr. Tangretti, rise ?

Mr. TANGRETTI. To correct the record, Madam Speaker.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. TANGRETTI. Madam Speaker, on HR 259 I voted incorrectly in the negative. I want to be recorded in the positive.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. TANGRETTI. Thank you.

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

Mr. BELFANTI. It is Belfanti, Madam Speaker, but it is okay as long as he does not get my paychecks.

I would also like to correct the record if you are taking corrections at this time.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. BELFANTI. Thank you, Madam Speaker.

Yesterday I noticed that I was not voted on HR 252. I would like the record to indicate that I intended to vote "yes" on that resolution. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and apologizes for the incorrect use of his name.

SUPPLEMENTAL CALENDAR B

RESOLUTIONS PURSUANT TO RULE 35

Mr. BAKER called up HR 267, PN 2365, entitled:

A Resolution memorializing the Governor to proclaim the festival held annually during the first weekend in October in Canton, Pennsylvania, as the "Pennsylvania State Apple 'n Cheese Festival."

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-2

Cowell Manderino

EXCUSED-5

Gordner Levdansky Pistella Santoni
LaGrotta

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

Mr. CARN called up HR 268, PN 2366, entitled:

A Resolution commending The Philadelphia Rage and wishing the team continued success as a women's professional basketball franchise.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-196

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

NAYS-0

NOT VOTING-1

Cowell

EXCUSED-5

Gordner Levdansky Pistella Santoni
LaGrotta

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

Mrs. VANCE called up HR 269, PN 2367, entitled:

A Resolution proclaiming the week of October 6 through 12, 1997, as "Nurse-Midwifery Week" in Pennsylvania.

On the question,
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-1

Cowell

EXCUSED-5

Gordner	Levdansky	Pistella	Santoni
LaGrotta			

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

Mr. PETRONE called up HR 270, PN 2368, entitled:

A Resolution designating the week of October 6 through 10, 1997, as "Southwestern Pennsylvania Manufacturers Week" in Pennsylvania.

On the question, Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-195

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

NAYS-0

NOT VOTING-2

Cowell Jarolin

EXCUSED-5

Gordner	Levdansky	Pistella	Santoni
LaGrotta			

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

SUPPLEMENTAL CALENDAR C

RESOLUTION PURSUANT TO RULE 35

Mr. HUTCHINSON called up HR 274, PN 2383, entitled:

A Resolution proclaiming the week of October 5 through 11, 1997, as "Fire Prevention Week" in Pennsylvania.

On the question, Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-196

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

Blaum	Gigliotti	Miller	Stevenson
Boscola	Gladeck	Mundy	Stritmatter
Boyes	Godshall	Myers	Sturla
Brown	Gruitza	Nailor	Surra
Browne	Gruppo	Nickol	Tangretti
Bunt	Habay	O'Brien	Taylor, E. Z.
Butkovitz	Haluska	Olasz	Taylor, J.
Buxton	Hanna	Oliver	Thomas
Caltagirone	Harhart	Orie	Tigue
Cappabianca	Hasay	Perzel	Travaglio
Carn	Hennessey	Pesci	Trello
Carone	Herman	Petrarca	Trich
Casorio	Hershey	Petrone	True
Cawley	Hess	Phillips	Tulli
Chadwick	Horsey	Pippy	Vance
Civera	Hutchinson	Platts	Van Home
Clark	Itkin	Preston	Veon
Clymer	Jadlowiec	Ramos	Vitali
Cohen, L. I.	James	Raymond	Walko
Cohen, M.	Jarolin	Readshaw	Washington
Colafrilla	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	Lloyd	Sather	
Dent	Lucyk	Saylor	Ryan,
Dermody	Lynch	Schroder	Speaker
DeWeese	Maher		

NAYS-0

NOT VOTING-1

Cowell

EXCUSED-5

Gordner Levdansky Pistella Santoni
LaGrotta

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman, the chairman of the Appropriations Committee, Mr. Barley, for the purpose of an announcement.

Mr. BARLEY. Thank you, Madam Speaker.

I would like to call for a meeting of the Appropriations Committee for Monday, October 20, at 12:30 p.m. in the majority Appropriations conference room.

ANNOUNCEMENT BY MR. SURRA

Mr. SURRA. Madam Speaker?

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

Mr. SURRA. Representative Veon would like to call an immediate meeting of the House Democratic Policy Committee as soon as we break session.

The SPEAKER pro tempore. The Chair thanks the gentleman.

STATE GOVERNMENT
COMMITTEE MEETING

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

Mr. CLYMER. Thank you, Madam Speaker.

Madam Speaker, at the call of recess, the State Government Committee will meet at the rear of the hall to discuss a few bills; that is immediately upon recess, the State Government Committee meeting at the rear of the hall. Thank you.

The SPEAKER pro tempore. The Chair wishes to advise the members that there will be no further votes today and tomorrow will be a token session.

VOTE CORRECTION

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

Mr. BENNINGHOFF. Thank you, Madam Speaker.

I just want to correct the record.

I wish to be recorded in the positive on the motion to suspend for SB 188, on the amendment A3855. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman.

HOUSE RESOLUTIONS
INTRODUCED AND REFERRED

No. 272 By Representative VITALI

A Resolution recognizing October 18, 1997, as the 25th Anniversary of the Clean Water Act.

Referred to Committee on RULES, October 7, 1997.

No. 273 By Representative VITALI

A Resolution recognizing the week of October 26 through November 1, 1997, as "World Population Awareness Week."

Referred to Committee on RULES, October 7, 1997.

VOTE CORRECTIONS

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

Mr. ARGALL. To correct the record, Madam Speaker.

The SPEAKER pro tempore. You may proceed.

Mr. ARGALL. I was unable to vote on HB 1347, amendment 2852. I would like to be recorded in the record as "yes," and on amendment 3980, in the negative.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. DIGIROLAMO. Madam Speaker, I would like to correct the record.

The SPEAKER pro tempore. You may proceed.

Mr. DiGIROLAMO. On suspension of the rules for SB 307, I would like to be recorded in the affirmative.

The SPEAKER pro tempore. The Chair thanks the gentleman. The Chair recognizes the gentleman, Mr. Staback.

Mr. STABACK. To correct the record, Madam Speaker.

The SPEAKER pro tempore. You may proceed.

Mr. STABACK. When the House voted HR 262, my vote did not register. I would like to be recorded in the affirmative.

The SPEAKER pro tempore. The Chair thanks the gentleman.

BILL AND RESOLUTION PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the lady from Allegheny County, Miss Orié.

Miss ORIE. Madam Speaker, I move that this House do now adjourn until Wednesday, October 8, 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 1:19 p.m., e.d.t., the House adjourned.