

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, DECEMBER 8, 1997

SESSION OF 1997

181ST OF THE GENERAL ASSEMBLY

No. 64

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

REV. WILLIAM A. MILLER, Chaplain of the House of Representatives and pastor of United Methodist Church, Schaefferstown, Pennsylvania, offered the following prayer:

Our Father, You have given us this good land for our heritage. We humbly beseech Thee that we may always prove ourselves a people mindful of Your favor and glad to Your will. Bless our land and our Commonwealth with honorable industry, with sound learning and pure manners, and save us from violence, discord, and confusion, from pride and arrogance, and from every evil way. Defend our liberties, and fashion into one united people the multitudes brought here out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Your name we entrust the authority of government, that there may be justice and peace at home, and that through obedience to Your law, we may show forth Your praise among the nations of the earth.

Bless and direct the business that will be transacted in this room this day, and in the time of prosperity, fill our hearts with thankfulness, and in the day of trouble, suffer not our trust in Thee to fail.

This we ask in the name of our Lord God, creator and preserver of all mankind. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Wednesday, November 26, 1997, will be postponed until printed. The Chair hears no objection.

### JOURNALS APPROVED

The SPEAKER. The Journals for May 6, May 7, and May 12, 1997, are in print. Without objection, they will stand approved. The Chair hears no objection.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2035** By Representatives MARKOSEK, M. COHEN, BELARDI, COY, SATHER, LAUGHLIN, WALKO, McCALL, LEVDANSKY, VAN HORNE, ROONEY, MELIO, MUNDY, ITKIN, PETRARCA, GRUPPO, TANGRETTI, YOUNGBLOOD, ARGALL, TRELLO, JOSEPHS, BOSCOLA, SEMMEL, THOMAS, SEYFERT and DeLUCA

An Act providing for Commonwealth support for a Pennsylvania Children and Youth Caseworker Loan Forgiveness Program for Pennsylvania residents who graduate from institutions of higher education and who apply their degrees to careers as children and youth caseworkers in this Commonwealth.

Referred to Committee on AGING AND YOUTH, December 1, 1997.

**No. 2036** By Representatives GANNON, CALTAGIRONE, FEESE, KREBS, HENNESSEY, MANDERINO, THOMAS, PETRARCA, WALKO, DERMODY, WOGAN, O'BRIEN, L. I. COHEN and MAYERNIK

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for survival action.

Referred to Committee on JUDICIARY, December 1, 1997.

**No. 2037** By Representative GODSHALL

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, providing for a public comment period and a public hearing on any proposed special fishing regulation affecting approved trout waters.

Referred to Committee on GAME AND FISHERIES, December 1, 1997.

**No. 2038** By Representatives DeLUCA, PHILLIPS, NAILOR, BELFANTI, STERN, PISTELLA, LAUGHLIN, GEORGE, GIGLIOTTI, TRELLO, BELARDI, YOUNGBLOOD, BOSCOLA, JOSEPHS, ROEBUCK, ARGALL and THOMAS

An Act establishing a food service employee incentive program.

Referred to Committee on LABOR RELATIONS, December 3, 1997.

**No. 2039** By Representatives DENT, BUNT, SAYLOR, BATTISTO, BOSCOLA, DALLY, DeLUCA, GODSHALL, HARHART, HENNESSEY, SCRIMENTI, STABACK, J. TAYLOR, WOGAN and ROSS

An Act amending the act of May 16, 1923 (P.L.207, No.153), referred to as the Municipal Claim and Tax Lien Law, providing for discharge of municipal claim; and further providing for evidence in tax claims and municipal claims.

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

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 2** By Representative O'BRIEN

A Resolution amending House Resolution No. 207, adopted June 11, 1997, entitled "A resolution calling for the Legislative Budget and Finance Committee to conduct an immediate study of the physical health component of the HealthChoices program administered by the Department of Public Welfare in order to evaluate the adequacy of rates for managed care organizations under HealthChoices," further providing for the report of the committee.

Referred to Committee on RULES, December 3, 1997.

**No. 306** By Representatives McILHATTAN, CAPPABIANCA, DeWEESE, JAROLIN, PESCI, HENNESSEY, BELARDI, SHANER, HERSHEY, YOUNGBLOOD, C. WILLIAMS, PIPPY, PETRARCA, FICHTER, LAUGHLIN, MCGILL, ADOLPH, HALUSKA, SEYFERT, MANDERINO, SAINATO, KENNEY, M. COHEN, STEVENSON, READSHAW, ORIE, HORSEY, ARMSTRONG, MELIO, BOSCOLA, TRELLO and RAMOS

A Resolution urging the National Collegiate Athletic Association to adopt academic policies and practices that provide accommodation for learning disabled students.

Referred to Committee on RULES, December 1, 1997.

### ACTUARIAL NOTES

The SPEAKER. The Chair acknowledges receipt of the following actuarial notes: SB 382, PN 1515; SB 284, PN 932; SB 382, PN 1471, as amended by amendment 4716; SB 284, PN 932, as amended by amendment 4675; an actuarial note for amendment 4675 to SB 284, PN 932.

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

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip for leaves of absence. The gentleman advises that there is no request for leave of absence for the Republican Caucus.

The Chair recognizes the gentleman, Mr. Itkin, who requests a leave of absence for the gentleman from Philadelphia County, Mr. JAMES; the gentleman from Lackawanna County, Mr. CAWLEY, for the week; the gentleman from Philadelphia County, Mr. ROEBUCK, for the day's session. Without objection, leaves will be granted. The Chair hears no objection.

### COMMUNICATIONS FROM GOVERNOR

#### APPROVAL OF HOUSE BILLS

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

**HB 55, HB 141, HB 360, HB 679, HB 1027, and HB 1475.**

### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Constance Williams, seated to the left of the Speaker, these guests are members of the Montgomery County Commission on Women: Mary Ann Quillen, the chair, of King of Prussia; Janet Teeple; and Louisa Abney-Babcock. Would the guests please rise.

### STATEMENT BY MR. CASORIO

The SPEAKER. The gentleman, Mr. Casorio, desires recognition.

Mr. CASORIO. Thank you, Mr. Speaker.

The SPEAKER. Will the gentleman yield.

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

Mr. Casorio.

Mr. CASORIO. Thank you, Mr. Speaker.

I just wanted to take a moment before we start session today.

The SPEAKER. Conferences on the floor, conferences in the rear of the House, please break up.

The gentleman, Mr. Casorio, is making remarks with respect to the anniversary of Pearl Harbor. Before there is another one, I would like the members to be seated.

Mr. Casorio.

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

I will be brief. I just wanted to take a moment before we start session today and recognize the efforts and pay tribute to those men and women who paid the ultimate sacrifice and lost their lives at the Japanese attack on Pearl Harbor.

Yesterday came and went; football games were played. We are here today, and I think it is only fitting that we take a moment and recognize that quite possibly we would not be here if it were not for the efforts of the men and women who served, many in this chamber, and those who paid the ultimate price by giving their lives so that we could be here.

I thank you for this opportunity. And again, I just wanted to take a brief moment and have the House of Representatives of the Commonwealth of Pennsylvania officially recognize and pay tribute to those men and women that gave their lives at the attack on Pearl Harbor. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### 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—198

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

#### ADDITIONS—0

NOT VOTING—0

EXCUSED—3

Cawley James Roebuck

### REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The clerk will read the following supplemental report of the Committee on Committees.

The following report was read:

December 8, 1997

#### REPORT OF COMMITTEE ON COMMITTEES

##### EDUCATION COMMITTEE

Representative Jerry Birmelin is appointed to fill the vacancy created by the election of Rep. Joseph Conti to the Pennsylvania State Senate.

Respectfully submitted,  
George C. Hasay, Chairman  
Committee on Committees

On the question,  
Will the House adopt the resolution?  
Resolution was adopted.

#### ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair acknowledges receipt of additions and deletions for sponsorships of bills, which the clerk will file.

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

#### FILMING PERMISSION

The SPEAKER. The Chair advises the members that permission has been granted to Kalim Bhatti of Associated Press to take photographs on the floor for a brief period of time in connection with a recognition ceremony.

#### SOLANCO HIGH SCHOOL GIRLS VARSITY CROSS-COUNTRY TEAM PRESENTED

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

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

On behalf of the Pennsylvania House of Representatives, I am very proud today to recognize the outstanding achievements of some exceptionally dedicated and talented young Pennsylvanians from southern Lancaster County. I am delighted to congratulate the members of the Solanco girls varsity cross-country team, who earlier this year gained the State PIAA cross-country championship title.

Under the leadership of cocaptains Tracy Reid and Leah Peiffer and coach Art Harrington and assistant coach John Wagoner, who are with me today, they have accomplished a 177-meet, regular-season winning streak. Your triumph is the result of your personal sacrifice, your steady commitment to goals, unity, and purpose. You should be very proud of your success. All of us are certainly proud of your efforts and your spirit of competition.

And I am very honored and very pleased to be able to present today a citation from the House of Representatives recognizing the outstanding achievement that the team has been able to accomplish.

Thank you for being with us today, and congratulations.

The SPEAKER. The balance of the Solanco High School cross-country team is seated in the rear. Would they please rise.

### **WEST CHESTER HENDERSON HIGH SCHOOL GIRLS SOCCER TEAM PRESENTED**

The SPEAKER. The Chair recognizes the lady from Chester County, Mrs. Taylor.

Mrs. TAYLOR. Thank you, Mr. Speaker.

We have called forth the captain of the women's sports soccer team, Liz Donnelly, and her coach, Pete Rohall, and also I have a State champion, Ben Showers, and his coach, Peter Morse.

The SPEAKER. The House will come to order.

The lady may proceed.

Mrs. TAYLOR. Mr. Speaker, between your gavel and my past experience in teaching, maybe we will get the House in order.

Joining me in this citation are Representative Ross and Representative Flick, who also represent the West Chester School District.

This is the day that the House of Representatives recognizes State champions. Not often do we have a women's sports team to honor who is not only a State champion but also has been recognized nationally.

On behalf of my colleagues, let me introduce the championship girls soccer team from West Chester Henderson High School. This team, ranked number one in the nation by the National Soccer Coaches Association of America, captured the 1997 Pennsylvania Interscholastic Athletic Association Class AAA fall championship. The 3-0 victory over Norwin was Henderson's 20th shutout for the season.

Some refer to this team as "from the worst to the first," because in 1990 and 1991 — that is two seasons — they won one game, and since we have been in this soccer program with these coaches, the record is 108 wins, 28 ties, and 8 losses over a period of 6 years.

The State title capped a 26-0-0 season for Henderson. Earlier in the season the Henderson team also won a league championship and won their third straight District I title. The team was also first in the State in 1995 and second in 1996.

This team will be featured as the cover story on the ESPN program "Scholastic Sports America," to air today at 3:30. "Scholastic Sports America" will lead off with a segment on the history of the Henderson girls soccer team, and later in the show, a second segment will focus on the championship game.

Fellow colleagues, please welcome the West Chester Henderson High School girls soccer team.

### **BENJAMIN SHOWERS PRESENTED**

Mrs. TAYLOR. Mr. Speaker, if I may, I want the House to know another State cross-country champion. His name is Benjamin Showers. He is a senior at West Chester Henderson High School.

He also won first place in the Ches-Mont championships, setting a new record of 16:02, placed first in District I, and was named the Philadelphia Inquirer "Runner of the Year." He has been coached by Peter Morse throughout his championship season.

It is interesting to note that this young man's father, in 1969, also was named the "Runner of the Year."

I would like Mr. Showers, who is in the back of the room, if he would stand and be recognized, and if you would give a hearty congratulations to the young man, Benjamin Showers.

### **GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to also welcome to the hall of the House today Anthony Gallup and Jonathan Gallup, serving as guest pages of Representative Buxton. Would these guest pages please rise. Wally has them running; they are working.

And as the guests of Representative Lita Cohen, Conshohocken councilman Joseph Collins; his wife, Barbara; and son, Joseph. Would the Collins family please rise. They are in the balcony.

### **REPUBLICAN CAUCUS**

The SPEAKER. The gentleman, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

There will be a Republican caucus immediately upon recess. We plan to come back at 3 o'clock then for further legislative votes. Caucus immediately.

### **DEMOCRATIC CAUCUS**

The SPEAKER. It is the understanding of the Chair that the Democratic Caucus will meet immediately upon the declaration of the recess, and they, too, will return at 3 o'clock when the House reconvenes.

### **APPROPRIATIONS COMMITTEE MEETING**

The SPEAKER. Are there any further announcements?

Mr. Barley.

Mr. BARLEY. Yes. Thank you, Mr. Speaker.

I would like to call a meeting of the House Appropriations Committee immediately upon recess in the conference room of the majority Appropriations complex.

### **REMARKS SUBMITTED FOR THE RECORD**

The SPEAKER. The gentleman, Mr. Reinard.

Mr. REINARD. Thank you, Mr. Speaker.

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

The SPEAKER. Will the gentleman please submit them.

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

Mr. Speaker, it is my privilege to bring to the attention of the Speaker and the members of the Pennsylvania House of Representatives the name of Dustin Trost, who has recently been awarded Scouting's highest honor — Eagle Scout.

Mr. Speaker, I would like to read to the members of the House of Representatives the following citation of merit honoring Dustin Trost.

Whereas, Dustin Trost has earned the Eagle Award in Scouting. This is the highest award that Boy Scouts can bestow and as such represents great sacrifice and tremendous effort on the part of this young man. He is a member of Troop 29.

Now therefore, Mr. Speaker and the members of the House of Representatives, it is my privilege to congratulate and place in the Legislative Journal the name of Dustin Trost.

### RECESS

The SPEAKER. Any further announcements? Corrections of the record?

Without more, the House will stand in recess until 3 p.m., unless sooner recalled or extended by the Chair.

All members, report to your caucus rooms. Members, please report to the caucus rooms.

### AFTER RECESS

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

### RULES COMMITTEE MEETING

The SPEAKER. The majority leader calls an immediate meeting of the Rules Committee. Members will go to the Rules Committee meeting at the majority leader's desk.

### BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 474, PN 2576

By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of unlawful contact or communication with minor; and providing for sale or illegal use of certain solvents.

RULES.

HB 1125, PN 2590

By Rep. PERZEL

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

RULES.

HB 1412, PN 2655 (Amended)

By Rep. PERZEL

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for alimony, for information to consumer reporting agency, for cooperation of government and nongovernment agencies and for general administration of support matters; providing for duties of Title IV-D attorney; further providing for order of support, for mandatory inclusion of child medical support, for commencement of support actions or proceedings, for expedited procedure, for paternity, for attachment of income, for costs and fees, for continuing jurisdiction over support orders, for duty to report and for denial or suspension of licenses; providing for Title IV-D program and related matters; further providing for acknowledgment and claim of paternity, for responsibilities of law enforcement agencies, for court-ordered relief, for continuing exclusive jurisdiction, for recognition of child support orders, for duties of initiating tribunal, for duties and powers of responding tribunal, for inappropriate tribunal, for duties of support enforcement agency, for supervisory duty, for duties of the Department of Public Welfare and for income-withholding order of another state; providing for compliance with multiple income-withholding orders, for immunity from civil liability, for penalties for noncompliance and for contest by obligor; further providing for notice of registration of order, for procedure to contest validity or enforcement of registered order and for modification of child support order of another state; providing for jurisdiction to modify child support order of another state and for notice to issuing tribunal of modification; further providing for supervisory duty and for definitions; making repeals; and making editorial changes.

RULES.

### RECESS

The SPEAKER. Do the Republican or Democratic floor leaders have any further business?

Hearing none, this House will stand in recess until 3 o'clock, unless sooner recalled or extended by the Chair.

### RECESS EXTENDED

The time of recess was extended until 3:30 p.m.; further extended until 4 p.m.

### AFTER RECESS

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

### BILLS REMOVED FROM TABLE

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

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

HB 95;  
HB 591;  
HB 1106;  
HB 1137;  
HB 1442; and  
HB 1649.

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

**BILLS RECOMMITTED**

The SPEAKER. The gentleman, Mr. Perzel, is recognized.  
Mr. PERZEL. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

HB 95;  
HB 591;  
HB 1106;  
HB 1137;  
HB 1442; and  
HB 1649.

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

**BILLS REREPORTED FROM COMMITTEE**

**HB 338, PN 2519** By Rep. BARLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, authorizing immunity for employers who disclose certain information regarding current or former employees.

**APPROPRIATIONS.**

**HB 1189, PN 1746** By Rep. BARLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding the offense of invasion of privacy; and imposing a penalty.

**APPROPRIATIONS.**

**HB 1479, PN 1769** By Rep. BARLEY

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further providing for trademark fees.

**APPROPRIATIONS.**

**HB 1480, PN 1770** By Rep. BARLEY

An Act amending Title 54 (Names) of the Pennsylvania Consolidated adding and changing definitions; making classifications; and providing for registrability and application for registration, duration and renewal, for cancellation for damages for fraudulent registration, for infringement, for injury to business or reputation and for remedies.

**APPROPRIATIONS.**

**HB 1633, PN 2035** By Rep. BARLEY

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for the powers and duties of the Deputy Adjutant General for Veterans Affairs; and making a repeal.

**APPROPRIATIONS.**

**HB 1649, PN 2588**

By Rep. BARLEY

An Act designating a section of the Southern Tier Expressway in Erie County, Pennsylvania, as the Forest W. Hopkins Memorial Highway.

**APPROPRIATIONS.**

**HB 1827, PN 2299**

By Rep. BARLEY

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

**APPROPRIATIONS.**

**HB 1828, PN 2300**

By Rep. BARLEY

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

**APPROPRIATIONS.**

**HB 1829, PN 2301**

By Rep. BARLEY

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

**APPROPRIATIONS.**

**HB 1873, PN 2354**

By Rep. BARLEY

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

**APPROPRIATIONS.**

**SB 284, PN 1521 (Amended)**

By Rep. BARLEY

An Act amending the act of December 18, 1984 (P.L.1005, No.205), entitled Municipal Pension Plan Funding Standard and Recovery Act, further providing for additions to the actuarial valuation report and for supplemental State assistance.

**APPROPRIATIONS.**

**SB 382, PN 1522 (Amended)**

By Rep. BARLEY

An Act amending the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, providing for the appointment and promotion of employees in the office of sheriff in counties of the second

class; prohibiting certain political activity by employees of the sheriff's office in counties of the second class; further providing for definitions and for payment to retirement fund; providing for retirement eligibility, for allowance and for alternate contract procedure for adaptive reuse of jail facilities; providing counties of the second class A with the power to make grants to townships, boroughs and nonprofit organizations for parks, recreation areas, open space projects and such other outdoor projects and for historic and museum projects; and making a repeal.

#### APPROPRIATIONS.

#### SB 425, PN 1523 (Amended)

By Rep. BARLEY

An Act amending Title 5 (Athletics and Sports) of the Pennsylvania Consolidated Statutes, providing for the registration of athletic agents; and imposing a penalty.

#### APPROPRIATIONS.

#### SB 492, PN 1507

By Rep. BARLEY

An Act providing for real estate broker liens in the amount of compensation due for services rendered by the broker in connection with certain real estate transactions.

#### APPROPRIATIONS.

#### SB 640, PN 1524 (Amended)

By Rep. BARLEY

An Act amending Title 42 of the Pennsylvania Consolidated Statutes, further providing for subpoena of medical records; providing for a limit on charges for reproducing medical charts or records; further providing for rights of patients, for obtaining personal appearance of custodian of original charts, for obtaining production of original medical records; providing for prisoner litigation, for limitation on remedies, for prospective relief, for time limits on settlements, for payment of damages, for exemption from attachment of retirement funds and accounts and for contents of presentence reports.

#### APPROPRIATIONS.

#### SB 1160, PN 1434

By Rep. BARLEY

An Act providing for the divestiture of airport property; imposing obligations on the Department of Transportation; and making an appropriation.

#### APPROPRIATIONS.

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

#### HB 126, PN 135

By Rep. HASAY

An Act providing for certain regulations of private safe deposit box facilities, for additional powers and duties of the Department of Banking, for enforcement and for penalties.

#### COMMERCE AND ECONOMIC DEVELOPMENT.

#### HB 482, PN 2657 (Amended)

By Rep. HASAY

An Act requiring the Department of Community and Economic Development to maintain data regarding research and development affecting the housing industry in this Commonwealth; and recognizing and supporting the Pennsylvania Housing Research Center.

#### COMMERCE AND ECONOMIC DEVELOPMENT.

#### HB 1235, PN 2658 (Amended)

By Rep. HASAY

An Act amending the act of May 9, 1986 (P.L.165, No.53), entitled, "An act requiring banks and other lending institutions to notify the mortgagor when the mortgage has been paid," requiring lending institutions holding mortgages for real estate to forward certain real estate tax bills.

#### COMMERCE AND ECONOMIC DEVELOPMENT.

#### HB 1867, PN 2348

By Rep. HASAY

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

#### COMMERCE AND ECONOMIC DEVELOPMENT.

#### HB 2005, PN 2607

By Rep. HASAY

An Act amending the act of April 8, 1937 (P.L.262, No.66), known as the Consumer Discount Company Act, further defining the phrase "revolving loan account"; providing for other services and products; and further providing for maturity of loans, for service charge and for written receipt and sale of assets.

#### COMMERCE AND ECONOMIC DEVELOPMENT.

### BILLS ON SECOND CONSIDERATION

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

HB 338, PN 2519; HB 1189, PN 1746; HB 1479, PN 1769; HB 1480, PN 1770; HB 1633, PN 2035; HB 1649, PN 2588; HB 1827, PN 2299; HB 1828, PN 2300; HB 1829, PN 2301; HB 1873, PN 2354; SB 284, PN 1521; SB 382, PN 1522; SB 425, PN 1523; SB 492, PN 1507; and SB 1160, PN 1434.

### COMMUNICATION

#### LOBBYIST LIST PRESENTED

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

The following communication was submitted:

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

December 1, 1997

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

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from November 1, 1997 through November 30, 1997 inclusive, for the 181st Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

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

Ted Mazia, Chief Clerk  
House of Representatives

(For list, see Appendix.)

## CALENDAR

### BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1495, PN 2627**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor, to sell and convey to James E. Hedglin and Cheryl Hedglin, husband and wife, certain surplus land situate in Sandy Creek Township, Venango County, Pennsylvania, to convey tracts of land and buildings, consisting of a portion of the former Laurelton Center, located in Hartley Township, Union County, Pennsylvania, to sell and convey to Smithfield Township certain land situate in the Township of Smithfield, Huntingdon County, to sell and convey to Philadelphia Suburban Water Company certain land situate in Newlin Township, Chester County and to sell and convey to Orix Wilkinson Neshaminy Venture certain land situate in Bensalem Township, Bucks County; authorizing and directing the Department of General Services, with the approval of the Department of Environmental Protection and the Governor, to sell and convey to Marc G. and Susan K. Springman, certain land situate in Old Lycoming Township, Lycoming County, Pennsylvania; and authorizing the Borough of Carlisle, Cumberland County, to sell and convey certain Project 70 lands free of Project 70 restrictions in return for use of the sale proceeds to assist the Central Pennsylvania Conservancy purchase a tract of land.

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

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

The question is, shall the bill pass finally?

Does the lady, Mrs. Miller, have an amendment to this bill?  
Mrs. MILLER. Mr. Speaker, I have requested an amendment be drafted. However, it has not yet arrived on the House floor.  
The SPEAKER. The Chair thanks the lady.

### BILL PASSED OVER TEMPORARILY

The SPEAKER. HB 1495 will go over temporarily.

### RESOLUTIONS PURSUANT TO RULE 35

Ms. BARD called up **HR 297, PN 2591**, entitled:

A Resolution designating the month of February 1998 as "Landscape Architecture Month."

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

### YEAS—197

Adolph	Druce	Maitland	Schuler
Allen	Eachus	Major	Scrimenti
Argall	Egolf	Manderino	Semmel
Armstrong	Evans	Markosek	Serafini
Baker	Fairchild	Marsico	Seyfert
Bard	Fargo	Masland	Shaner
Barley	Feese	Mayernik	Smith, B.
Barrar	Fichter	McCall	Smith, S. H.
Battisto	Fleagle	McGeehan	Snyder, D. W.
Bebko-Jones	Flick	McGill	Staback
Belardi	Gannon	McIlhattan	Stairs
Belfanti	Geist	McNaughton	Stelman
Benninghoff	George	Melio	Steil
Birmelin	Gigliotti	Michlovic	Stern
Bishop	Gladeck	Micozzie	Stetler
Blaum	Godshall	Miller	Stevenson
Boscola	Gordner	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	Oric	Tigue
Cappabianca	Hennessey	Perzel	Travaglio
Carone	Herman	Pesci	Trello
Casorio	Hershey	Petrarca	Trich
Chadwick	Hess	Petrone	True
Civera	Horsey	Phillips	Tulli
Clark	Hutchinson	Pippy	Vance
Clymer	Iltkin	Pistella	Van Horne
Cohen, L. I.	Jadlowiec	Platts	Veon
Cohen, M.	Jarolin	Preston	Vitali
Colaella	Josephs	Ramos	Walko
Colaizzo	Kaiser	Raymond	Washington
Cornell	Keller	Readshaw	Waugh
Corpora	Kenney	Reber	Williams, A. H.
Corrigan	Kirkland	Reinard	Williams, C.
Cowell	Krebs	Rieger	Wilt
Coy	LaGrotta	Roberts	Wogan
Curry	Laughlin	Robinson	Wojnaroski
Daley	Lawless	Rohrer	Wright, M. N.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dempsey	Lescovitz	Rublely	Zimmerman
Dent	Levdansky	Sainato	Zug
Dermody	Lloyd	Santoni	



DeWeese	Lucyk	Sather	Ryan,
DiGirolamo	Lynch	Saylor	Speaker
Donatucci	Maher	Schroder	

NAYS-0

NOT VOTING-1

Cam

EXCUSED-3

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

\* \* \*

Mr. CALTAGIRONE called up **HR 303, PN 2628**, entitled:

A Resolution recognizing the contributions of the mushroom industry in this Commonwealth and calling upon the people of this Commonwealth to support the Pennsylvania mushroom industry.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-198

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

Corrigan	Kirkland	Reinard	Williams, C.
Cowell	Krebs	Rieger	Wilt
Coy	LaGrotta	Roberts	Wogan
Curry	Laughlin	Robinson	Wojnaroski
Daley	Lawless	Rohrer	Wright, M. N.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dempsey	Lescovitz	Rubley	Zimmerman
Dent	Levdansky	Sainato	Zug
Dermody	Lloyd	Santoni	
DeWeese	Lucyk	Sather	Ryan,
DiGirolamo	Lynch	Saylor	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-3

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

\* \* \*

Mr. THOMAS called up **HR 305, PN 2647**, entitled:

A Resolution designating the week of January 11 through 17, 1998, as "Martin Luther King, Jr., Holiday Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Cawley James Roebuck

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

### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 540, PN 603**, entitled:

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

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

### BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HB 540 be placed on the table.

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

### BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HB 540 be removed from the table and placed on the active calendar.

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

\* \* \*

The House proceeded to third consideration of **HB 1473, PN 1868**, entitled:

An Act amending the act of December 19, 1990 (P.L.805, No.194), known as the Asbestos Occupations Accreditation and Certification Act, requiring certain contractors to obtain a license.

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

### BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HB 1473, on page 5 of today's calendar, be placed on the table.

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

### BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HB 1473 be removed from the table and put on the active calendar.

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

### SUPPLEMENTAL CALENDAR A

### BILLS ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 474, PN 2576**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of unlawful contact or communication with minor; and providing for sale or illegal use of certain solvents.

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

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

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, very briefly, this legislation was passed unanimously in the House of Representatives earlier this year and then was amended in the Senate Judiciary Committee. One amendment is a technical amendment that just clarifies the issue of gaseous materials; it replaces some wording concerning freon, which was acceptable to all parties. But the substantive amendment merely upgrades the potential fine and penalty from a first-degree misdemeanor to potentially a first-degree felony,

depending on the underlying offense that a district attorney or law enforcement official might charge.

This was passed unanimously in the Senate and is now before the House for concurrence in both amendments.

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-197

Adolph	Donatucci	Maitland	Schuler
Allen	Druce	Major	Scrimenti
Argall	Eachus	Manderino	Semmel
Armstrong	Egolf	Markosek	Serafini
Baker	Fairchild	Marsico	Seyfert
Bard	Fargo	Masland	Shaner
Barley	Feese	Mayernik	Smith, B.
Barrar	Fichter	McCall	Smith, S. H.
Battisto	Fleagle	McGeehan	Snyder, D. W.
Bebko-Jones	Flick	McGill	Staback
Belardi	Gannon	McIlhatten	Stairs
Belfanti	Geist	McNaughton	Steelman
Benninghoff	George	Melio	Steil
Birmelin	Gigliotti	Michlovic	Stern
Bishop	Gladeck	Micozzie	Stetler
Blaum	Godshall	Miller	Stevenson
Boscola	Gordner	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
Carn	Herman	Pesci	Trello
Carone	Hershey	Petrarca	Trich
Casorio	Hess	Petrone	True
Chadwick	Horsey	Phillips	Tulli
Civera	Hutchinson	Pippy	Vance
Clark	Itkin	Pistella	Van Horne
Clymer	Jadlowiec	Platts	Veon
Cohen, L. I.	Jarolin	Preston	Vitali
Cohen, M.	Josephs	Ramos	Walko
Colaella	Kaiser	Raymond	Washington
Colaizzo	Keller	Readshaw	Waugh
Cornell	Kenney	Reber	Williams, A. H.
Corpora	Kirkland	Reinard	Williams, C.
Corrigan	Krebs	Rieger	Wilt
Cowell	LaGrotta	Roberts	Wogan
Coy	Laughlin	Robinson	Wojnarowski
Curry	Lawless	Rohrer	Wright, M. N.
Daley	Lederer	Rooney	Yewcic
Dally	Leh	Ross	Youngblood
DeLuca	Lescovitz	Rubley	Zimmerman
Dempsey	Levdansky	Sainato	Zug
Dent	Lloyd	Santoni	
Dermoddy	Lucyk	Sather	Ryan,
DeWeese	Lynch	Saylor	Speaker
DiGirolamo	Maher	Schroder	

#### NAYS-0

#### NOT VOTING-1

Evans

#### EXCUSED-3

Cawley James Roebuck

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

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The House proceeded to consideration of concurrence in Senate amendments to **HB 1125, PN 2590**, entitled:

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

On the question,

Will the House concur in Senate amendments?

The SPEAKER. On the question, the Chair recognizes the lady from Montgomery County, Ms. Bard.

Ms. BARD. Thank you, Mr. Speaker.

The amendments adopted in the Senate upgrade this offense to a felony of the third degree. That ups the penalty from a misdemeanor of the first degree.

So I would ask that the members concur with the Senate amendments.

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-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-3

Cawley James Roebuck

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today as the guest of Representative Platts, his father, Dutch Platts, from York, and Jerry Werblow, from Buffalo, New York, who is the Representative's father-in-law. Boy, that is a combination; bring your father and father-in-law in together.

### SUPPLEMENTAL CALENDAR B

#### BILL ON CONCURRENCE IN SENATE AMENDMENTS AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 1412, PN 2655**, as further amended by the House Rules Committee:

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for alimony, for information to consumer reporting agency, for cooperation of government and nongovernment agencies and for general administration of support matters; providing for duties of Title IV-D attorney; further providing for order of support, for mandatory inclusion of child medical support, for commencement of support actions or proceedings, for expedited procedure, for paternity, for attachment of income, for costs and fees, for continuing jurisdiction over support orders, for duty to report and for denial or suspension of licenses; providing for Title IV-D program and related matters; further providing for acknowledgment and claim of paternity, for responsibilities of law enforcement agencies, for court-ordered relief, for continuing exclusive jurisdiction, for recognition of child support orders, for duties of initiating tribunal, for duties and powers of responding tribunal, for inappropriate tribunal, for duties of support enforcement agency, for supervisory duty, for duties of the Department of Public Welfare and for income-withholding order of

another state; providing for compliance with multiple income-withholding orders, for immunity from civil liability, for penalties for noncompliance and for contest by obligor; further providing for notice of registration of order, for procedure to contest validity or enforcement of registered order and for modification of child support order of another state; providing for jurisdiction to modify child support order of another state and for notice to issuing tribunal of modification; further providing for supervisory duty and for definitions; making repeals; and making editorial changes.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I urge concurrence in the Senate amendments. These amendments bring Pennsylvania into compliance with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 with respect to child support enforcement procedures. If we did not follow this act and enforcement procedures, we would incur financial penalties and would have the risk of losing over \$105 million from the Child Support Enforcement Program as well as about \$719 million from the Temporary Aid to Needy Families block grants.

I urge a "yes" vote on concurrence in Senate amendments.

### MOTION TO SUSPEND RULES

The SPEAKER. The lady from Montgomery, Ms. Williams.

Ms. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, this bill is better than current law. My predecessor speaker is correct; it does meet Federal requirements minimally. I rise to make it better and stronger. There is no mandatory driver's license revocation in this bill. Last month in this House, 193 of us agreed that there should be and voted for it. So I would like to suspend the rules right now to offer this amendment.

The SPEAKER. The lady from Montgomery, Ms. Williams, moves that the rules of the House be suspended to permit her to offer an amendment to HB 1412. To permit her to offer seven amendments? Is that the signal I am getting?

Ms. WILLIAMS. No; one.

The SPEAKER. To offer amendment 50—

Ms. WILLIAMS. 5037.

The SPEAKER. —37 — you scared me there for a minute; I saw the 7 — to offer 5037 to HB 1412.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of suspension of the rules, does the Democratic floor leader yield to the lady, Ms. Williams? The floor leader yields to the lady, Ms. Williams.

Ms. Williams? Ms. Williams?

Ms. WILLIAMS. Yes, sir.

The SPEAKER. Ms. Williams, do you have some other amendment? The amendment that was submitted is drawn to the wrong printer's number.

Ms. WILLIAMS. I understand the printer's number was changed when it came out of the Rules Committee.

May I have a brief recess, Mr. Speaker?

#### MOTION WITHDRAWN TEMPORARILY

The SPEAKER. The lady temporarily withdraws her amendment.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. The gentleman, Mr. Veon, do you have amendments or did you wish to be recognized on the bill? The gentleman is recognized. Mr. Veon, do you want to be recognized at this time? No.

Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, I would like to take this opportunity to make a few comments both on the substance and the process that brings us to this concurrence vote on HB 1412.

First of all, I wanted to call to the attention of the members the good news of HB 1412, and the good news of HB 1412 is that it very clearly states that it is the legislative intent of this body and of the Commonwealth of Pennsylvania to continue the child support pass-through. We have sent this message on numerous occasions to the Department of Public Welfare, and we are going to send it to them again today, loud and clear, in a way that I think will put the issue to rest once and for all, that as an Assembly, as a General Assembly, we support and want to see the continuation of the child support pass-through, and I think that that is a great accomplishment.

Unfortunately, like a lot of things that we have done recently, the process by which HB 1412 has come to us has been less than inclusive and has been less than thorough. We first saw the language of this bill and this department just a couple of weeks ago, a very comprehensive overhaul, a 90-page bill, which we attempted, through the chairman of the Judiciary Committee, attempted to try to address, but there was not enough time, and when we had a Judiciary Committee meeting on the same language that was originally introduced as HB 4, there were numerous amendments, very substantive issues that people wanted to debate and discuss, and there was not time to debate and discuss it, because no sooner did we finish with a Judiciary tabling but that same day the language was stuck into HB 1412 over in the Senate and we see it. The shame of it was, everyone was so concerned about Christmas-treeing this bill with their other Title 23 domestic relations issues that no one really paid attention to the substance of what is the Federal child support legislation and Pennsylvania's implementation of that plan in our State.

The promoter of the bill is correct and folks are correct that we have to do this and this is better than nothing, but you know what, Mr. Speaker? It could be a whole lot better, it could be a whole lot stronger, and it could mean better child support enforcement not only for families in Pennsylvania but for the coffers of the Commonwealth as well, and it could be that had we been the deliberative process that we were set up to be, and unfortunately, once again, that was skirted, and that is a shame, and we should be

much more diligent of not accepting at the last minute from the department do-or-die, eleventh-hour legislation, and that is the bad news of this bill.

The final comment I want to make is, I know there are going to be some attempts to suspend the rules to try to make the bill stronger, and I really ask members to listen carefully to the substance that is being attempted to be amended and to not just vote on a party-line vote, because the reality of it is, this bill is going to conference committee, because it was amended in Rules, and it is going there with or without additional amendments on the floor, and I really think some of the additional amendments that are going to be attempted to be offered are good amendments that deserve your support.

So I am urging concurrence, but I am also urging you to pay attention to what may come after and to really give serious thought to passing the best and most informed and well-rounded piece of legislation that we can. Thank you.

The SPEAKER. The gentleman, Mr. Lloyd.

Will the gentleman yield.

Ms. Williams, would you come to the desk, please.

The gentleman, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, I would like to interrogate the chairman of the Judiciary Committee.

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

Mr. LLOYD. Mr. Speaker, I would like to understand a couple of the license suspension issues in this bill.

As I understand the way the bill is written, the domestic relations office in my county may send an order to PennDOT to suspend the driver's license of one of my constituents who is in arrears in child support payments for more than some particular period of time and the only remedy which my constituent has if he contests that suspension is to go back to the court which issued the child support order. What happens if that is an out-of-State court?

Mr. GANNON. They would have to go back to that out-of-State court to obtain the relief.

Mr. LLOYD. Now, I realize that many of the things in this bill are mandated by Federal law, and so if we do not like those, we need to argue with somebody in Washington, but are we required under the Federal law to say that the only remedy is to go back to the court which issued the child support order?

Mr. GANNON. Under all of our other uniform support laws, you are required to go back to the court of original jurisdiction, so this is consistent with what we have done in the past.

Mr. LLOYD. Well, but the problem is that you can go back and contest the basis for the order, for the support order, and argue that it should be modified or that it should be vacated, but if the argument is, hey, this is no longer in effect, or I am not that person, there is no right to appeal it to PennDOT and have an administrative hearing and then have an appeal to the Commonwealth Court.

Mr. GANNON. Now you are talking about something different, I think. You just said if the order was to be vacated or modified. You would not have to do that; you would not have to wait until your license was suspended to do that. This is only if you are in arrears by a certain time. Plus, it would be my guess that when your license was suspended, the department would give you a notice, and you would more likely than not have your appeal

process under the regular way we do today for suspensions of operating privileges. We are talking about two different things.

Mr. LLOYD. Well, that is what I am trying to understand, because when I read the bill, on page 41, lines 21 through 27, it says, "There shall be no right to appeal from a suspension...pursuant to 75 Pa.C.S. § 1550....," and I am assuming — I have not looked that up — but I am assuming that that is the section which would govern if I am getting suspended for points or I am getting suspended for some driving offense; that is the procedure which I would have to follow, and that remedy is not available to me. So this is not being treated like other kinds of license problems. We all have in our district offices people who come in and say there was a mistake. This appears to say that there is no way to correct that mistake unless we want to search out the court which issued the underlying support order.

Mr. GANNON. Well, this would come under your regular civil procedure. For example, if it was an invalid order, you would simply go into our State court to contest the order.

Mr. LLOYD. No, but the point is that I am saying I am not the person identified in this order.

Mr. GANNON. Then that would be within the State court. If they have the wrong person, you would not have to go to another court in another State to show them you had the wrong person.

Mr. LLOYD. Well, the problem is, when I read clause (6) on page 41, lines 21 through 27, it seems to say that I do not have any right of appeal. I hope you are correct and I hope that is the interpretation that PennDOT takes, because otherwise I can see a lot of at least claims by constituents that there was a mistake made.

The second issue of concern to me has to do with the suspension of hunting licenses and fishing licenses, and once again, I understand that the Federal government has said we have to do that. My concern is, I hear from the issuing agents, and the issuing agents feel that they are not being adequately compensated for what they do already, and in this bill it is not clear what happens when it is determined that somebody's license is to be nonrenewed. The Fish Commission and the Game Commission are supposed to do something to keep that license from being nonrenewed, but it is not clear what that is. One possibility is that we would develop some central registry, just like we are going to have with firearms purchases, and I think that would be problematic. Another possibility is we are going to send out a list of names, which could be pages and pages long, that every issuing agent has to go through. I wonder, Mr. Speaker, if you are in a position to tell us what procedure is actually going to be followed to make sure that those licenses are not renewed.

Mr. GANNON. I met with the department today, and we discussed, among other issues, this issue. They are indicating to me that they are going to be working with these various State agencies and private agencies that will now come into play to work out the specific procedures for the reporting and for the enforcement, along the lines you are talking about. It would be pretty much a technical issue as opposed to a policy issue. The policy is, the Federal government requires us to suspend recreational licenses. The technical side is the procedure that they are going to follow to do that, and I do not necessarily know if it would be wise to incorporate that into legislation specifically, since we now are going to have two agencies — for example, the Fish Commission and the Game Commission and the department — trying to work

out a procedure between themselves as to how to best handle this policy.

Mr. LLOYD. Well, do you know, Mr. Speaker, on page 44 of the bill, lines 21 through 26 on immunity, there is a grant of immunity to the court, the domestic relations section, the Department of Public Welfare, the Department of Transportation, the Game Commission, the Fish Commission, and any employee of those agencies from criminal or civil liability for doing what they are supposed to be doing. Do you know whether an issuing agent for a hunting or fishing license is an employee, for the purposes of Title 23?

Mr. GANNON. I would think that would be up to the courts whether they are administrative or administrative positions and whether or not they would come under the immunity language expressed here or how the departments interpret how they come out from a regulatory standpoint.

Mr. LLOYD. Mr. Speaker, if I could be recognized on the bill.

The SPEAKER. The gentleman is in order and recognized on the bill.

Mr. LLOYD. Mr. Speaker, I recognize that many of the things in this bill we are going to have to do in order to avoid penalties from the Federal government. I would hope that as the administration implements the sections on hunting and fishing licenses, that if it is at all possible in complying with Federal law, that we avoid putting a burden on the issuing agents, who already feel that they are not adequately compensated for the work that they are doing, and that we avoid sending all across the State to every issuing agent some telephone book of people who are in arrears on their child support and are not entitled to get a fishing license or a hunting license and that we also avoid creating a central registry, because we have already gone through that with firearms. That was not a fun process. We have arrived at an agreement on that, and I think that for this particular purpose, we ought not repeat that, and I would just hope that the administration will keep that in mind. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Gannon, you did not seek recognition in reply?

## MOTION TO SUSPEND RULES

The SPEAKER. The Chair recognizes the lady, Ms. Williams. Ms. WILLIAMS. Thank you, Mr. Speaker.

I would like to offer a motion to suspend the rules to revert to prior PN 2589. We received this current printer's number too late for me to offer my amendment.

The SPEAKER. The lady understands that for her to offer her amendment, it will require the suspension of rules twice—

Ms. WILLIAMS. Yes, sir.

The SPEAKER. —one suspension to revert, a second suspension to offer the amendment.

Ms. WILLIAMS. Well, I understand that this is a long shot, Mr. Speaker, but I think that it is important.

The SPEAKER. The question before the House is the motion of the lady from Montgomery County that HB 1412 revert to PN 2589.

On the question,

Will the House agree to the motion?

The SPEAKER. On that question, the Chair recognizes the lady.

Ms. WILLIAMS. Because we were unable to amend this bill in a timely fashion, I would just like to urge my colleagues to think seriously about the mandatory revocation of the driver's license. Should this be a body that is harsh on crime and not harsh on people who have responsibilities to their children? What we are doing in this legislation is allowing a "may" provision rather than a "shall" provision. What we are doing is creating a bureaucratic level that we do not need to set up the rules and regulations to suspend the driver's license. Legislation that we all voted on last month made it very clean, that if somebody was in arrears with their child support in 3 months, they had the opportunity to come to the judge and say, "I will pay it up" or "I have to make a plan to pay it up, but I will do it," and if they do not do it, then they lose their driver's license. When we heard about this legislation in other States, when it has been enacted, they do not have to revoke the driver's license; they collect millions of dollars.

So I hope that you will join with me on two suspensions of the rules. Thank you.

The SPEAKER. The gentleman, Mr. Snyder, on the question.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, first of all, the bill as we see it before us in PN 2655 is the result of negotiations between both chambers of the legislature, both caucuses within this House, and the Governor's Office, and it was intended to address the additional issues to put us into compliance with the Federal law, which I think is what the intent of the lady who is making the motion is, to make sure that what we pass is in compliance.

Therefore, Mr. Speaker, I would ask for a "no" vote on suspension of the rules because of the fact that that suspension, if it would go through, could put this legislation into jeopardy, and I believe we have concurrence on the other side also for a "no" vote on suspension.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

## YEAS—89

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

## NAYS—106

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

## NOT VOTING—3

LaGrotta	Stetler	Williams, A. H.
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## EXCUSED—3

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

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. Does the gentleman from Montgomery, Mr. Godshall, desire to be recognized on the question of concurrence?

Mr. GODSHALL. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. GODSHALL. I would like to interrogate Representative Gannon, please.

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

Mr. GODSHALL. Mr. Speaker, just for the purpose of establishing legislative intent, the occupational limited license or a probationary license, they would not be suspended by PennDOT; it would be your regular automobile driver's license, right?

Mr. GANNON. If an individual had a regular automobile license and that would be suspended under the provisions of this act—

Mr. GODSHALL. Or could be suspended.

Mr. GANNON. —that person would be eligible to apply for a limited occupational license.

Mr. GODSHALL. So we are not going to be losing all three; we would be losing the actual driver's license.

Mr. GANNON. Correct. But that person could apply and would be eligible to apply for a limited occupational license, even though they were under suspension under this act.

Mr. GODSHALL. Thank you, Mr. Speaker, and I would like to make a brief statement on the legislation.

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

Mr. GODSHALL. In following Representative Lloyd's comments pertaining to the issuing agents, I do not believe the issuing agents are recognized as employees of the Commonwealth, so they would not be liable if they would issue a license to somebody who is not supposed to have that license. However, however — and there is a big "however" — we sell over 1 million fishing licenses, probably close to 850,000 hunting licenses, and neither of those agencies are computerized, so for an issuing agent to go through, for an issuing agent to go through somebody who may be eligible today but not tomorrow is going to be a monumental task in this Commonwealth, since there are no computer records that I know of that either agency has.

So I want to make absolutely sure and I am in agreement with Mr. Lloyd that the issuing agents will not be held responsible for mistakes, since there obviously are going to be mistakes and lots of mistakes made. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support this bill and to advocate that other members in this chamber do the same.

I would first like to mention that it was with great reluctance that I voted against my colleague from this side of the aisle, the gentelady from Montgomery County, Ms. Williams, who I think has done such a tremendous job in making a case for the mandatory revocation of driver's licenses, has had a bill to do that, and I support that provision. Unfortunately, it will not be in this bill.

Mr. Speaker, I want to say that this is a complex and complicated issue, and I think there have been plenty of legitimate questions about the details of what is in this bill. But I would like to emphasize very quickly some of the very good things that are in this bill and that every member who votes for this bill here today will recognize that this is going to go to the Senate, be passed by the Senate and signed by the Governor, and you ought to know that you will be making significant improvements in the child support law in the State of Pennsylvania.

Mr. Speaker, one of the issues that members on both sides of this aisle have worked for this whole entire session on is to save the pass-through, the \$50 that goes directly to the child in child support collection. That provision is in this bill, Mr. Speaker, and it is a provision that many of us had worked very hard for. I think we need to understand that and we need to appreciate and we need to talk about that provision.

This bill does give the courts power, discretionary power, to revoke driver's licenses and to revoke hunting and fishing licenses. It does not mandate it, as I would prefer, but it for the first time gives the courts the authority and the power to require a driver's license to be revoked, and there has been tremendous experience in the other States that have done just that. In the State of Maine, just the threat, just the threat of revoking driver's licenses brought

in over \$12 million in child support in that State, and I think that is an important provision.

This bill also gives the Department of Public Welfare access for the first time to financial institution records for those deadbeat parents that are not paying their fair share. It also gives the department the authority to seize assets, and this is for the first time, Mr. Speaker, and we ought to recognize that. It opens utility company records for the first time. It opens cable company records for the first time.

Mr. Speaker, all these provisions ought to be provisions that we are proud of passing on this floor here today, and despite the questions about the detail, legitimate questions, the fact is, as this becomes law, there will be millions of more dollars collected in the State of Pennsylvania and there will be tens of thousands of more children who will get the child support that they rightly deserve.

Mr. Speaker, there is no question that this bill does not go far enough. It does not have everything in it that I would like to have in it. I would have joined the gentelady from Montgomery County to have a mandatory license revocation. Unlike some of my colleagues here, I would like to mandate that we revoke hunting and fishing licenses. I think the fact is that 99.9 percent of the hunters and fishermen in the State of Pennsylvania want us to have the toughest child support collection law we possibly can, and if that means taking somebody's hunting license and fishing license, that is what we ought to do, and we ought to give this State the authority to do it. That is not in here in the way I would like to see it.

But, Mr. Speaker, there has been a lot of work, on both sides of the aisle, not just in the last couple of days on this bill, but I see the gentelady, Mrs. Harhart, standing in the back and other members on that side of the aisle who all year have been working on improving the child support, strengthening the child support collection law in Pennsylvania. Mr. Speaker, we ought to pass this. This should become the law of the State of Pennsylvania.

But, Mr. Speaker, I want to, nonetheless, next year, join with members on this side of the aisle and with members on that side of the aisle, because once we figure out what we did not do in this bill, I think there will be a lot of members here who want Pennsylvania to have the toughest, strongest, most progressive child support law in the nation. That ought to be our goal. This bill falls short of that goal. But we will come back another day, we will have another debate, and I think we will have another victory.

In the meantime, this bill ought to be passed and we ought to be proud of what is accomplished in this bill in a bipartisan way, and I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Corpora.

Mr. CORPORA. Thank you, Mr. Speaker.

May I interrogate the chairperson of the Judiciary Committee?

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

Mr. CORPORA. Thank you, Mr. Speaker.

I just have a couple of questions for clarification purposes, the first being on page 4, beginning at line 7 through line 11. Does this language change existing law, and if so, how does it change the law?

Mr. GANNON. No, it does not, Mr. Speaker.

Mr. CORPORA. It is my understanding that right now in Pennsylvania, a spouse may be entitled to alimony pendente lite



while the divorce is pending and marital misconduct is not a factor with regard to obtaining an award for alimony pendente lite. This language appears to say that a spouse who may be guilty of marital misconduct could be precluded from getting an award of APL, or am I misreading that section that has been added?

Mr. GANNON. This only applies to postsettlement awards, this language. The language you are referring to applies to—

Mr. CORPORA. Postdivorce?

Mr. GANNON. No, no; prior; you know, an award seeking alimony pendente lite. This is only for postsettlement awards.

Mr. CORPORA. Postsettlement awards?

I am asking, if a woman goes to domestic relations and files a petition for alimony pendente lite, presently, whether or not that woman is guilty of marital misconduct, she still may be entitled to alimony pendente lite, depending on her earning capacity. Now, she may not be entitled to alimony because of that misconduct, but for APL, while the case is pending, she is entitled to the award. This language seems to say that she no longer will be. Is that correct, or is that not correct?

Mr. GANNON. I am not sure I understand the question.

Mr. CORPORA. Okay.

In your understanding of the law right now, what is the distinction for being entitled to APL or alimony as it relates to marital misconduct?

I am not saying that I am opposed to this bill. I am just asking for a clarification on what this language means for people going through divorce actions.

Mr. GANNON. As I understand it, Mr. Speaker, if a spouse was already receiving alimony—

Mr. CORPORA. Pendente lite or alimony?

Mr. GANNON. —alimony or alimony pendente lite, was already getting that, and then there was a settlement — in other words, they receive that award — and then they wanted to make a change, they wanted to get an adjustment in that alimony or alimony pendente lite, and that spouse was being abused, the courts had said that that could not be taken into consideration as a factor in changing the alimony or the alimony pendente lite. What this says is, that factor can now be taken into consideration where the abused spouse would be seeking a change; the court can now take that abuse into consideration.

Mr. CORPORA. Let me give you a hypothetical. Maybe this will—

The SPEAKER. Will the gentleman yield for a moment.

Mr. CORPORA. Thank you.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. I was just advised that Gaynor Cawley is watching us on television now, so— Hi, Gaynor.

For the benefit of anyone who does not know, Gaynor Cawley is one of our distinguished members who was badly injured in an accident and is at home recuperating, and we all send him our best.

Mrs. Vance.

Mr. CORPORA. Gaynor, get back here; we need your help and your humor.

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

#### CONSIDERATION OF HB 1412 CONTINUED

Mr. CORPORA. Let me present a hypothetical.

We have a marital situation where, for instance, one spouse moves in with another person and the spouse that moves in with another person then goes to domestic relations and files a petition for alimony pendente lite, files for a divorce and files for APL. Now, it is obvious that this spouse is living with another person. Is he or she precluded from getting that award, as they would be for alimony?

Mr. GANNON. No. You have to read this language in conjunction with the language on page 3, beginning at line 11, and see how the term "MARITAL MISCONDUCT" is defined to include "...ABUSE OF ONE PARTY BY THE OTHER.... 'ABUSE' SHALL HAVE THE MEANING GIVEN TO IT UNDER SECTION 6102 (RELATING TO DEFINITIONS)." So you are fairly limited to an abusive situation as opposed to the type of alleged misconduct, if it would be misconduct, that you were talking about, because this is after separation. You will see it says, "THE MARITAL MISCONDUCT OF EITHER OF THE PARTIES FROM THE DATE OF FINAL SEPARATION," and then original language was, "SHALL NOT BE CONSIDERED BY THE COURT IN ITS DETERMINATIONS RELATIVE TO ALIMONY." Now we are saying, even after final separation, it may be considered where there is abuse.

Mr. CORPORA. It is not limited to abuse though. That is where my whole question is. It says including abuse. What about adultery? What about adultery? An adulterous situation—

Mr. GANNON. No, Madam Speaker.

Mr. CORPORA. No, what?

Mr. GANNON. That would not be abuse.

Mr. CORPORA. No, but it would be marital misconduct.

Mr. GANNON. But not the type of misconduct that is characterized under the definition here.

Mr. CORPORA. Okay. So the marital misconduct that is being defined in this statute does not include adultery?

Mr. GANNON. No.

Mr. CORPORA. What does it include besides abuse?

Mr. GANNON. The abuse is defined. It references section 6102 relative to definition, so you have to reference back to 6102 to see the type of abuse, abusive conduct that would not prohibit a spouse from seeking a modification or additional alimony or alimony pendente lite.

Mr. CORPORA. Okay. Sometimes I see clients that come in and indicate to me, "My husband left. He's living with another woman. Can I date now?" That is a common question. Now, if this person proceeds to begin dating, that is postseparation conduct. That is not going to affect her right to get support?

Mr. GANNON. No.

The definition of "abuse" includes attempting to cause or intentionally, knowingly, or recklessly causing bodily injury, serious bodily injury, rape, involuntary deviate sexual intercourse, sexual assault, statutory sexual assault, aggravated indecent assault, indecent assault, or incest with or without a deadly weapon; placing another in reasonable fear of imminent serious bodily injury; the infliction of false imprisonment pursuant to 18

Pa.C.S. § 2903; physically or sexually abusing minor children, including such terms as defined in chapter 63; knowingly engaging in a course of conduct or repeatedly committing acts toward another person, including following the person, without proper authority, under circumstances which place the person in reasonable fear of bodily injury. The definition of this paragraph applies only to proceedings commenced under this title and is inapplicable to any criminal prosecutions commenced under Title 18.

That is the "abuse" definition—

Mr. CORPORA. Right.

Mr. GANNON. —that applies here.

Mr. CORPORA. That is very easy. Abuse is very clear; I know what abuse is. But it says in the statute that it is not limited to abuse.

Mr. GANNON. It references—

Mr. CORPORA. Is it limited to abuse?

Mr. GANNON. Yes. It references the type of conduct that would be characterized as abuse.

Mr. CORPORA. Okay. Should we not be saying then that it is limited to abuse? That is what my question is. It says it is not limited to abuse.

Mr. GANNON. No, not necessarily, because this would just give the court some latitude. For example, if there was some type of abusive conduct that you and I might not see clearly and the court, after hearing evidence, might say, yes, this is abusive conduct, although it is not specifically defined here, but it can be characterized as abusive conduct, and therefore, we are going to allow a modification.

Mr. CORPORA. But adultery is not contemplated in this?

Mr. GANNON. No. Adultery is not contemplated, nor is the other conduct that is cited in the statute that would not be characterized as abusive or abuse.

Mr. CORPORA. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Berks County, Mr. Rohrer.

Mr. ROHRER. Thank you, Madam Speaker.

We have heard a lot of reasons why concurrence with this bill would be in the best interests perhaps of certain people within the Commonwealth, but I tell you, as I sit down and I read over the bill, I find a whole lot more reasons why we ought not as a General Assembly to be supporting concurrence in this measure, and those are for a couple of reasons.

The first one, the first big one to me, is the fact that we are doing this under the pretext that we have to because of Federal mandate, and to that I say nonsense. Since when does the Federal government have the authority to tell us as a Commonwealth what we do or we do not do relative to the rights that are afforded our citizens and the procedures that we use?

We are blackmailed regularly by the Federal government, for the sake of a few dollars, into turning over rights and freedoms that are guaranteed the people of this Commonwealth. We are sent here to protect them. This bill has far more to do with allowing further intervention by the Federal government, by an enlarged bureaucracy, than it does finding a few dollars for those children from deadbeat dads.

If you look through this bill, which I doubt whether many have read this bill in its entirety, there are any number of things that are problematic, and people have stood up and people have said, well,

we cannot really support all the provisions of this bill, but we have got to do it because the Federal government tells us we have to do it. It is our obligation to draw the line and to say, enough is enough; we are not going to do anything more.

I am not going to go back home and have my people say to me again, when they find out what this requires on all employers for the recording of every name, every Social Security number, and other pieces of information about every new person that they hire across the State, which is then housed in computers in this State, which is then accessed by the Federal government, this is nonsense. There is a cost to that. There is an intervention involved in that. We would not do that separately, but we are going to do it under the pretext of helping somebody, who it is very questionable whether or not this is even going to provide the relief.

We give powers to the Department of Welfare to access data that has not before been collected or available to them. We give them, for instance, the power to order genetic testing; to issue subpoenas; to access records of all State and local government agencies for vital statistics — marriage, birth, and divorce — State and local tax and revenue records, including information on residence, employers, records of real estate, all titled personal property, records of occupational and professional licenses, records of the ownership and control of corporations and partnerships, employment security records, and on and on down the list it goes, even to the point of, can issue subpoenas for the records of public utility and cable company receipts.

This goes way far beyond what anything is necessary to do to help in the collection for parents who fail to provide support. This has everything to do with allowing the collection of information on individuals within this State by requiring the employers to produce this information, in addition to other things, and to allow the Department of Welfare to access all data that is housed in the Department of Revenue, the Department of Transportation, local governments.

This is nuts. We do not have privacy-regulation legislation sufficiently in place today to guard where this information goes. I think this is absolutely outrageous. We ought to send this thing back, rework it, and frankly, if it comes back where the only option was to say no to money from the Federal government, we ought to have the courage to say no to their money because we value things more importantly here than complying with their wishes.

I, for one, am going to vote "no." I hope others do as well. Thank you.

The SPEAKER pro tempore. The Chair recognizes the lady from Lehigh County, Mrs. Harhart.

Mrs. HARHART. I rise in support of HB 1412.

I believe this is the first good step toward making our child support process more efficient and more effective and in getting some of the \$900 million in back child support Pennsylvania children are owed.

The lack of effective penalties makes this bill much less effective than it really could be. Ultimately, if we fail here, we are not the ones who will be suffering; it will be the children of Pennsylvania who will not get their child support. We owe it to our children to pass this legislation that will do the job.

Thank you, Madam Speaker.

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

Mr. THOMAS. Thank you, Madam Speaker.

Madam Speaker, I rise wholeheartedly to concur with HB 1412. As it has been mentioned, Madam Speaker, HB 1412 covers a myriad of areas that are designed to increase and enhance child support payments in the Commonwealth of Pennsylvania.

Madam Speaker, I am thankful that HB 1412 takes on affirmative conduct in bringing about support for our children. If we stand for the proposition that it is important to help children on the front end rather than on the back end of life, then, Madam Speaker, it is imperative that we do all that we can to make sure that noncustodial parents provide the support that children need.

Madam Speaker, HB 1412 on concurrence is not only good in form but it is also good in substance. Substantively, it is a good bill. Yes, there are some areas that probably need to be straightened out, but at least this bill provides the foundation and provides a path for us to move forward into the 21st century on the issue of children and families in the Commonwealth of Pennsylvania. So, no, it does not cover everything and there are some things that need to be straightened out, but it provides a good foundation.

And, Madam Speaker, I want to personally thank the Governor's Office. I want to thank Secretary Houstoun. I want to thank colleagues on my side of the aisle, like Representative Josephs and Representative Manderino, thank colleagues from the other side of the aisle who remain steadfast on this child support pass-through. This was a very critical, critical issue that was inextricably intertwined with the whole proposition that we need to enhance child support payments and we need to provide families with as much support as we possibly can, and members from both sides of the aisle remain steadfast in calling for this child support pass-through.

The administration was a little hesitant in the beginning, but once confronted with the facts, once confronted with the real-world situation in the Commonwealth of Pennsylvania, they came on board, and I personally want to thank the Secretary and thank the Governor for their receptivity in stepping forward on this issue. And I want to thank all the people who came together to make this bill a reality. Some of us thought, who jumped up and down last year and jumped up and down earlier this year, that this bill would never become a reality, but, Madam Speaker, this bill is a testimony to what can happen when people can put their political differences to the side and come together on the issue of families and children, which is really the backbone of the Commonwealth of Pennsylvania.

So I want to thank all of the people who participated, and I urge my colleagues from both sides, let us move with Godspeed in concurring on HB 1412. Thank you.

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

Mr. SAYLOR. Thank you, Madam Speaker.

Earlier we had heard comments concerning the language on page 3. I am pleased to talk about that in particular. That was a part of a separate bill that we called Anna's bill, that was put into this bill by working with members on the Democratic side of the aisle in the fact that I had a case in my district whereby a marriage came to an end because of domestic violence, and in the case of that particular woman, after the divorce was granted, she was ordered to pay alimony to her abuser. That abuser was later on, as he

continued to commit abuses and violence against her, was sent to prison, and while he continued in prison, she was ordered to continue to pay alimony to the person who had violated her, who had constantly harassed her and sent her to the hospital numerous times. That is the reason for the provisions on page 3 for marital misconduct.

I think it is important that whether it is the man or the woman who is receiving alimony, the understanding that there is a law that says that you cannot take advantage of an individual at all, and I am pleased that this has been included in HB 1412 and that now people who are victims of domestic violence will be protected in the case of ordering alimony. Thank you, Madam Speaker.

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

Mr. VEON. Thank you, Madam Speaker.

Madam Speaker, I just want to quickly but strongly make a few rebuttal remarks to the gentleman from Berks County, and I know the gentleman is a serious member of the legislature and a principled member of the legislature, but on this issue, he is just absolutely wrong.

Madam Speaker, in an ideal world, in an ideal world, we would not have to do all those things that the gentleman from Berks talked about as provisions in this child-support-collection law, and unfortunately, Madam Speaker, this is not an ideal world. The State of Pennsylvania ranks next to last in locating parents who are not paying child support — next to last. All of these tools articulated in this bill will be a tremendous help for the State of Pennsylvania to find the parents who owe child support. And, Madam Speaker, let us not lose focus of what we are talking about here. Even in Pennsylvania, even with all of the existing tools we already have, even with the law that is already in place, over \$250 million is owed just to families that are on welfare from parents who do not pay child support. The State of Pennsylvania is paying welfare, cash payments, to families who should be getting that money from the parent who will not pay the bill. Madam Speaker, that fact alone should be compelling to this House.

But let me also say that \$700 million is owed today by parents who are not paying their bill to families in this State. So \$700 million plus \$250 million — almost \$1 billion is owed by parents who are not paying their child support in this State. That is a record we all should be concerned about. It is a record we all should be ashamed of. This is a bill that will do something about it. Four hundred thousand children in Pennsylvania do not get the child support they have coming to them. Madam Speaker, that is wrong. This legislature should speak very clearly today to do something about it.

I again very strongly ask for an affirmative vote on this bill.

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

Mr. SERAFINI. Thank you, Madam Speaker.

Madam Speaker, this is an issue that has been near and dear to me for a number of years, and after sponsoring legislation that would have made this type of activity — the nonpayment of child support — a felony in the third degree, I believe this legislation is a good step towards reforming what is a crime in Pennsylvania and throughout this nation. Those who owe child support should be forced to pay it, and the penalties should be so grave that nothing would withstand them from paying their responsibility for their child.

Thank you, Madam Speaker.

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

Mr. GORDNER. Thank you, Madam Speaker.

May I interrogate Representative Saylor?

The SPEAKER pro tempore. The gentleman agrees. You may proceed.

Mr. GORDNER. Thank you, Madam Speaker.

I listened to the questions asked by Representative Corpora earlier and then the explanation given by Representative Saylor, and I wanted to ask a question or two here for legislative intent in case the issue may come up later.

Madam Speaker, on page 3 of the bill, the previous language said that "...MARITAL MISCONDUCT OF EITHER OF THE PARTIES FROM THE DATE OF FINAL SEPARATION SHALL NOT BE CONSIDERED BY THE COURT IN ITS DETERMINATIONS RELATIVE TO ALIMONY." That language is now being changed so that marital misconduct after final separation "may" be considered. And then there is language added saying what marital misconduct shall include, "...BUT IS NOT LIMITED TO, THE ABUSE OF ONE PARTY BY THE OTHER PARTY."

Is your intent in regard to that language — the intent of where two people were married, are now separated, and the one person is abusing the other — that that should be a factor in regard to the awarding of alimony?

Mr. SAYLOR. That is correct.

Mr. GORDNER. And in the circumstance where a husband and wife have separated, they are living in separate residences, and some time has now transpired from that date of separation and they are now dating again and it is prior to a divorce being issued, would that be considered marital misconduct under this section that you are adding?

Mr. SAYLOR. Not under the legislation I have added to this bill, no.

Mr. GORDNER. Okay. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

#### YEAS—184

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

Butkovitz	Habay	Nickol	Surra
Buxton	Haluska	O'Brien	Tangretti
Caltagirone	Hanna	Olasz	Taylor, E. Z.
Cappabianca	Harhart	Oliver	Taylor, J.
Carn	Hasay	Orie	Thomas
Carone	Hennessey	Perzel	Tigue
Casorio	Herman	Pesci	Travaglio
Chadwick	Hershey	Petrarca	Trello
Civera	Hess	Petrone	Trich
Clark	Horsey	Phillips	True
Clymer	Hutchinson	Pippy	Tulli
Cohen, L. I.	Itkin	Pistella	Vance
Cohen, M.	Jarolin	Platts	Van Horne
Colafella	Josephs	Preston	Veon
Cornell	Kaiser	Ramos	Vitali
Corpora	Keller	Raymond	Walko
Corrigan	Kenney	Readshaw	Washington
Cowell	Kirkland	Reber	Wagh
Coy	Krebs	Reinard	Williams, A. H.
Curry	LaGrotta	Rieger	Williams, C.
Daley	Laughlin	Roberts	Wogan
Dally	Lawless	Robinson	Wojnaroski
DeLuca	Lederer	Rooney	Wright, M. N.
Dempsey	Lescovitz	Ross	Youngblood
Dent	Levdansky	Rubley	Zimmerman
Dermody	Lloyd	Sainato	Zug
DeWeese	Lucyk	Santoni	
DiGirolamo	Maher	Sather	
Donatucci	Maitland	Saylor	Ryan, Speaker
Druce	Major		

#### NAYS—14

Armstrong	Colaizzo	Lynch	Smith, S. H.
Benninghoff	Egolf	Rohrer	Wilt
Birmelin	Jadlowiec	Seyfert	Yewcic
Brown	Leh		

#### NOT VOTING—0

#### EXCUSED—3

Cawley	James	Roebuck
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments as amended by the Rules Committee were concurred in.

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

#### HB 1412 RECONSIDERED

The SPEAKER pro tempore. The Chair is in receipt of a reconsideration of the vote on a bill. The motion is made by Representative Perzel, seconded by Representative Snyder, on bill number 1412, PN 2655, a reconsideration of the vote by which it was passed on the 8th day of December, that it be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

## YEAS-198

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

## NAYS-0

## NOT VOTING-0

## EXCUSED-3

Cawley James Roebuck

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

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

## YEAS-185

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

## NAYS-13

Armstrong	Egolf	Lynch	Smith, S. H.
Birmelin	Jadlowiec	Rohrer	Wilt
Brown	Leh	Seyfert	Yewcic
Colaizzo			

## NOT VOTING-0

## EXCUSED-3

Cawley James Roebuck

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments as amended by the Rules Committee were concurred in.

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

**EDUCATION COMMITTEE MEETING**

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

Mr. STAIRS. Thank you, Madam Speaker.

I would like to ask when we adjourn for the day that we have an Education Committee meeting to discuss SB 577. So I would appreciate as soon as we adjourn to have a committee meeting. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Would the gentleman, Mr. Stairs, like to inform the members where the meeting will be held? At the rear of the chamber.

For the information of the members, there will be no further votes today.

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

**BILLS SIGNED BY SPEAKER**

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

**HB 474, PN 2576**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of unlawful contact or communication with minor; and providing for sale or illegal use of certain solvents.

**HB 1125, PN 2590**

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

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

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

**SB 577, PN 1475**

By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for the sale of unused and unnecessary lands and buildings.

EDUCATION.

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that SB 577 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS PASSED OVER**

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

**ADJOURNMENT**

The SPEAKER. Does the majority leader or Democratic floor leader have any further business?

Hearing none, the Chair recognizes the gentleman, Mr. Benninghoff.

Mr. BENNINGHOFF. Mr. Speaker, I move that this House do now adjourn until Tuesday, December 9, 1997, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:48 p.m., e.s.t., the House adjourned.