

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MARCH 11, 1998

SESSION OF 1998

182D OF THE GENERAL ASSEMBLY

No. 17

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. RICHARD T. PURCHASE, pastor of Upper Merion Baptist Church, King of Prussia, Pennsylvania, guest Chaplain and guest of the lady from Montgomery, Ms. Williams, offered the following prayer:

Let us pray:

Almighty and Eternal God, our Heavenly Father, we praise You for Your unnumbered mercies. For the strength and the health that we bring to our daily tasks; for the kindness and character qualities which contribute to our emotional well-being; for the visions of justice and of saving graces which we are enabled by Your strength to confer one upon the other, we give You thanks.

We thank You for this legislative body, its purpose and its ministry on behalf of all those who reside in this Commonwealth of every race, of every creed, of every tradition. Give to us, we pray, wisdom and understanding as a people, that as we face the challenges and the changes of our age, we may do so with the wisdom of the ages and the understanding and eternal truth that You have given to us in the prophets and the apostles, in all of that great line of men and women who have stood for justice, for love, and for truth.

May we as Your servants be citizens of quality, and may each legislator, we pray, be a person in touch with those realities that go far beyond the political process and the economic strategies and all the things that make up our complex society as a people.

May we, this day, honor and glorify You, in whose name we give thanks and praise. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, March 10, 1998, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2282 By Representatives GODSHALL, MICOZZIE, LYNCH, KENNEY, CLARK, HERSHEY, ROSS, HENNESSEY, CIVERA and YOUNGBLOOD

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, further providing for general investment provisions and restrictions.

Referred to Committee on INSURANCE, March 11, 1998.

No. 2283 By Representatives WOGAN, McCALL, PERZEL, BELARDI, COY, DeLUCA, ROONEY, SERAFINI, MELIO, FICHTER, TRAVAGLIO, WOJNAROSKI, BELFANTI, E. Z. TAYLOR, GIGLIOTTI, TRELLO, SURRA, LAUGHLIN, OLASZ, J. TAYLOR, STABACK, ORIE, SHANER, MARSICO, VAN HORNE, TRICH, D. W. SNYDER and STEELMAN

An Act providing for the regulation of home improvement contracts and for registration of certain home improvement contractors; prohibiting certain acts; prescribing requirements for home improvement contracts; establishing the Home Improvement Guaranty Fund; and providing for claims against the fund and for the offense of home improvement fraud.

Referred to Committee on CONSUMER AFFAIRS, March 11, 1998.

No. 2284 By Representatives ROBERTS, JAMES, ORIE, CALTAGIRONE, COY, READSHAW, LEDERER, WOJNAROSKI, STABACK, CARN, LAUGHLIN, McCALL, L. I. COHEN, YOUNGBLOOD, DALEY, BOSCOLA, WAUGH, RAMOS, STEELMAN, COWELL, C. WILLIAMS, THOMAS and MYERS

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for new business development tax credits.

Referred to Committee on FINANCE, March 11, 1998.

No. 2285 By Representatives ROBERTS, READSHAW, WAUGH, HUTCHINSON, MARKOSEK, PESCI, HALUSKA, CALTAGIRONE, BELARDI, LAUGHLIN, TRELLO, LEDERER, SHANER, WOJNAROSKI, BELFANTI, L. I. COHEN, McCALL, HORSEY, YOUNGBLOOD, MAHER, CIVERA and CARN

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for new business development tax credits.

Referred to Committee on FINANCE, March 11, 1998.

No. 2286 By Representatives LLOYD, RAMOS, MANDERINO, C. WILLIAMS, BATTISTO, BELARDI, DeLUCA, ORIE, DeWEESE, READSHAW, ROBINSON, STABACK, TANGRETTI, E. Z. TAYLOR, TIGUE and TRELLO

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for restructuring of electric utility industry.

Referred to Committee on CONSUMER AFFAIRS, March 11, 1998.

No. 2287 By Representatives LLOYD, BELARDI, BELFANTI, CARN, CARONE, CIVERA, M. COHEN, DeLUCA, GIGLIOTTI, HENNESSEY, HERMAN, HERSHEY, HORSEY, HUTCHINSON, JOSEPHS, KENNEY, LEDERER, LESCOVITZ, McCALL, MELIO, OLASZ, PESCI, RAMOS, LAUGHLIN, YOUNGBLOOD, WOGAN, C. WILLIAMS, TRELLO, READSHAW, ROBINSON, ROONEY, SANTONI, SERAFINI, SHANER, SURRA, E. Z. TAYLOR, TIGUE and TRAVAGLIO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for photographic identification cards.

Referred to Committee on TRANSPORTATION, March 11, 1998.

No. 2288 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, SCHRODER, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act repealing the act of April 6, 1850 (P.L.371, No.275), entitled "An act to establish wharf lines on each side of the river Schuylkill, from Fairmount to the river Delaware."

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, March 11, 1998.

No. 2289 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, SCHRODER, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act repealing the act of April 15, 1850 (P.L.467, No.317), entitled "A supplement to an act, entitled 'An Act to authorize the governor to incorporate the West Chester and Philadelphia railroad company;' in reference to Windmill island; to the estate of John Earle; to the estate of James H. Douglass, of York county; to the investment of certain trust moneys in the loans of Kensington district; to certain tax laws; the licensing of omnibusses in the city of Philadelphia; and the vacating Bank street, in Philadelphia county."

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, March 11, 1998.

No. 2290 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, SCHRODER, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act repealing the act of May 18, 1857 (P.L.559, No.610), entitled "An act to provide for the ordinary expenses of Government, the repairs of Public Canals and Railroads, and other general and special Appropriations."

Referred to Committee on URBAN AFFAIRS, March 11, 1998.

No. 2291 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, SCHRODER, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act repealing the act of April 12, 1866 (P.L.854, No.844), entitled "A further supplement to an act to establish a health office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, passed January twenty-ninth, one thousand eight hundred and eighteen."

Referred to Committee on URBAN AFFAIRS, March 11, 1998.

No. 2292 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, SCHRODER, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act amending the act of April 14, 1868 (P.L.1083, No.1020), entitled "A supplement to an act, entitled 'An act appropriating ground for public purposes in the city of Philadelphia,' approved the twenty-sixth day of March, Anno Domini one thousand eight hundred and sixty-seven," repealing provisions relating to licensing of passenger railways, and widening and straightening approaches.

Referred to Committee on URBAN AFFAIRS, March 11, 1998.

No. 2293 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, SCHRODER, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act repealing the act of March 18, 1869 (P.L.397, No.368), entitled "An act supplementary to the act consolidating the city of Philadelphia, relating to the cleaning of streets of said city."

Referred to Committee on URBAN AFFAIRS, March 11, 1998.

No. 2294 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, SCHRODER, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act repealing the act of March 28, 1872 (P.L.609, No.558), entitled "An act requiring the chief commissioner of highways of the city of Philadelphia to have security entered into for the faithful performance of all contracts awarded by the highway department."

Referred to Committee on URBAN AFFAIRS, March 11, 1998.

No. 2295 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, SCHRODER, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act repealing the act of May 24, 1917 (P.L.297, No.160), entitled "An act authorizing the establishment of contagious disease hospitals in the several counties of the Commonwealth, to be constructed and maintained out of county funds."

Referred to Committee on URBAN AFFAIRS, March 11, 1998.

No. 2296 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, SCHRODER, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act repealing the act of April 24, 1931 (P.L.43, No.34), entitled "An act authorizing and empowering cities of the first class in this Commonwealth to acquire by gift, lease, purchase or condemnation proceedings, within or without the limits of said cities, any land located within the Commonwealth of Pennsylvania necessary for the purpose of establishing and maintaining hospitals or other institutions for the care and treatment of the sick or disabled; and, with the consent of the local authorities where such land is situated, to maintain the same in the exercise of the health functions of such city."

Referred to Committee on URBAN AFFAIRS, March 11, 1998.

No. 2297 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, SCHRODER, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act repealing the act of April 8, 1937 (P.L.255, No.61), entitled "An act relating to counties of the first class, and the duties of the recorders of deeds thereof in connection with the collection of certain fees and taxes payable to the Commonwealth, and making provision for the disposition of the compensation therefor heretofore received by such recorders of deeds."

Referred to Committee on URBAN AFFAIRS, March 11, 1998.

No. 2298 By Representatives BARRAR, NICKOL, HERMAN, RUBLEY, E. Z. TAYLOR, DALLY, ARGALL, ROSS, SAYLOR, MAITLAND, YOUNGBLOOD, HERSHEY, STERN, WILT, SEYFERT, EGOLF and TRELLO

An Act repealing the act of June 15, 1911 (Appr. Act P.L.308), entitled "An act appropriating the sum of two hundred and fifty thousand dollars to the city of Philadelphia, toward the erection of buildings for the care and maintenance of feeble-minded and idiotic persons in said city, to be known as the Philadelphia Institution for the Feeble-Minded."

Referred to Committee on HEALTH AND HUMAN SERVICES, March 11, 1998.

No. 2299 By Representatives DALEY, READSHAW, ORIE, LAUGHLIN, COY, TRELLO, CALTAGIRONE, DeLUCA, LEDERER, ROBINSON, SHANER, JOSEPHS, CORRIGAN, BELFANTI, McCALL, BATTISTO, YOUNGBLOOD, MAHER, KIRKLAND, HENNESSEY and SEYFERT

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, establishing a graduated payment scale for certain taxpayers liable for corporate net income tax payments.

Referred to Committee on FINANCE, March 11, 1998.

No. 2300 By Representatives DALEY, BELARDI, HERSHEY, ARMSTRONG, CORRIGAN, ROONEY, TANGRETTI, COY, ROEBUCK, TRELLO, BAKER, C. WILLIAMS, CIVERA, SATHER, KIRKLAND, EACHUS, READSHAW, BELFANTI, LEDERER and SHANER

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

Referred to Committee on JUDICIARY, March 11, 1998.

No. 2301 By Representatives BIRMELIN, JOSEPHS, E. Z. TAYLOR, DeWEESE, D. W. SNYDER, ITKIN, LYNCH, READSHAW, ARMSTRONG, BAKER, RUBLEY, MUNDY, CALTAGIRONE, JAMES, DALEY, HERMAN, MANDERINO, HALUSKA, LAUGHLIN, BATTISTO, WALKO, STEELMAN, RAMOS, ARGALL, SAINATO, SCHRODER, SAYLOR, KIRKLAND, CLYMER, YOUNGBLOOD, THOMAS, GORDNER, MELIO, WILT, EVANS, HESS, DERMODY, ORIE, TRELLO, C. WILLIAMS, LEH, BENNINGHOFF, CIVERA and STABACK

An Act amending the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, further providing for the powers and duties of the Pennsylvania Commission on Crime and Delinquency.

Referred to Committee on JUDICIARY, March 11, 1998.

No. 2302 By Representatives MAJOR, SEYFERT, WAUGH, BAKER, CHADWICK, SEMMEL, GORDNER, BUNT, CARONE, BELARDI, FLEAGLE, MARKOSEK, GODSHALL, HERMAN, DeWEESE, ALLEN, FICHTER, BROWN, SCHRODER, CAPPABIANCA, ORIE, HERSHEY, HENNESSEY, ARGALL, HALUSKA, RAMOS, DALLY, MILLER, SAYLOR, CLARK, FAIRCHILD, TANGRETTI, B. SMITH, HORSEY, McCALL, SERAFINI, CIVERA, WILT, STABACK and BENNINGHOFF

An Act providing for the Northeast Interstate Dairy Compact and for its implementation.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 11, 1998.

No. 2303 By Representatives McGILL, CLARK, FARGO, MAHER, SEMMEL, CORRIGAN, FICHTER, MELIO, TIGUE, GEORGE, GODSHALL, MILLER, NICKOL, WALKO, YOUNGBLOOD, ITKIN, JOSEPHS, OLIVER, READSHAW and ROHRER

An Act amending the act of June 25, 1982 (P.L.633, No.181), known as the Regulatory Review Act, providing for the creation of review criteria for statements of policy.

Referred to Committee on STATE GOVERNMENT, March 11, 1998.

No. 2304 By Representatives ADOLPH, BARRAR, RAYMOND, MICOZZIE, DENT, GODSHALL, GEORGE, OLASZ, ORIE, GEIST, SHANER, BELARDI, L. I. COHEN, STABACK, SCHULER, C. WILLIAMS, HORSEY, SCHRODER, STERN, WALKO, McCALL, E. Z. TAYLOR, YOUNGBLOOD, WOJNAROSKI, LAUGHLIN, JOSEPHS, SERAFINI, TANGRETTI, JAMES, BELFANTI, BOSCOLA, MELIO, TRELLO, PETRARCA, DeLUCA, RAMOS, LEH, ROSS, SEMMEL, ROBERTS, WILT, GIGLIOTTI and BUNT

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for transfers not subject to inheritance tax.

Referred to Committee on FINANCE, March 11, 1998.

No. 2305 By Representatives PETRARCA, OLASZ, TANGRETTI, GEORGE, COLAIZZO, MARKOSEK, PESCI, WALKO, LAUGHLIN, DALEY, STAIRS, DERMODY and DeLUCA

An Act prohibiting the sale of any gasoline containing methyl tertiary butyl ether; and imposing a penalty.

Referred to Committee on CONSUMER AFFAIRS, March 11, 1998.

No. 2306 By Representatives PETRARCA, OLASZ, TANGRETTI, DeLUCA, GEORGE, COLAIZZO, MARKOSEK, PESCI, WALKO, LAUGHLIN, DALEY, STAIRS and DERMODY

An Act prohibiting the sale of any gasoline containing methyl tertiary butyl ether and any low Reid vapor pressure gasoline; and imposing a penalty.

Referred to Committee on CONSUMER AFFAIRS, March 11, 1998.

No. 2307 By Representatives CASORIO, DeWEESE, M. COHEN, BELARDI, VAN HORNE, WALKO, TRAVAGLIO, READSHAW, BATTISTO, HERMAN, A. H. WILLIAMS, HANNA, RUBLEY, SCRIMENTI, WAUGH, MANDERINO, L. I. COHEN, ROBINSON, HERSHEY, TULLI, RAMOS, YOUNGBLOOD, JOSEPHS, EGOLF and LAUGHLIN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for speed timing devices.

Referred to Committee on TRANSPORTATION, March 11, 1998.

No. 2308 By Representatives BEBKO-JONES, MYERS, THOMAS, READSHAW, BARD, BELARDI, BELFANTI, BISHOP, BOSCOLA, BUXTON, CARN, CIVERA, L. I. COHEN, M. COHEN, CURRY, DeWEESE, GRUITZA, HALUSKA, HERMAN, HORSEY, ITKIN, JAMES, JOSEPHS, KIRKLAND, LAUGHLIN, LEVDANSKY, SAINATO, SCRIMENTI, SHANER, MANDERINO, MELIO, OLIVER, ROBINSON, RAMOS, ORIE, YOUNGBLOOD, C. WILLIAMS, STABACK, STEELMAN, MICHLOVIC, OLASZ, A. H. WILLIAMS, WASHINGTON, WALKO, VAN HORNE, TRELLO and J. TAYLOR

An Act establishing the Job Opportunities in Basic Services (JOBS) Program; and making an appropriation.

Referred to Committee on LABOR RELATIONS, March 11, 1998.

No. 2309 By Representatives PESCI, BELARDI, READSHAW, LAUGHLIN, TRELLO, STURLA, CURRY, LUCYK, MANDERINO, JOSEPHS, ROSS, HALUSKA, ITKIN, OLASZ, YOUNGBLOOD, SERAFINI, MUNDY, DeLUCA, PETRARCA and WASHINGTON

An Act providing consumers and employers access to information regarding health insurance policies.

Referred to Committee on INSURANCE, March 11, 1998.

No. 2310 By Representatives ORIE, PLATTS, STERN, MILLER, JAROLIN, McNAUGHTON, FICHTER, WAUGH, LAUGHLIN, VAN HORNE, TRELLO, CORRIGAN, WALKO, ROONEY, BROWNE and RUBLEY

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further defining "abuse."

Referred to Committee on JUDICIARY, March 11, 1998.

No. 2311 By Representatives ORIE, DENT, HERMAN, BAKER, HORSEY, MAYERNIK, FICHTER, WOJNAROSKI, FARGO, BELARDI, BARRAR, M. COHEN, GRUPPO, COY, E. Z. TAYLOR, STABACK, KENNEY, DeLUCA, LESCOVITZ, BEBKO-JONES, STURLA, DALEY, RAMOS, C. WILLIAMS, SCRIMENTI, TIGUE, OLASZ, BATTISTO, EGOLF, McNAUGHTON, GIGLIOTTI, L. I. COHEN, RUBLEY, HARHART, MILLER, WASHINGTON, YOUNGBLOOD, STEELMAN, KIRKLAND, ROONEY, BENNINGHOFF and TRELLO

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for the offense of failing to report elderly abuse.

Referred to Committee on JUDICIARY, March 11, 1998.

No. 2312 By Representatives COLAFELLA, DeWEESE, SATHER, READSHAW, TIGUE, SHANER, OLASZ, MUNDY, DeLUCA, WALKO, BELARDI, SANTONI, YOUNGBLOOD, ITKIN, STABACK, MELIO, BELFANTI, CORPORA, STERN, SCRIMENTI, DALLY, LAUGHLIN, WOJNAROSKI,

BATTISTO, EACHUS, DALEY, C. WILLIAMS, HENNESSEY, MANDERINO, SEYFERT, BOSCOLA, RAMOS, M. COHEN, LUCYK, TRELLO, GIGLIOTTI, JOSEPHS, WASHINGTON, THOMAS and MAHER

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

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, March 11, 1998.

No. 2313 By Representatives HERMAN, GANNON, CLARK, BAKER, TIGUE, GODSHALL, STABACK, HERSHEY, READSHAW, ROSS, LAUGHLIN, DEMPSEY, STEELMAN, WILT, ITKIN, BARD, YOUNGBLOOD, McNAUGHTON, HANNA, LYNCH, BELARDI, EGOLF, ROBERTS, MILLER, BELFANTI, STERN, OLASZ, HUTCHINSON, HALUSKA, ZUG, TRELLO and WOJNAROSKI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for damages in actions for conversion of timber.

Referred to Committee on JUDICIARY, March 11, 1998.

No. 2314 By Representatives SURRA, VEON, GEORGE, LaGROTTA, READSHAW, BATTISTO, SHANER, DALEY, HALUSKA, STABACK, BELARDI, SANTONI, ROEBUCK, E. Z. TAYLOR, WALKO, MUNDY, YOUNGBLOOD, HERSHEY, VAN HORNE, WILT, LAUGHLIN, MELIO and ROONEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, establishing the Pennsylvania Review Board for Interscholastic Athletics in the Department of Education.

Referred to Committee on EDUCATION, March 11, 1998.

No. 2315 By Representatives DALLY, GRUPPO, FESE, MELIO, MARKOSEK, WOJNAROSKI, SURRA, B. SMITH, YOUNGBLOOD, CORPORA, BOSCOLA, ROSS, E. Z. TAYLOR, HENNESSEY, RAMOS and LEVDANSKY

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, providing for an annual economic benefit for certain municipalities; and making editorial changes.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 11, 1998.

No. 2316 By Representatives DRUCE, CORRIGAN, ORIE, ALLEN, McNAUGHTON, WAUGH, GODSHALL, HERSHEY, MAITLAND, GEIST, TIGUE, ARMSTRONG, SAYLOR, PLATTS, SCHULER, ZUG, BROWNE, MUNDY, DeLUCA, BOSCOLA, HASAY, VANCE, BAKER, DALEY, CIVERA, RUBLEY, SANTONI, BARRAR, CAWLEY, McCALL, FESE, HERMAN, DEMPSEY, CLYMER, HENNESSEY, SCHRODER, ARGALL, STERN, RAYMOND, BUNT, STEVENSON, WILT,

GEORGE, HESS, VAN HORNE, S. H. SMITH, NAILOR, FAIRCHILD, TRAVAGLIO, BENNINGHOFF, BARLEY, ITKIN, READSHAW, MARKOSEK, JADLOWIEC, SATHER, OLASZ, BARD, LEH, HABAY, PESCI, BOYES, SEYFERT, COLAFELLA, McILHATTAN, DALLY, MICOZZIE, HUTCHINSON, GRUPPO, STABACK, GANNON, TRELLO, LEVDANSKY, COY, MARSICO, LAUGHLIN, E. Z. TAYLOR and MAHER

An Act providing for the rights and privileges of taxpayers with respect to certain taxes levied by political subdivisions.

Referred to Committee on LOCAL GOVERNMENT, March 11, 1998.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 353 By Representatives McNAUGHTON, CIVERA, GEIST, DeWEESE, ITKIN, GEORGE, FAIRCHILD, READSHAW, FICHTER, PIPPY, BUXTON, SCHULER, EGOLF, L. I. COHEN, CORRIGAN, B. SMITH, SATHER, DEMPSEY, BELARDI, DALEY, HESS, ROSS, NAILOR, SAYLOR, LAUGHLIN, PISTELLA, WOJNAROSKI, SEYFERT, VANCE, YOUNGBLOOD, DRUCE, LEH, HERMAN, BENNINGHOFF, OLASZ, ROHRER and HORSEY

A Concurrent Resolution memorializing the Citizens Stamp Advisory Committee of the United States Postal Service to consider and recommend to the United States Postal Service Board of Governors the issuance of a Rockville Bridge commemorative stamp.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, March 10, 1998.

No. 354 By Representatives RAMOS, STABACK, READSHAW, HALUSKA, CALTAGIRONE, DeWEESE, GEORGE, PESCI, LLOYD, BELARDI, LAUGHLIN, TRELLO, ROBINSON, CURRY, LUCYK, JOSEPHS, JAMES, SCRIMENTI, WOJNAROSKI, YOUNGBLOOD, DeLUCA, KIRKLAND, MELIO and HORSEY

A Resolution opposing the passage by Congress of the Kyl-Archer bill.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, March 10, 1998.

No. 356 By Representatives DRUCE, STEIL, DiGIROLAMO and McILHINNEY

A Resolution establishing a special committee for the purpose of reviewing and commenting on the Pennsylvania Public Utility Commission's tentative order creating a new area code in the 215 and 610 area code regions by way of an overlay.

Referred to Committee on RULES, March 10, 1998.

No. 358 By Representatives TRICH, HENNESSEY, DeWEESE, HERSHEY, ITKIN, PLATTS, KELLER, M. N. WRIGHT, LESCOVITZ, SAYLOR, GEORGE, McNAUGHTON, BELARDI, WOJNAROSKI, SAINATO, HALUSKA, CALTAGIRONE, PETRARCA, PRESTON, STABACK, PESCI, GRUITZA, READSHAW, LEDERER, CURRY, LAUGHLIN, CORRIGAN, ROONEY, WALKO, COY, TANGRETTI, BUXTON, DERMODY, CAPPABIANCA, McCALL, TRELLO, OLASZ, SHANER, BOSCOLA, DeLUCA, GIGLIOTTI, CORPORA, DALEY, SATHER, MELIO, LYNCH, TRAVAGLIO, COLAIZZO, BELFANTI, KIRKLAND, BATTISTO and DRUCE

A Resolution memorializing the Congress of the United States to urge the United States Department of Commerce to continue in a timely fashion the ongoing investigation relating to the dumping of certain stainless steel products into the American marketplace.

Referred to Committee on RULES, March 10, 1998.

SENATE BILL FOR CONCURRENCE

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

SB 1, PN 1734

Referred to Committee on STATE GOVERNMENT, March 11, 1998.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 140, PN 1737

Referred to Committee on RULES, March 11, 1998.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1757, PN 2830**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 492, PN 1507**.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 2134, PN 2805

By Rep. HERMAN

An Act repealing the act of May 8, 1919 (P.L.129, No.94), entitled "An act providing for a State association of county controllers and for the meetings thereof, and providing for the payment by the counties of the expenses thereof."

LOCAL GOVERNMENT.

HB 2136, PN 2807

By Rep. HERMAN

An Act repealing the act of June 7, 1917 (P.L.570, No.198), entitled "An act fixing the salaries and providing for the expenses of county commissioners in the counties of this Commonwealth."

LOCAL GOVERNMENT.

HB 2138, PN 2809

By Rep. HERMAN

An Act repealing the act of May 10, 1913 (P.L.199, No.138), entitled "An act authorizing and empowering the county commissioners and the county solicitor, and the chief clerk of said commissioners, of each county, to organize themselves into a State Association, for the purpose of holding annual meetings, and providing for the payment of the expenses thereof."

LOCAL GOVERNMENT.

HB 2207, PN 2917

By Rep. HERMAN

An Act repealing the act of April 4, 1870 (P.L.834, No.765), entitled "An act relative to contracts by county commissioners in certain counties of this commonwealth."

LOCAL GOVERNMENT.

HB 2209, PN 2919

By Rep. HERMAN

An Act repealing certain acts as being obsolete.

LOCAL GOVERNMENT.

HB 2210, PN 2920

By Rep. HERMAN

An Act repealing certain acts as being obsolete.

LOCAL GOVERNMENT.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair turns to today's tabled calendar. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that the following bills be removed from the table:

HB 50;
 HB 370;
 HB 434;
 HB 611;
 HB 737;
 HB 897;
 HB 1080;
 HB 1254;
 HB 1255;
 HB 1315;
 HB 1410;
 HB 1592;
 HB 1609;
 HB 1660;
 HB 1992;
 HB 1994;
 HB 2051;
 HB 2098;
 HB 2133; and
 HB 2200.

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

BILLS RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
 Mr. PERZEL. Mr. Speaker, I move that the following House bills be recommended to the Committee on Appropriations:

HB 50;
 HB 370;
 HB 434;
 HB 611;
 HB 737;
 HB 897;
 HB 1080;
 HB 1254;
 HB 1255;
 HB 1315;
 HB 1410;
 HB 1592;
 HB 1609;
 HB 1660;
 HB 1992;
 HB 1994;
 HB 2051;
 HB 2098;
 HB 2133; and
 HB 2200.

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

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 9, PN 2510

By Rep. BUNT

An Act amending the act of June 26, 1992 (P.L.322, No.64), known as the Agriculture Education Loan Forgiveness Act, further providing for expiration of act.

AGRICULTURE AND RURAL AFFAIRS.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who requests a leave of absence for the gentleman from Allegheny County, Mr. MAHER, for today's session. The Chair hears no objection. Leave is granted.

The Chair recognizes the minority whip, Mr. Itkin, who requests a leave of absence for today's session for the lady from Erie, Ms. BEBKO-JONES, and the gentleman from Allegheny County, Mr. LEVDANSKY. The Chair hears no objection to these requests. The leaves are granted.

MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll call. Members will please take their seats; members will please take their seats. Members will proceed to vote.

The following roll call was recorded:

PRESENT—198

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

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

ADDITIONS-0

NOT VOTING-0

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of the Chair, Mrs. Betty Purchase, the wife of the guest Chaplain. She is here with her husband and with a number of relatives and friends who are in the balcony. Would the various guests please rise. Thank you.

The Chair is pleased to welcome as the guest of the gentleman, Mr. Egolf, Liz Matzelle from Chambersburg Area Senior High School, who is serving as a guest page on the floor today. Would the guest please rise.

And as the guest of the gentleman, Mr. McNaughton, Derek Larthey. I may have that last name wrong because Mr. McNaughton's writing is pretty bad, Derek. But, Derek, where are you located; would you raise your hand. Welcome.

Mr. McNaughton, you stand up right now and pronounce this man's name. Take the microphone, Mr. McNaughton, and save me.

Mr. McNAUGHTON. Mr. Speaker, his name is Derek Larthey. The SPEAKER. I thank the gentleman.

RESOLUTION REPORTED FROM COMMITTEE

HR 352, PN 3014

By Rep. FLICK

A Concurrent Resolution memorializing the Congress of the United States to create job and housing opportunities by supporting legislation to increase the private activity bond cap and low-income housing tax credit allocation.

INTERGOVERNMENTAL AFFAIRS.

STRATH HAVEN HIGH SCHOOL GIRLS SOCCER TEAM PRESENTED

The SPEAKER. I am pleased to welcome to the hall of the House today the Strath Haven High School girls soccer team, along with their coach, Mark Jordan. These girls have won the Class AA State championship title in girls soccer for 1997.

It is my pleasure, along with Representative Tom Gannon, who could not be with us today, to present the team with this citation for their outstanding achievement. Other members of the team are seated in the back of the House. Would they please stand.

At this time I am going to present the citation and put the House at ease for a moment so that I might have my picture taken with these wonderful people here.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. CAPPABIANCA called up HR 355, PN 3032, entitled:

A Resolution declaring the month of March 1998 as "Professional Social Work Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-196

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

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

NAYS-0

NOT VOTING-2

Cawley	Roebuck
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EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2038, PN 2947**, entitled:

An Act establishing a food service employee incentive program.

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

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

The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

(A roll-call vote was taken.)

VOTE RETAKEN

The SPEAKER. The clerk will strike that vote. The machine did not function. That vote will be taken over again.

On the question recurring,
Shall the bill pass finally?

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

YEAS-196

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

NAYS-2

McIlhinney	Steil
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NOT VOTING-0

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

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

* * *

The House proceeded to third consideration of **HB 481, PN 545**, entitled:

An Act amending the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, further providing for the maintenance of alleys.

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

Mr. **GEORGE** offered the following amendment No. **A0700**:

Amend Sec. 1 (Sec. 4), page 3, line 4, by striking out "and"
Amend Sec. 1 (Sec. 4), page 3, line 6, by removing the period after "responsible" and inserting
; and (iv) for the publication in the local telephone directory and in periodic municipal publications, such as newsletters, the non-toll-free telephone number of a "pothole hotline" operated by the municipal office responsible for the maintenance and repair of those public roads and streets for which the respective municipality is legally responsible.

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

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

Mr. **GEORGE**. Mr. Speaker, this amendment requires that a municipality publish in the local telephone directory and in a periodic publication a local phone number where the citizens can report potholes on local roads.

Some of the municipalities have no number listed. This would go a long way in both helping the municipality and the motorists. Thank you.

The **SPEAKER**. The gentleman, Mr. Nickol, York County.

Mr. **NICKOL**. Thank you, Mr. Speaker.

I urge the members to closely read this amendment. Under this amendment, municipalities cannot use liquid fuels money to pay for these telephone hotlines. They can only use the liquid fuels money to pay for publication of the number in the local telephone directory and publication in periodic municipal publications such as newsletters. So what this amendment would do, it would open the door to a municipality that might want to dip into their road moneys to help pay for a newsletter.

This amendment is opposed by the Department of Transportation, and I should note that the department maintains a telephone hotline — 1-800-FIX-ROAD — that anyone in the Commonwealth can already call. They take calls on local roads, and they pass those calls on to local officials.

I would urge the members to closely look at this amendment. I do not feel road moneys should be used for other than direct highway uses. Use the road moneys for blacktop, not to pay for phone billings and newsletters.

I urge the members to oppose the amendment. Thank you.

The **SPEAKER**. On the question, the Chair recognizes the gentleman, Mr. Snyder.

Mr. **SNYDER**. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the maker of the amendment.

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

Mr. **SNYDER**. Mr. Speaker, I note in the amendment that the municipality is required to publish a non-toll-free telephone number. Does that mean they have to publish a long-distance phone number and that the residents have to pay for this phone call?

Mr. **GEORGE**. Mr. Speaker, the intent is so they do not have to pay for a toll number. Most municipalities have a number, but they are not available or the people are not aware of what that number is. So we are not forcing them to buy something they do not have already; we are simply saying, list it so the people can contact you. That is all we are doing.

Mr. **SNYDER**. Mr. Speaker, I would like to speak on the amendment.

The **SPEAKER**. The gentleman is in order.

Mr. **SNYDER**. Mr. Speaker, the maker of the amendment just expressed that it is his intention that this number be free to residents to acquire this information, but if you look at the amendment, it says it has to be a non-toll-free number. That means it cannot be a toll-free number, and a non-toll-free number means it has to be a long-distance number, and I would ask the speaker, the maker of the amendment, to withdraw that to make that correction.

The **SPEAKER**. Does the gentleman from Clearfield desire recognition for the second time on the amendment?

The conference in the vicinity of the gentleman, Mr. George—
Mr. George.

Mr. **GEORGE**. Mr. Speaker, again, there are many fine individuals that are very eloquent and have quite an extensive knowledge on the word game. Now, they can read into this amendment things that are not there. We did not say that they had to have an 800 number. All we are saying is that they publish the number that they have. We did not say that they have to have a newsletter. We are just saying if they have a newsletter, they should publish the number in that newsletter.

There is not a municipality in all of Commonwealth of Pennsylvania that is not covered by the local media. They can advertise in that manner. They can advertise in that every book that we have from every phone company lists the municipality number under local government.

If in fact they want, Mr. Speaker, to kill a bill that will help people or save lives, I do not have the ability to twist the English language around like they are doing. I will just simply vote I believe the way that we should vote. I will vote "yes." Thank you.

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

On the question of the adoption of the George amendment, those in favor will vote "aye"— The Chair is in error. The gentleman, Mr. Druce, desires recognition. The gentleman is recognized.

Mr. **DRUCE**. Thank you, Mr. Speaker.

I just want to point out what I think is going to end up happening if this amendment passes today, and that is that most roads where potholes occur are usually on State highways that are more heavily traveled, and what we are about to do then is have our local governments publish a number back to their municipalities to then field questions for roads which are really maintained by PennDOT, unless you list in the phone directory what streets the municipality is actually responsible for.

There is already one number out there by PennDOT that probably deals with 90 percent of the roads and potholes that are in Pennsylvania. I think all we are going to do is have people calling our local municipal officials and bugging them about roads for which they have absolutely no responsibility, and all of us are going to hear about that later for a really bad amendment that we passed here today.

I would urge the members to vote against this.

The SPEAKER. The gentleman, Mr. Olasz.

Mr. OLASZ. Mr. Speaker, I speak in favor of the amendment, because it is my understanding that PennDOT does not have that hotline available 12 months of the year, and quite frankly, I do not see anything wrong with having the municipalities publish that telephone number in their local directory, because if they are interested in serving their constituents, what better way to serve them than to let them know where they can contact them? And there is some misunderstanding that this fuels money could be used for a local publication. Well, inasmuch as I have my whole council against me back home, I certainly would not want to see that money spent for a local publication. But I think this is a worthy thing to do for your constituents, to give them a phone number that they can reach, and I would ask for support of the amendment. Thank you.

The SPEAKER. On the question, the gentleman, Mr. Nickol. The gentleman is recognized.

Mr. NICKOL. Thank you, Mr. Speaker.

I hate to offer corrections to the minority chairman of the Transportation Committee. At one point in time, PennDOT's 800 number was a seasonal number. At present, it is 24 hours a day, 365 days a year. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Warren, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

I appreciate what the maker of the amendment said when he said, well, this is not going to force the municipalities to put in a new toll-free number, but quite frankly, as I read that, it could be construed to do just that. And secondarily, I think I, for one, am getting fed up with the State trying to tell the municipalities what they should and should not be doing. If the municipalities feel that it is necessary to put in a toll-free number in their publications, then let them do that. They do not need Big Brother telling them how to do it.

Thank you, Mr. Speaker. I urge a defeat of this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Geist.

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

I think Representative Lynch hit the nail right on the head. This amendment is not a good amendment. It is not a good amendment for local government, and I would urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Olasz, for the second time.

Mr. OLASZ. Mr. Speaker, for the benefit of my colleagues in this House, I am not a cattle rustler and I would not pretend to give you a bum steer, but it was my understanding on the information I received on this floor that PennDOT's number was not available 365 days out of the year. Now, if I am wrong, I apologize, but that is the information I was given on this House floor.

And once again, I am not a cattle rustler and I would not give you a bum steer.

The SPEAKER. The gentleman, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Will the maker of the amendment rise for a brief interrogation?

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

Mr. STURLA. Mr. Speaker, I have a question concerning whether you are requiring that each municipality do this or whether you are simply allowing that the funds that they have available to them be used for this type of service. I am confused by the comments made by other speakers on the floor of the House, and my interpretation of this amendment is that it would simply allow the municipalities to use their funds to do this. Some people seem to imply that this would mandate that those municipalities do this whether they wanted to or not. Could you clear that matter up for us, please.

Mr. GEORGE. Mr. Speaker, it is one of the list of things they can do — they are not mandated to do, but they can do — under the funding principle. That is all this is about.

Now, they can argue about what the State should do, what the State should not do. A couple of our colleagues say we should not mandate. We mandate every hour that we are down here in matters that sometimes we should mandate and sometimes we should not. The truth is, when it saves a life, those that want to argue about the mandates can continue to argue. My point is, some of the municipalities are doing this now, some are not. Rather than put the word "may" in so that some of those that have spoken would be able to read that it was not a mandate, we left it up to the intelligence of an individual trying to understand what this is about. It is not a mandate, and the truth is, it does not disallow them to use the funding; that is the part.

Mr. STURLA. Thank you, Mr. Speaker.

If I could comment on the amendment, please.

The SPEAKER. The gentleman is in order. Mr. Sturla may begin.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the amendment. This simply allows municipalities greater option to provide services to their constituents. It does not, as the gentleman pointed out, mandate that anybody do anything. They do not have to publish one of these numbers if they do not want to, but it would simply allow them a means of funding it if in fact they did publish a number.

So as someone who likes to support more options for local municipalities, I think this gives those local municipalities more options, and I would support this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—92

Battisto	Donatucci	Lucyk	Sainato
Belardi	Eachus	Manderino	Santoni
Belfanti	Evans	Markosek	Scrimenti
Bishop	George	Mayernik	Shaner
Blaum	Gigliotti	McCall	Staback

Boscola	Gruitza	McGeehan	Steelman
Caltagirone	Haluska	Melio	Stetler
Cappabianca	Hanna	Michlovic	Sturla
Carn	Harhai	Mundy	Surra
Casorio	Horsey	Myers	Thomas
Cawley	Itkin	Oliver	Travaglio
Cohen, M.	James	Pesci	Trello
Colafrella	Jarolin	Petrarca	Trich
Colaizzo	Josephs	Petrone	Van Home
Corpora	Kaiser	Pistella	Veon
Corrigan	Keller	Preston	Vitali
Cowell	Kirkland	Ramos	Walko
Coy	LaGrotta	Readshaw	Washington
Curry	Laughlin	Rieger	Williams, A. H.
Daley	Lawless	Roberts	Williams, C.
DeLuca	Lederer	Robinson	Wojnaroski
Dermody	Lescovitz	Roebuck	Yewcic
DeWeese	Lloyd	Rooney	Youngblood

NAYS-103

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

NOT VOTING-3

Butkovitz	Olasz	Tangretti
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EXCUSED-5

Bebko-Jones Gannon	Hershey	Levdansky	Maher
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Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

Mr. TANGRETTI offered the following amendment No. A0834:

Amend Title, page 1, line 8, by inserting after "providing" for the definitions of "roads and streets" and

Amend Bill, page 1, lines 12 through 15, by striking out all of said lines and inserting

Section 1. Section 2 of the act of June 1, 1956 (1955 P.L.1944, No.655), referred to as the Liquid Fuels Tax Municipal Allocation Law, amended August 13, 1963 (P.L.804, No.398), is amended to read:

Section 2. As used in this act—

(1) "Department" means the Department of [Highways] Transportation.

(2) "Municipality" means any city, borough, incorporated town or township.

(3) "Roads and streets" means public roads and streets, including bridges, used for travel by horse drawn and motor vehicles and does not include ways[, courts] and alleys.

Section 2. Section 4(1) of the act, amended May 27, 1994 (P.L.260, No.42), is amended to read:

Amend Sec. 2, page 3, line 26, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment ?

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

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, this merely amends the definition of "roads and streets" to allow for the maintenance by municipalities with liquid fuels moneys for what we commonly refer to as cul-de-sacs. Under the department's definition of "courts" in this prohibition of the use of moneys, cul-de-sacs have not been allowed to be maintained by municipalities. Now, the fact of the matter probably is that in all our districts they in fact are. This again would just merely make what they are doing now legal, and it should be legal. If you have a street that ends in a cul-de-sac, why would you not be allowed to maintain that with liquid fuels moneys as you do the rest of the street ?

So I would ask your positive vote on this, and I thank the Speaker for his indulgence.

The SPEAKER. The gentleman, Mr. Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

As prime sponsor of the bill, I would just like to say I have no objection to the Tangretti amendment. Thank you.

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

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

I would like to commend Representative Nickol on this piece of legislation. It is something that was kicked around here for a lot of years. For those of us who are from—

The SPEAKER. The gentleman, Mr. Geist, we are on the Tangretti amendment right now.

Mr. GEIST. Oh; I am sorry. I thought we were on final passage, Mr. Speaker. I apologize.

The SPEAKER. On the question of the adoption of the Tangretti amendment, those in favor will vote "aye"; opposed, "no."

On the question recurring,

Will the House agree to the amendment ?

The following roll call was recorded:

YEAS-197

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

NAYS-0

NOT VOTING-1

Carone

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Geist, at this time.
Now.

Mr. GEIST. Thank you, Mr. Speaker.

I do not know whether I can duplicate that last speech or not.

The SPEAKER. Mr. Geist, we could perhaps have it rewritten into the record.

Mr. GEIST. Thank you. We could just duplicate it.

This piece of legislation has been around for a long time, and it is a solution that at first blush looks very, very easy, but it has been difficult, and I think that Representative Nickol needs to be commended for it. For those of us who come from the old third-class cities and other older towns, Representative Surra, I mean, I am sure that he would like to speak on this also. But this legislation really deserves to be voted and passed, and I think that Representative Nickol should get a big pat on the back for being the guy that put it all together. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

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

The House proceeded to third consideration of SB 1175, PN 1638, entitled:

An Act amending Title 68 (Real and Personal Property) of the Pennsylvania Consolidated Statutes, further providing for planned communities.

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

Mr. GEORGE offered the following amendment No. A0905:

Amend Sec. 4 (Sec. 5210), page 13, line 2, by striking out "and"
Amend Sec. 4 (Sec. 5210), page 13, by inserting between lines 2 and 3

(3) the municipality has been notified in writing if sewage sludge has been placed on the property within the last ten years; and
Amend Sec. 4 (Sec. 5210), page 13, line 3, by striking out "(3)" and inserting

(4)

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

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

Mr. GEORGE. Mr. Speaker, this amendment provides for further municipality notification on the land application of sewage

sludge. It requires that if sludge has been spread in the past 10 years, it should be notified that it is on the property.

Mr. Speaker, it is simply a notification. It does not eliminate the spreading of sludge. It does not bring about any problems. It simply says we do not want Pennsylvania to have a Love Canal as they had in New York. People have a right to know. People that are buying these new homes have a right to know. Even the contractors that are spending millions of dollars have a right to know if anything has been put on that land that would be problematic in years to come.

We are simply asking for the notification.

GERMANENESS QUESTIONED

The SPEAKER. The gentleman from York, Mr. Saylor.

Mr. SAYLOR. Mr. Speaker, I move that this amendment is not germane to the legislation.

The SPEAKER. The question as to whether or not an amendment is or is not germane is a question to be determined by the House. The gentleman, Mr. Saylor, has raised the question as to whether or not the amendment offered by the gentleman, Mr. George, is germane. Under House rule 27, this question is decided by the House.

On the question,
Will the House sustain the germaneness of the amendment?

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

Mr. SAYLOR. Mr. Speaker, the amendment that Mr. George has proposed deals with the municipal planning code. Nowhere in SB 1175 does this legislation deal with municipalities in any way at all and thereby, under our germaneness rules, would not be suitable for this legislation.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, this really belongs in the municipal planning code and not in the planned communities code. So I therefore would ask the members to find that it is not germane to this Senate bill.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. George.

Mr. GEORGE. A personal inquiry, Mr. Speaker.

The SPEAKER. I am sorry, Mr. George? Would you repeat—

Mr. GEORGE. What I am trying to ask and I think you will allow me that flexibility, will I be able to talk once or twice on germaneness?

The SPEAKER. Mr. George, twice.

Mr. GEORGE. I thank you, Mr. Speaker.

Mr. Speaker, an individual stood up and challenged the authenticity and the propriety of an amendment that does in fact deal with Title 68, real property. That is what it deals with. It is simply, under this Title 68, an additional requirement of what people need to submit when they are filing their plans.

Maybe I am confused; maybe some others are. If those of us that have no interest except trying to protect our people, then we will not find in any manner that this is not germane. For those that

simply want to defeat a good amendment under the argument that it is not germane, I do not want to be mean-spirited; you do what you please, but the truth of the matter is that we should not have to stand up here day after day simply to insist that we are asking whether a property is safe. There are other things that are mandated under the same Title 68 in bringing about notification.

Again, Mr. Speaker, it is germane, it is proper, and it is needed, and I ask that those on both sides who have a sincere feeling that we have to do something to stop this overrun, that we simply protect the people by agreeing that this bill is indeed germane and then voting it affirmatively. Thank you, Mr. Speaker.

The SPEAKER. On the question of— Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Briefly, I do not think there is any question that the George amendment is germane, and when we are dealing with land development plans for communities and land development, I think it is important that years from now down the road, that before someone decides to do whatever they want to do with a land development plan, that they should know that there was sewage sludge applied to that, years before possibly.

So I think it is a reasonable amendment, and it is something that will protect consumers and homeowners and planned-community facilities in the future. It is definitely germane, and I encourage people to vote that way.

The SPEAKER. On the question, those believing the amendment to be germane will vote "aye"; those believing it not to be germane will vote "no."

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

YEAS-98

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

NAYS-100

Adolph	Egolf	Masland	Semmel
Allen	Fairchild	McGill	Serafini
Argall	Fargo	McIlhattan	Seyfert

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

NOT VOTING-0

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

GUESTS INTRODUCED

The SPEAKER. The Chair belatedly acknowledges that a short period of time ago, students from the Kratzer School of the Parkland School District were visiting in the gallery. However, the debate was under way, and I did not interrupt the debate. They were here as the guests of Representatives Snyder and Dent. I am sorry we missed them, but at least the record will reflect that we acknowledged their presence.

CONSIDERATION OF SB 1175 CONTINUED

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

The gentleman, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, I am not sure who the appropriate person is - I think this bill went through the Urban Affairs Committee - maybe the chairman of the Urban Affairs Committee, but I have a question that I would like to ask about a section of it.

The SPEAKER. Is there a volunteer for— Mr. Reinard will stand for interrogation, Mr. Lloyd. You may begin.

Mr. LLOYD. Mr. Speaker, on page 14 of the bill, one of the changes is that we are reducing the time period in which a

purchaser may cancel a contract. Am I understanding that correctly, that is what that language does, especially on line 23 ?

Mr. REINARD. That is correct.

Mr. LLOYD. What is the rationale for that ?

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, the rationale for the number of days is to give people competent time to have the contracts reviewed by their attorney. In many real estate contracts you are going to find, depending on whether it be time-share or other reasons, different amounts of days. The prime sponsor of this legislation felt that 7 days was a responsible number.

Mr. LLOYD. Well, is there some problem with the current law which says 15 days ?

Mr. REINARD. Thank you.

Mr. Speaker, there was, to the best of my knowledge, with the prime sponsor of this legislation originating in the Senate, there was a lot of discussion between the two groups involved in the sale — the developer and the homeowners' association. It is my understanding from the prime sponsor that the two groups agreed to these changes.

Mr. LLOYD. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

Would the Representative please stand for a brief interrogation ?

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

Mr. FAIRCHILD. Thank you, Mr. Speaker.

Under the provisions of these changes, if an existing subdivision would have on file deed restrictions which would detail the method that a private road would be handled — in other words, it would spell out the homeowner's obligation — would this make that invalid, or would those deed restrictions that are presently filed, would they be the controlling law or statute ?

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, the legislation before us would not make the present situation invalid.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally ?

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

YEAS—195

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

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

NAYS—3

Lloyd	Manderino	Reber
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NOT VOTING—0

EXCUSED—5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

RESOLUTIONS

RESOLUTIONS PASSED OVER

The SPEAKER. HR 320 and HR 330 on page 5 are over.

* * *

Mr. EGOLF called up HR 60, PN 523, entitled:

A Concurrent Resolution directing the Joint Legislative Air and Water Pollution Control and Conservation Committee to study the issues concerning the environmental, technological, economic and regulatory constraints and problems covering hydraulically overloaded municipal sewerage treatment facilities.

On the question,
Will the House adopt the resolution ?

RESOLUTION RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that House concurrent resolution 60 be recommitted to the Committee on Rules.

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 220, PN 1374, entitled:

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

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

Mr. PESCI offered the following amendment No. A0156:

Amend Title, page 1, line 4, by inserting after "thereto,"
providing for an excise tax in certain counties; and
Amend Bill, page 2, by inserting between lines 13 and 14
Section 2. The definition of "county" in section 1770.2(f) of the act, added June 18, 1997 (P.L.179, No.18), is amended to read:
Section 1770.2. Authorization of Excise Tax.—* * *
(f) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:
* * *

"County." Any county which is on the effective date of this act a county of the third class having a population under the 1990 Federal Decennial Census in excess of 337,000 residents, but less than 341,000 residents, or a county of the fourth class having a population under the 1990 Federal Decennial Census in excess of 159,000 residents, but less than 175,000 residents, or a county of the fifth class having a population under the 1990 Federal Decennial Census in excess of 123,000 residents[,], or a county of the sixth class having a population under the 1990 Federal Decennial Census in excess of 87,000 residents.
* * *

Amend Sec. 2, page 2, line 14, by striking out "2" and inserting
3

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

Mr. PESCI. Thank you, Mr. Speaker.

The SPEAKER. The gentleman will yield.

There are approximately 10 amendments to be offered to this bill. I would appreciate it — and I know there are many important conferences that are necessary for the members to be involved in today — I would appreciate it if those conferences took place off the floor of the House. Sergeant at Arms, clear the area behind the rail.

The gentleman, Mr. Pesci, is recognized in connection with the amendment that he has offered.

Mr. PESCI. Thank you.

The amendment, 0156, would allow the county commissioners of Indiana County — this amendment only pertains to Indiana County — to levy an excise tax of 2 percent on hotel room rents collected by the operators of the hotel. What this would do is bring in about approximately \$52,000. That money would be going to a designated agency by the county commissioners, and that agency would have to be tourism.

That is what it is for. I wish for an affirmative vote. Thank you, sir.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

I would like to interrogate the maker of the amendment.

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

Mr. GODSHALL. Mr. Speaker, what would this 2-percent tax be used for? I did not get that in your explanation. I could not hear that.

Mr. PESCI. What the tax would be used for is that the commissioners would have to, first of all, concur, which they are already in agreement of, that the money would be used for and by their designated agency, and then it stipulates in the amendment itself that the designated agency would be for the tourist bureau itself. It would be definitely used for tourism only.

Mr. GODSHALL. Thank you, Mr. Speaker.

You know, I have been caught sort of cold with this amendment. The room tax, a room tax, a hotel room tax, is used in my area to fund tourism. It is used in other areas in the State to fund tourism. Under existing law, why are we asking for an existing statute, you know, with this amendment?

Mr. PESCI. Because Indiana County currently does not fall under the existing statute. Under this amendment, the way the amendment is placed and read, it groups Indiana into that statute that is currently law, sir.

Mr. GODSHALL. Just one second, please.

Thank you, Mr. Speaker. I have finished my interrogation. I would like to make a statement.

The SPEAKER. The gentleman, Mr. Godshall.

Mr. GODSHALL. With this clarity on this amendment, the room tax has been used historically around the State — Pittsburgh, Philadelphia, Montgomery County, Bucks, Chester, and so forth — and it has been historically used to promote tourism. My understanding is, that is exactly what these moneys are to be used for. It extends the existing statute to Indiana County because Indiana County does not fall presently under the existing statute.

So I have no problem at all with the amendment and ask for a favorable vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-198

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

On the question,

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

Mr. STETLER offered the following amendment No. A0291:

Amend Title, page 1, line 7, by removing the period after "municipalities" and inserting

and for appropriations for radio broadcasting companies.

Amend Bill, page 2, by inserting between lines 13 and 14

Section 2. Section 1943 of the act is amended to read:

Section 1943. Appropriations for Radio Broadcasting Station.—The board of commissioners of any county may [appropriate annually a sum not in excess of five hundred dollars (\$500)] make an appropriation for the purpose of assisting any naval reserve unit or amateur radio league in maintaining, equipping and operating a short wave radio broadcasting station or cable television community access stations geared to public access, educational access or governmental access, which shall be available [at all times] for public use in the event of emergency or disaster.

Amend Sec. 2, page 2, line 14, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question of the amendment offered by the gentleman, the gentleman, Mr. Stetler, is recognized.

Mr. STETLER. Thank you, Mr. Speaker.

Mr. Speaker, amendment A0291 basically expands a definition for "radio broadcasting" to include cable television community access stations, and it also removes the \$500 sum that was a restriction on county commissioners in what they could put in their annual budgets. Basically, this "may" legislation expands the abilities of the county commissioners to deal with the issue of public broadcasting in their counties.

I would appreciate your support. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-198

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

On the question recurring,

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

Mr. STETLER offered the following amendment No. A0292:

Amend Title, page 1, line 4, by inserting after "thereto," providing for the abolition of jury commissioners in counties of the third class having a population under the Federal Decennial Census in excess of 337,000 residents, but less than 341,000 residents; and

Amend Bill, page 1, line 10, by striking out "Section 1701.1" and inserting

Sections 401 and 1701.1

Amend Sec. 1, page 1, line 11, by striking out "is" and inserting are

Amend Sec. 1, page 1, line 12, by striking out "a subsection" and inserting

subsections

Amend Sec. 1, page 1, by inserting between lines 12 and 13

Section 401. Enumeration of Elected Officers.-* * *

(d) The office of jury commissioner may be abolished at the option of each county by referendum, whenever electors equal to at least five per centum of the highest vote cast for any office in the county at the last preceding general election shall file a petition with the county board of elections of the county, or the governing body of the county adopts, by a majority vote, a resolution to place such a question on the ballot and a copy of the resolution is filed with the board of elections of the county for a referendum on the question of abolishing the office of jury

commissioner. Proceedings under this subsection shall be in accordance with the provisions of the act of June 3, 1937 (P.L. 1333, No. 320), known as the "Pennsylvania Election Code." As used in this subsection, the following words and phrases shall have the meanings given to them in this subsection:

"County" Any county which on the effective date of this act is a county of the third class having a population under the 1990 Federal decennial census in excess of 337,000 residents, but less than 341,000 residents.

Amend Bill, page 2, by inserting between lines 13 and 14

Section 2. Upon approval of the referendum the office of jury commissioner in affected counties shall expire at the completion of the current jury commissioners' terms of office.

Section 3. The referendum provided for in section 401(d) of the act shall take place in any year in which the office of jury commissioner is not on the ballot.

Amend Sec. 2, page 2, line 14, by striking out "2" and inserting

4

On the question,

Will the House agree to the amendment?

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

Mr. STETLER. Thank you, Mr. Speaker.

Mr. Speaker, this amendment deals with jury commissioners in York County and York County only. Both of the current jury commissioners in York County have run on platforms of eliminating their own positions. This legislation, this amendment, allows them the ability to fulfill their campaign promise.

I would ask everybody's support, and I would remind people that this amendment deals only with York County. Thank you.

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

Mr. NICKOL. Thank you, Mr. Speaker.

The last time the House voted on a proposal by Representative Stetler to eliminate jury commissioners, it was defeated, and I really could not understand why. You see, in York County our jury commissioners are paid more than \$12,000 for 6 hours of work each year. That is an incredible \$2,000 an hour to sip coffee and watch as a computer selects the list of potential jurors. The county also pays jury commissioners full health insurance benefits and makes contributions on their behalf toward a pension.

I personally think many jury commissioners in Pennsylvania are vastly overpaid. The gentleman from York made an excellent case for his amendment, but maybe I missed something. After all, the proposal was defeated last time. So I did a little homework on the subject "Are jury commissioners paid too much?" I called a friend who runs a personnel agency, and she suggested that I look for comparables for other positions where people are paid large amounts of money for a limited number of hours and then compare responsibilities and training to see if the salary is appropriate.

Now, I always heard a good attorney can make a lot of money. So I thought, what if my personal freedom was threatened by a murder charge that could land me in prison for the rest of my life? Of course, I would turn to a top-name defense attorney for help. But the Pennsylvania Trial Lawyers Association tells me that top criminal defense attorneys would only charge at most about \$100 an hour to argue my case, and top defense attorneys have high-pressure jobs in the public eye and require years of training on top of law school to become good. Yet jury commissioners in

York County are obviously more important to our judicial system, since at an hourly rate we could hire 20 defense attorneys for the same price. It is good O.J. Simpson did not have to hire any jury commissioners.

What about doctors? Mom always wanted me to become a doctor. I do not even think politician was on her list. Now, what if my life was threatened with a brain tumor and I needed all the skills of a top neurosurgeon? I called Hershey Medical Center and found a brain surgeon makes about \$134 an hour while in surgery. Even with more than 14 years of training, a top neurosurgeon makes much less than a jury commissioner on an hourly basis.

My research has shown that jury commissioners in York County are obviously in a class of their own. I was telling this to my 24-year-old son, and he said, "Dad, anybody who can find a job that pays more than \$12,000 a year for 6 hours of work to watch a computer spit out names, with full benefits as well, has to be pretty smart." He is right; no law boards, no blood and gore. It is an incredible feat to find a job like jury commissioner. But I still do not think that justifies the salary.

I ask the members' support for the Stetler amendment. Let us at least allow the voters in York County to decide this issue. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-159

Adolph	Druce	Mayernik	Semmel
Allen	Eachus	McGeehan	Serafini
Argall	Egolf	McGill	Seyfert
Bard	Evans	McNaughton	Smith, B.
Barley	Fairchild	Melio	Smith, S. H.
Barrar	Fargo	Michlovic	Snyder, D. W.
Battisto	Feese	Micozzie	Staback
Belardi	Fleagle	Miller	Stairs
Benninghoff	Flick	Mundy	Steelman
Birmelin	Geist	Myers	Steil
Bishop	Gigliotti	Nailor	Stetler
Blaum	Gladeck	Nickol	Stevenson
Boscola	Godshall	O'Brien	Strittmatter
Browne	Gruppo	Olasz	Sturla
Bunt	Habay	Oliver	Surra
Butkovitz	Haluska	Perzel	Tangretti
Buxton	Hanna	Pesci	Taylor, E. Z.
Caltagirone	Harhai	Petrone	Taylor, J.
Cappabianca	Harhart	Phillips	Thomas
Cam	Hennessey	Pippy	Trello
Carone	Herman	Pistella	Trich
Casorio	Hess	Platts	True
Chadwick	Horsey	Preston	Tulli
Civera	Itkin	Ramos	Vance
Clark	Jadlowiec	Raymond	Veon
Cohen, L. I.	James	Readshaw	Vitali
Cohen, M.	Josephs	Reber	Walko
Cornell	Kaiser	Reinard	Washington
Corpora	Keller	Rieger	Waugh
Cowell	Kenney	Roberts	Williams, A. H.
Coy	Kirkland	Robinson	Williams, C.
Curry	Krebs	Roebuck	Wogan
Daley	Lawless	Rooney	Wojnaroski
Dally	Leh	Ross	Wright, M. N.
DeLuca	Lynch	Rubleby	Yewcic
Dempsey	Maitland	Santoni	Youngblood
Dent	Manderino	Sather	Zimmerman

Dermody	Markosek	Saylor	
DeWeese	Marsico	Schroder	Ryan,
DiGirolamo	Masland	Schuler	Speaker
Donatucci			

NAYS-38

Armstrong	George	Lloyd	Sainato
Baker	Gordner	Lucyk	Scrimenti
Belfanti	Gruitza	Major	Shaner
Boyes	Hasay	McCall	Stern
Brown	Hutchinson	McIlhattan	Tigue
Cawley	Jarolin	McIlhinney	Travaglio
Clymer	LaGrotta	Orie	Van Horne
Colafiglia	Laughlin	Petrarca	Wilt
Colaizzo	Lederer	Rohrer	Zug
Fichter	Lescovitz		

NOT VOTING-1

Corrigan

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

GUESTS INTRODUCED

The SPEAKER. The Chair at this time welcomes to the hall of the House the eighth grade class of Spring Cove Middle School with their teachers, Julie Waite and Jack Kreider. They are here today as the guests of Representative Jerry Stern. They are seated in the balcony. Would the guests please rise.

Also with them are two of the school board members - Lloyd Quarry and Janet Blattenberger - also Carolyn Reed of Martinsburg and Florence Rhodes.

CONSIDERATION OF SB 220 CONTINUED

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

Mr. NICKOL offered the following amendment No. A4011:

Amend Sec. 1 (Sec. 1701.1), page 2, line 4, by striking out "either of"
Amend Sec. 1 (Sec. 1701.1), page 2, line 5, by striking out "The" and inserting

the
Amend Sec. 1 (Sec. 1701.1), page 2, line 7, by removing the period after "municipality" and inserting a semicolon

Amend Sec. 1 (Sec. 1701.1), page 2, line 8, by striking out "Payment" and inserting

payment
Amend Sec. 1 (Sec. 1701.1), page 2, line 13, by removing the period after "municipality" and inserting

or
(3) an agreement with the tax collector in an adjoining or conveniently located municipality to assume the duties of the tax collector and receive the compensation that otherwise would be attributable to the billing and

collecting of county and county institution district taxes levied within the municipality.

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

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

Mr. NICKOL. Thank you, Mr. Speaker.

My amendment is perhaps the only one that deals with the original subject of the bill. What the bill originally did was provide several options for counties of the third through eighth class in the event that there is a vacancy in a tax collector office and they cannot locate someone to fill that position. At present, the bill provides two options: one, that the county treasurer could collect the money; the second option is that the municipality itself could collect the money on behalf of the county. What I do is allow a third option that, by agreement, they could get a tax collector in a neighboring or nearby municipality to collect the money. It is a "may" provision, and it is up to the county as to which of the options they would use.

I would appreciate the members' support for the amendment. Thank you.

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

The following roll call was recorded:

YEAS-190

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

Daley	Laughlin	Robinson	Wogan
Dally	Lawless	Roebuck	Wojnaroski
DeLuca	Lederer	Rohrer	Wright, M. N.
Dempsey	Leh	Rooney	Yewcic
Dent	Lloyd	Ross	Youngblood
Dermody	Lucyk	Rublely	Zimmerman
DeWeese	Lynch	Sainato	Zug
DiGirolamo	Maitland	Santoni	
Donatucci	Major	Sather	Ryan,
Druce	Manderino	Saylor	Speaker

NAYS-7

Colafella	Corrigan	Lescovitz	Van Horne
Colaizzo	Gordner	Travaglio	

NOT VOTING-1

Cam

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

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

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

The Chair passes over for the moment the Maitland amendment.

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

AMENDMENT A0156 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Snyder, who moves that the vote by which amendment No. 156 was passed to SB 220, PN 1374, on the 11th day of March be reconsidered.

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

The following roll call was recorded:

YEAS-195

Adolph	Donatucci	Major	Saylor
Allen	Druce	Manderino	Schroder
Argall	Eachus	Markosek	Scrimenti
Armstrong	Egolf	Marsico	Semmel
Baker	Evans	Masland	Serafini
Bard	Fairchild	Mayernik	Seyfert
Barley	Fargo	McCall	Shaner
Barrar	Feese	McGeehan	Smith, B.
Battisto	Fichter	McGill	Smith, S. H.

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

NAYS-0

NOT VOTING-3

Gordner	Schuler	Williams, C.
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EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

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

The clerk read the following amendment No. A0156:

Amend Title, page 1, line 4, by inserting after "thereto," providing for an excise tax in certain counties; and

Amend Bill, page 2, by inserting between lines 13 and 14

Section 2. The definition of "county" in section 1770.2(f) of the act, added June 18, 1997 (P.L.179, No.18), is amended to read:

Section 1770.2. Authorization of Excise Tax.-* * *

(f) As used in this section, the following words and phrases shall have the meanings given to them in this subsection:

* * *

"County." Any county which is on the effective date of this act a county of the third class having a population under the 1990 Federal Decennial Census in excess of 337,000 residents, but less than 341,000 residents, or a county of the fourth class having a population under the 1990 Federal Decennial Census in excess of 159,000 residents, but less than 175,000 residents, or a county of the fifth class having a population under the 1990 Federal Decennial Census in excess of 123,000 residents[.], or a county of the sixth class having a population under the 1990 Federal Decennial Census in excess of 87,000 residents.

* * *

Amend Sec. 2, page 2, line 14, by striking out "2" and inserting 3

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

The following roll call was recorded:

YEAS-115

Argali	Eachus	Markosek	Shaner
Bard	Evans	Mayernik	Smith, S. H.
Battisto	Fargo	McCall	Staback
Belardi	Fleagle	McGeehan	Steelman
Belfanti	Flick	McIlhattan	Stetler
Bishop	George	Melio	Sturla
Blaum	Gigliotti	Michlovic	Surra
Butkovitz	Gordner	Mundy	Tangretti
Buxton	Gruitza	Myers	Thomas
Caltagirone	Haluska	Nickol	Tigue
Cappabianca	Hanna	Olasz	Travaglio
Carn	Harhai	Oliver	Trello
Carone	Hasay	Pesci	Trich
Casorio	Horsley	Petrarca	Tulli
Cawley	Itkin	Petrone	Vance
Clark	James	Pistella	Van Horne
Cohen, M.	Jarolin	Preston	Veon
Colaafella	Josephs	Ramos	Vitali
Colaizzo	Kaiser	Readshaw	Walko
Corpora	Keller	Reber	Washington
Corrigan	Kirkland	Rieger	Williams, A. H.
Cowell	LaGrotta	Roberts	Williams, C.
Coy	Laughlin	Robinson	Wojnaroski
Curry	Lederer	Roebuck	Wright, M. N.
Daley	Lescovitz	Rooney	Yewcic
DeLuca	Lloyd	Sainato	Youngblood
Dermody	Lucyk	Santoni	
DeWeese	Maitland	Saylor	Ryan,
Donatucci	Manderino	Scrimenti	Speaker
Druce			

NAYS-83

Adolph	DiGirolamo	Major	Schroder
Allen	Egolf	Marsico	Schuler
Armstrong	Fairchild	Masland	Semmel
Baker	Feese	McGill	Serafini
Barley	Fichter	McIlhinney	Seyfert
Barrar	Geist	McNaughton	Smith, B.
Benninghoff	Gladeck	Micozzie	Snyder, D. W.
Birmelin	Godshall	Miller	Stairs
Boscola	Gruppo	Nailor	Steil
Boyes	Habay	O'Brien	Stern
Brown	Harhart	Orie	Stevenson
Browne	Hennessey	Perzel	Strittmatter
Bunt	Herman	Phillips	Taylor, E. Z.
Chadwick	Hess	Pippy	Taylor, J.
Civera	Hutchinson	Platts	True
Clymer	Jadlowiec	Raymond	Waugh
Cohen, L. I.	Kenney	Reinard	Wilt
Cornell	Krebs	Rohrer	Wogan
Dally	Lawless	Ross	Zimmerman

Dempsey Leh Rubley Zug
Dent Lynch Sather

NOT VOTING—0

EXCUSED—5

Bebko-Jones Hershey Levdansky Maher
Gannon

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

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Shaner.

Mr. SHANER. Thank you, Mr. Speaker.

Would it be appropriate to correct the record at this time?

The SPEAKER. Yes. You may go ahead.

Mr. SHANER. On SB 220, amendment 0292, my switch malfunctioned. I wish to be registered in the affirmative, please.

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

CONSIDERATION OF SB 220 CONTINUED

On the question recurring,

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

Mr. MAITLAND offered the following amendment No. A0989:

Amend Title, page 1, line 7, by removing the period after "municipalities" and inserting

; and providing for courthouse hours and calendars.

Amend Bill, page 2, by inserting between lines 13 and 14

Section 2. Section 2301.1 of the act, amended June 1, 1972 (P.L.328, No.90), is amended to read:

Section 2301.1. Days and Hours of Court House and Offices.— [The] ~~Subject to the power of the court of common pleas to conduct judicial functions and to adopt a court calendar, the county commissioners shall determine when the county court house and all county offices located elsewhere shall be open, except that voters' registration offices shall be open during ordinary business hours on the two Saturdays prior to termination of registration period to the primary and general and municipal elections.~~

Amend Sec. 2, page 2, line 14, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

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

Mr. MAITLAND. Thank you, Mr. Speaker.

Amendment 989 is a clarification of the days and hours of courthouses and offices, which just clarifies that the court has the authority to set the court calendar, and while the commissioners generally oversee the operation of the courthouse, there may be occasions where the court would have to be in session late or over

a weekend, and this just establishes in the code that the court has the authority to set those hours.

I would ask for the members' support. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—197

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

NAYS—0

NOT VOTING—1

Taylor, J.

EXCUSED—5

Bebko-Jones Hershey Levdansky Maher
Gannon

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

On the question recurring,

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

AMENDMENT A0292 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Hess, who moves that the vote by which amendment No. 0292 was passed to SB 220, PN 1374, on the 11th day of March be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—197

Adolph	Donatucci	Major	Schuler
Allen	Druce	Manderino	Scrimenti
Argall	Eachus	Markosek	Semmel
Armstrong	Egolf	Marsico	Serafini
Baker	Evans	Masland	Seyfert
Bard	Fairchild	Mayernik	Shaner
Barley	Fargo	McCall	Smith, B.
Barrar	Feese	McGeehan	Smith, S. H.
Battisto	Fichter	McGill	Snyder, D. W.
Belardi	Fleagle	McIlhattan	Staback
Belfanti	Flick	McIlhinney	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	Harhai	Oliver	Thomas
Cappabianca	Harhart	Orie	Tigue
Carn	Hasay	Perzel	Travaglio
Carone	Hennessey	Pesci	Trello
Casorio	Herman	Petrarca	Trich
Cawley	Hess	Petrone	True
Chadwick	Horsey	Phillips	Tulli
Civera	Hutchinson	Pippy	Vance
Clark	Itkin	Pistella	Van Horne
Clymer	Jadlowiec	Platts	Veon
Cohen, L. I.	James	Preston	Vitali
Cohen, M.	Jarolin	Ramos	Walko
Colafella	Josephs	Raymond	Washington
Colaizzo	Kaiser	Readshaw	Waugh
Cornell	Keller	Reinard	Williams, A. H.
Corpora	Kenney	Rieger	Williams, C.
Corrigan	Kirkland	Roberts	Wilt
Cowell	Krebs	Robinson	Wogan
Coy	LaGrotta	Roebuck	Wojnarowski
Curry	Laughlin	Rohrer	Wright, M. N.
Daley	Lawless	Rooney	Yewcic
Dally	Lederer	Ross	Youngblood
DeLuca	Leh	Rubley	Zimmerman
Dempsey	Lescovitz	Sainato	Zug
Dent	Lloyd	Santoni	
Dermody	Lucyk	Sather	
DeWeese	Lynch	Saylor	
DiGirolamo	Maitland	Schroder	

NAYS—0

NOT VOTING—1

Reber

EXCUSED—5

Bebko-Jones
Gannon

Hershey

Levdansky

Maher

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

On the question recurring,

Will the House agree to the amendment?

The clerk read the following amendment No. A0292:

Amend Title, page 1, line 4, by inserting after "thereto," providing for the abolition of jury commissioners in counties of the third class having a population under the Federal Decennial Census in excess of 337,000 residents, but less than 341,000 residents; and

Amend Bill, page 1, line 10, by striking out "Section 1701.1" and inserting

Sections 401 and 1701.1

Amend Sec. 1, page 1, line 11, by striking out "is" and inserting are

Amend Sec. 1, page 1, line 12, by striking out "a subsection" and inserting

subsections

Amend Sec. 1, page 1, by inserting between lines 12 and 13

Section 401. Enumeration of Elected Officers.—* * *

(d) The office of jury commissioner may be abolished at the option of each county by referendum, whenever electors equal to at least five per centum of the highest vote cast for any office in the county at the last preceding general election shall file a petition with the county board of elections of the county, or the governing body of the county adopts, by a majority vote, a resolution to place such a question on the ballot and a copy of the resolution is filed with the board of elections of the county for a referendum on the question of abolishing the office of jury commissioner. Proceedings under this subsection shall be in accordance with the provisions of the act of June 3, 1937 (P.L. 1333, No. 320), known as the "Pennsylvania Election Code." As used in this subsection, the following words and phrases shall have the meanings given to them in this subsection:

"County." Any county which on the effective date of this act is a county of the third class having a population under the 1990 Federal decennial census in excess of 337,000 residents, but less than 341,000 residents.

Amend Bill, page 2, by inserting between lines 13 and 14

Section 2. Upon approval of the referendum the office of jury commissioner in affected counties shall expire at the completion of the current jury commissioners' terms of office.

Section 3. The referendum provided for in section 401(d) of the act shall take place in any year in which the office of jury commissioner is not on the ballot.

Amend Sec. 2, page 2, line 14, by striking out "2" and inserting

4

On the question recurring,

Will the House agree to the amendment?

Ryan,
Speaker

The following roll call was recorded:

YEAS-160

Adolph	DeWeese	Masland	Schuler
Allen	DiGirolamo	Mayernik	Semmel
Argall	Donatucci	McGeehan	Shaner
Bard	Druce	McGill	Smith, B.
Barley	Eachus	McNaughton	Smith, S. H.
Barrar	Egolf	Melio	Snyder, D. W.
Battisto	Evans	Michlovic	Staback
Belardi	Fairchild	Micozzie	Stairs
Belfanti	Fargo	Miller	Steelman
Benninghoff	Feese	Mundy	Steil
Birmelin	Fichter	Myers	Stetler
Bishop	Fleagle	Nailor	Stevenson
Blaum	Flick	Nickol	Strittmatter
Boscola	Geist	O'Brien	Sturla
Boyes	Gigliotti	Olasz	Surra
Browne	Gladeck	Oliver	Tangretti
Bunt	Godshall	Orie	Taylor, E. Z.
Butkovitz	Gruitza	Perzel	Taylor, J.
Buxton	Gruppo	Pesci	Thomas
Caltagirone	Habay	Petrone	Trello
Cappabianca	Haluska	Phillips	Trich
Carn	Hanna	Pippy	True
Carone	Harhai	Pistella	Tulli
Casorio	Harhart	Platts	Vance
Chadwick	Horsey	Preston	Veon
Civera	Itkin	Ramos	Vitali
Clark	James	Raymond	Walko
Cohen, L. I.	Josephs	Readshaw	Washington
Cohen, M.	Kaiser	Reber	Waugh
Cornell	Keller	Reinard	Williams, A. H.
Corpora	Kenney	Rieger	Williams, C.
Corrigan	Kirkland	Roberts	Wilt
Cowell	Krebs	Robinson	Wogan
Coy	Laughlin	Roebuck	Wojnaroski
Curry	Lawless	Rooney	Wright, M. N.
Daley	Lederer	Ruble	Yewcic
Dally	Leh	Santoni	Zimmerman
DeLuca	Maitland	Sather	
Dempsey	Manderino	Saylor	Ryan,
Dent	Markosek	Schroder	Speaker
Dermody	Marsico		

NAYS-38

Armstrong	Hennessey	Lynch	Scrimenti
Baker	Herman	Major	Serafini
Brown	Hess	McCall	Seyfert
Cawley	Hutchinson	McIlhattan	Stern
Clymer	Jadlowiec	McIlhinney	Tigue
Colaiffa	Jarolin	Petrarca	Travaglio
Colaizzo	LaGrotta	Rohrer	Van Horne
George	Lescovitz	Ross	Youngblood
Gordner	Lloyd	Sainato	Zug
Hasay	Lucyk		

NOT VOTING-0

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS-156

Adolph	Druce	McGeehan	Smith, S. H.
Allen	Eachus	McGill	Snyder, D. W.
Argall	Egolf	Melio	Staback
Armstrong	Evans	Michlovic	Steelman
Barley	Fairchild	Micozzie	Steil
Barrar	Fargo	Miller	Stetler
Battisto	Feese	Mundy	Strittmatter
Belardi	Fleagle	Myers	Sturla
Belfanti	Flick	Nailor	Surra
Bishop	Geist	Nickol	Tangretti
Blaum	George	O'Brien	Taylor, E. Z.
Boscola	Gigliotti	Olasz	Taylor, J.
Boyes	Godshall	Oliver	Thomas
Butkovitz	Gruitza	Perzel	Tigue
Buxton	Haluska	Pesci	Travaglio
Caltagirone	Hanna	Petrarca	Trello
Cappabianca	Harhai	Petrone	Trich
Carn	Hennessey	Phillips	True
Carone	Herman	Pistella	Tulli
Casorio	Horsey	Platts	Vance
Cawley	Itkin	Preston	Van Horne
Chadwick	James	Ramos	Veon
Civera	Jarolin	Raymond	Vitali
Clark	Josephs	Readshaw	Walko
Cohen, M.	Kaiser	Reber	Washington
Colaiffa	Keller	Rieger	Waugh
Colaizzo	Kenney	Roberts	Williams, A. H.
Cornell	Kirkland	Robinson	Williams, C.
Corpora	LaGrotta	Roebuck	Wilt
Corrigan	Laughlin	Rohrer	Wogan
Cowell	Lederer	Rooney	Wojnaroski
Coy	Lescovitz	Ross	Wright, M. N.
Curry	Lloyd	Sainato	Yewcic
Daley	Lucyk	Santoni	Youngblood
DeLuca	Maitland	Sather	Zimmerman
Dempsey	Manderino	Saylor	Zug
Dermody	Markosek	Scrimenti	
DeWeese	Masland	Shaner	Ryan,
DiGirolamo	Mayernik	Smith, B.	Speaker
Donatucci	McCall		

NAYS-42

Baker	Fichter	Lawless	Reinard
Bard	Gladeck	Leh	Ruble
Benninghoff	Gordner	Lynch	Schroder
Birmelin	Gruppo	Major	Schuler
Brown	Habay	Marsico	Semmel
Browne	Harhart	McIlhattan	Serafini
Bunt	Hasay	McIlhinney	Seyfert
Clymer	Hess	McNaughton	Stairs
Cohen, L. I.	Hutchinson	Orie	Stern
Dally	Jadlowiec	Pippy	Stevenson
Dent	Krebs		

NOT VOTING-0

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

EXCUSED-5

Bebko-Jones Hershey Levdansky Maher
Gannon

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

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

VOTE CORRECTIONS

The SPEAKER. Mr. Godshall. For what purpose does the gentleman rise ?

Mr. GODSHALL. Mr. Speaker, to change a vote on one of the amendments.

Mr. Speaker, on the Pesci amendment 0156, I was incorrectly recorded in the negative the second time around, after the reconsideration, and I want to be recorded in the affirmative. Thank you, Mr. Speaker.

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

The lady, Ms. Williams.

Ms. WILLIAMS. Mr. Speaker, on the motion to reconsider amendment A0156, my switch was not working. I wish to be recorded in the affirmative.

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

Any further corrections ?

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 585, PN 614, entitled:

An Act amending the act of November 22, 1978 (P.L.1166, No.274), entitled Pennsylvania Commission on Crime and Delinquency Law, further providing for composition of the commission.

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

Mr. BLAUM offered the following amendment No. A0689:

Amend Sec. 1, page 1, lines 9 through 12, by striking out all of said lines and inserting

Section 1. Section 2(b), (c.1) and (d) of the act of November 22, 1978 (P.L.1166, No.274), referred to as the Pennsylvania Commission on Crime and Delinquency Law, amended December 17, 1981 (P.L.429, No.134) and April 30, 1986 (P.L.125, No.38), are amended to read:

Amend Sec. 1 (Sec. 2), page 2, line 3, by inserting brackets before and after "chairmen" and inserting immediately thereafter
chairman and minority chairman

Amend Sec. 1 (Sec. 2), page 2, line 3, by inserting brackets before and after "House and Senate Majority"

Amend Sec. 1 (Sec. 2), page 2, line 4, by inserting brackets before and after "Committees" and inserting immediately thereafter

Committee of the Senate and the chairman and minority chairman of the Appropriations Committee of the House of Representatives

Amend Sec. 1 (Sec. 2), page 2, by inserting between lines 25 and 26 (c.1) Appropriations chairmen alternates.—The chairman [of the House

Majority] and minority chairman of the Appropriations Committee of the Senate and the chairman [of the Senate Majority] and minority chairman of the Appropriations Committee of the House of Representatives may authorize, in writing, a named member of the committee to serve in his stead on the commission.

(d) Term of office.—Except for the Attorney General, the Chief Justice, Court Administrator of Pennsylvania courts and Commissioner of the Pennsylvania State Police, Commissioner of Correction, the [chairmen] chairman and minority chairman of the [House and Senate Majority] Appropriations [Committees] Committee of the Senate and the chairman and minority chairman of the Appropriations Committee of the House of Representatives and the four other members of the General Assembly, members shall serve for a four-year term, and may be appointed for no more than one additional consecutive term. The terms of those members who serve by virtue of the public office they hold shall be concurrent with their service in the office from which they derive their membership. The term of the chairman of the Juvenile Advisory Committee shall be concurrent with his service as chairman of that committee.

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

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

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, on the Pennsylvania Commission on Crime and Delinquency, which has representatives from various Cabinet offices as well as appointments from the legislature, it has an appointment from the majority Appropriations Committee, and what this does is allow a member from the minority Appropriations Committee to serve on PCCD.

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

The following roll call was recorded:

YEAS-151

Adolph	Egolf	McGeehan	Snyder, D. W.
Allen	Evans	McIlhattan	Staback
Argall	Fargo	McIlhinney	Stairs
Barley	Flick	Melio	Steelman
Battisto	Geist	Michlovic	Steil
Belardi	George	Micozzie	Stetler
Belfanti	Gigliotti	Mundy	Strittmatter
Benninghoff	Gladeck	Myers	Sturla
Bishop	Godshall	Nailor	Surra
Blaum	Gordner	Nickol	Tangretti
Boscola	Gruitza	Olasz	Taylor, E. Z.
Boyes	Haluska	Oliver	Taylor, J.
Butkovitz	Hanna	Perzel	Thomas
Buxton	Harhai	Pesci	Tigue
Caltagirone	Harhart	Petrarca	Travaglio
Cappabianca	Hasay	Petrone	Trello
Carn	Hennessey	Phillips	Trich
Casorio	Hess	Pistella	True
Cawley	Horsey	Platts	Tulli
Chadwick	Itkin	Preston	Vance

Civera	Jadlowiec	Ramos	Van Horne
Cohen, M.	James	Readshaw	Veon
Colafella	Jarolin	Reber	Vitali
Colaizzo	Josephs	Reinard	Walko
Corpora	Kaiser	Rieger	Washington
Corrigan	Keller	Roberts	Waugh
Cowell	Kirkland	Robinson	Williams, A. H.
Coy	Krebs	Roebuck	Williams, C.
Curry	LaGrotta	Rooney	Wogan
Daley	Laughlin	Rublely	Wojnaroski
Dally	Lawless	Sainato	Wright, M. N.
DeLuca	Lederer	Santoni	Yewcic
Dent	Lescovitz	Schuler	Youngblood
Dermody	Lloyd	Serimenti	Zimmerman
DeWeese	Manderino	Serafini	Zug
DiGirolamo	Markosek	Seyfert	
Donatucci	Mayernik	Shaner	Ryan,
Druce	McCall	Smith, B.	Speaker
Eachus			

NAYS-43

Armstrong	Cohen, L. I.	Leh	Raymond
Baker	Cornell	Lynch	Rohrer
Bard	Dempsey	Maitland	Ross
Barrar	Fairchild	Major	Sather
Birmelin	Feese	Marsico	Schroder
Brown	Fichter	Masland	Semmel
Browne	Fleagle	McGill	Smith, S. H.
Bunt	Gruppo	McNaughton	Smith
Carone	Habay	Miller	Stevenson
Clark	Herman	Orie	Wilt
Clymer	Hutchinson	Pippy	

NOT VOTING-4

Kenney	Lucyk	O'Brien	Saylor
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EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

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

Mr. GEORGE offered the following amendment No. A0697:

Amend Sec. 1 (Sec. 2), page 2, line 12, by inserting brackets before and after "Four" and inserting immediately thereafter

Six

Amend Sec. 1 (Sec. 2), page 2, lines 12 and 13, by inserting brackets before and after "one representative" and inserting immediately thereafter two representatives

Amend Sec. 1 (Sec. 2), page 2, lines 13 and 14, inserting brackets before and after "one representative" and inserting immediately thereafter two representatives

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

The SPEAKER. The Chair recognizes the gentleman on the amendment.

Mr. GEORGE. Mr. Speaker, while the previous amendment added legislators to the board, this amendment adds a local law enforcement agency representative and one additional adult correctional rehabilitation representative. It strengthens it and makes it all-encompassing.

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

The following roll call was recorded:

YEAS-167

Adolph	Evans	Marsico	Semmel
Allen	Fairchild	Masland	Seyfert
Argall	Fargo	Mayernik	Shaner
Barley	Feese	McCall	Smith, S. H.
Battisto	George	McGeehan	Snyder, D. W.
Belardi	Gigliotti	McIlhattan	Staback
Belfanti	Gladeck	McIlhinney	Stairs
Bishop	Gordner	McNaughton	Steelman
Blaum	Gruitza	Melio	Steil
Boscola	Gruppo	Michlovic	Stetler
Boyes	Habay	Micozzie	Stevenson
Brown	Haluska	Mundy	Stritmatter
Browne	Hanna	Myers	Sturla
Butkovitz	Harhai	Nailor	Surra
Buxton	Harhart	Nickol	Tangretti
Caltagirone	Hasay	O'Brien	Taylor, J.
Cappabianca	Hennessey	Olasz	Thomas
Carn	Herman	Oliver	Tigue
Casorio	Hess	Orie	Travaglio
Cawley	Horsey	Perzel	Trello
Chadwick	Hutchinson	Pesci	Trich
Civera	Itkin	Petrarca	True
Clark	Jadlowiec	Petrone	Tulli
Cohen, M.	James	Phillips	Van Horne
Colafella	Jarolin	Pippy	Veon
Colaizzo	Josephs	Pistella	Vitali
Corpora	Kaiser	Platts	Walko
Corrigan	Keller	Preston	Washington
Cowell	Kenney	Ramos	Waugh
Coy	Kirkland	Readshaw	Williams, A. H.
Curry	Krebs	Reber	Williams, C.
Daley	LaGrotta	Reinard	Wilt
Dally	Laughlin	Rieger	Wogan
DeLuca	Lawless	Roberts	Wojnaroski
Dempsey	Lederer	Robinson	Wright, M. N.
Dent	Leh	Roebuck	Yewcic
Dermody	Lescovitz	Rohrer	Youngblood
DeWeese	Lloyd	Rooney	Zimmerman
DiGirolamo	Lucyk	Sainato	Zug
Donatucci	Lynch	Santoni	
Druce	Manderino	Schroder	Ryan,
Eachus	Markosek	Serimenti	Speaker
Egolf			

NAYS-31

Armstrong	Clymer	Maitland	Saylor
Baker	Cohen, L. I.	Major	Schuler
Bard	Cornell	McGill	Serafini
Barrar	Fichter	Miller	Smith, B.
Benninghoff	Fleagle	Raymond	Stern
Birmelin	Flick	Ross	Taylor, E. Z.
Bunt	Geist	Rublely	Vance
Carone	Godshall	Sather	

NOT VOTING-0

EXCUSED-5

Bebko-Jones Hershey Levdansky Maher
Gannon

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

On the question recurring,

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

RULES SUSPENDED

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

Mr. BIRMELIN. Thank you, Mr. Speaker.

One of the things that those members of the House Judiciary—

The SPEAKER. The gentleman, Mr. Birmelin, understands it is necessary to suspend the rules to offer your amendment?

Mr. BIRMELIN. Yeah; I do understand that. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. BIRMELIN. One of the things that those members of the House Judiciary Committee have been concerned with over the years is the problem that oftentimes we deal with legislation that we do not always have a full knowledge of how it impacts on the prison and probation and parole departments of Pennsylvania, and so in a bipartisan effort, both Representative Josephs and I drafted legislation that we only introduced 2 days ago but see that this bill which is now before us is an opportunity to quickly deal with that issue. We do not think it is a major issue, and it is one that we have got general consensus on.

So I would move at this time to suspend the rules so that I may offer amendment 0985.

The SPEAKER. The gentleman, Mr. Birmelin, moves that the rules of the House be suspended to permit the offering of amendment 0985.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-190

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

Brown	Gruitza	Nailor	Sturla
Browne	Gruppo	Nickol	Surra
Butkovitz	Habay	O'Brien	Tangretti
Buxton	Haluska	Olasz	Taylor, E. Z.
Caltagirone	Hanna	Oliver	Taylor, J.
Cappabianca	Harhai	Orie	Thomas
Carn	Harhart	Perzel	Tigue
Casorio	Hasay	Pesci	Travaglio
Cawley	Hennessey	Petrarca	Trello
Chadwick	Herman	Petrone	Trich
Civera	Hess	Phillips	True
Clark	Horsey	Pippy	Tulli
Clymer	Hutchinson	Pistella	Vance
Cohen, L. J.	Itkin	Preston	Van Horne
Cohen, M.	Jadlowiec	Ramos	Veon
Colafella	James	Raymond	Vitali
Colaizzo	Jarolin	Readshaw	Walko
Cornell	Josephs	Reber	Washington
Corpora	Kaiser	Reinard	Waugh
Corrigan	Keller	Rieger	Williams, A. H.
Cowell	Kirkland	Roberts	Williams, C.
Coy	LaGrotta	Robinson	Wilt
Curry	Laughlin	Roebuck	Wojnaroski
Daley	Lawless	Rohrer	Wright, M. N.
Dally	Lederer	Rooney	Yewcic
DeLuca	Leh	Ross	Youngblood
Dempsey	Lescovitz	Rublely	Zimmerman
Dent	Lloyd	Sainato	Zug
Dermody	Lucyk	Santoni	
DeWeese	Maitland	Sather	Ryan,
DiGirolamo	Major	Saylor	Speaker

NAYS-7

Carone Krebs Platts Wogan
Kenney Lynch Steil

NOT VOTING-1

Bunt

EXCUSED-5

Bebko-Jones Hershey Levdansky Maher
Gannon

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

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

Mr. BIRMELIN offered the following amendment No. A0985:

Amend Title, page 1, line 6, by inserting after "for" the powers and duties and for

Amend Bill, page 2, by inserting between lines 25 and 26 Section 2. Section 3 of the act is amended by adding a paragraph to read:

Section 3. Powers and duties of the commission.

The commission shall have the power and its duty shall be:

* * *

(17) To prepare and present to the Governor and the General Assembly an analysis of any bill introduced in the General Assembly that would have an impact on prison or jail systems, as well as on State and local probation and parole populations and programs. The analysis shall be factual and, if possible, provide a

reliable estimate of both the immediate cost and effect of the bill and, if determinable or reasonably foreseeable, the long-range fiscal cost and effect of the bill. The commission shall prepare the analysis at the written request of the Chairman or Minority Chairman of the Senate Judiciary Committee, the Chairman or Minority Chairman of the Judiciary Committee of the House of Representatives, the Speaker of the House of Representatives or the Majority Leader or Minority Leader of the House of Representatives within 45 days of the initial request. The request shall have no effect whatsoever upon the method, manner or ability of the General Assembly to consider any bill. The commission may supplement an analysis prepared and presented under this paragraph with additional information at any time.

Amend Sec. 2, page 2, line 26, by striking out "2" and inserting

3

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

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

Mr. BIRMELIN. Thank you, Mr. Speaker, and I will be brief, and I believe that the amendment has been circulated.

As I mentioned in my opening remarks for your permission to run this amendment today — and I do thank you for that — we in the House Judiciary Committee for years have been concerned with the impact of legislation that many of the members have introduced that deals with raising the status of certain crimes, perhaps from summary to misdemeanors or misdemeanors to felonies, or raising the amount of years in which prison terms would be served; also, bills that deal with probation and parole departments. Representative Josephs and I have discussed this over the past few years and have worked together to deal with this issue, at least in some format, and that sits before you today in this amendment.

We would encourage you to support this, because what we are asking you to do is to give the Pennsylvania Commission on Crime and Delinquency the ability to develop prison impact statements, so that upon request of certain people in leadership in the House and the Senate, PCCD would be required within 45 days of that request to prepare this impact statement. It is not a mandate for PCCD to do it for every piece of legislation but only for those that have been requested of certain people, as outlined in the amendment, to do that.

So I would ask for your support on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I enthusiastically endorse this amendment.

The growing increase in the prison population and the growing increase in the prison population dollars is a major factor in this Commonwealth's budget. When I was first elected in 1974, the entire State prison budget was \$100 million. This year, it is \$1,100,000,000. Assuming we do absolutely nothing, it is rapidly going to hit \$2 billion and \$3 billion. The difference in the State income tax between when I was elected and now, which is six-tenths of 1 percent, is almost entirely spent by the increase in the prison population. This is a major, looming fiscal crisis that threatens to either dramatically force taxes up or dramatically cut other services, including other services that lead to prevention of crime.

Mr. Birmelin's amendment is full of wisdom. We have to plan ahead for the future fiscal solvency of the State and figure out how we are going to pay for increasing prison costs, on both the long-range and the short-term basis, when we are presented with a bill that spends a lot of money over a long period of time. I strongly support this amendment and urge every member of the House to back this amendment.

The SPEAKER. The gentleman, Mr. Wogan.

Mr. WOGAN. Thank you, Mr. Speaker.

Would the maker of the amendment consent to an interrogation?

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

Mr. WOGAN. Thank you, Mr. Speaker.

Perhaps you could enlighten me on this. This appears to be roughly analogous to a fiscal note in the Appropriations area, but I was wondering if you could explain the language that begins, "The request shall have no effect whatsoever upon the method, manner or ability of the General Assembly to consider any bill." Would that mean that if someone introduced a bill that, say, would raise the mandatory minimum sentence for a category of crimes, the lack of this impact statement would not stop the bill from being considered?

Mr. BIRMELIN. Yes; you are absolutely right. It would not stop the bill from being considered.

Mr. WOGAN. So in other words, crime bills could still be considered in the absence of this impact statement?

Mr. BIRMELIN. Correct.

Mr. WOGAN. Then I guess my silly question would be, then what impact does this impact statement have?

Mr. BIRMELIN. Well, I would not consider that to be a silly question, because I think you are a very serious legislator, Mr. Speaker. What I would suggest to you is that the PCCD is in a better position and has the resources and the time to expend to thoroughly prepare and give an analysis of legislation that I think, quite frankly, sometimes we are not able to do in the legislature. It is in addition to a fiscal impact statement, but it also can tell us things other than financial impact, which I do not know that our ability is there to do without the expertise of PCCD. If I could use this term — and I will use it advisedly — it would be like a super-financial-impact statement that is much more grounded in the experience of the people who deal with the criminal justice system as well as those who deal with issues other than the finances, which is basically what our Appropriations fiscal note would deal with.

Mr. WOGAN. But a super impact statement, the absence whereof would not delay the consideration of a crime bill.

Mr. BIRMELIN. Again, you are correct in that statement.

Mr. WOGAN. All right. Thank you, Mr. Speaker. I appreciate your forbearance.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment and have for some time opposed the idea of prison impact statements — for two reasons.

First of all, I think when we are considering a Title 18 bill which deals with a particular crime in Pennsylvania and the collective wisdom of this body and the Senate and the Governor

set a particular penalty for that misdemeanor or felony, while it is always good to have as much information as possible, I do not think prison impact statements should figure in to whether or not we cast an affirmative vote or a vote against the bill. I think what we should do is consider the crime and consider the punishment and vote accordingly. That is the first reason that I have always kind of opposed the idea of prison impact statements.

The second is— And I have a great deal of respect for PCCD. I used to serve as chairman of PCCD under the Casey administration. But I do not necessarily believe that they can totally wipe out the various biases and prejudices they have in telling you and me exactly what your Title 18 bill is going to do to the prison population of Pennsylvania. I have seen those kinds of reports in the past. To me, they are always inflated. And while we should always be concerned with the prison population in Pennsylvania, when you introduce that Title 18 bill which deals with certain penalties for certain crimes, when there is this prison impact statement, it is only going to, I believe, negatively color the debate and the final decision that the House and Senate make. I say that with a great deal of difficulty, because we all want as much information as possible when we are making a decision, but I also think we know that if you increase penalties for any particular crime, you are going to increase the prison population in Pennsylvania. So while I do not really feel superstrong about it, it is a philosophical difference that I have had, and the idea of prison impact statements has been around for at least the last 10 or 15 years, and I do not think they belong here on the floor of the House, as do fiscal notes, for instance.

So I would ask for a negative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Masland.

Mr. MASLAND. Thank you, Mr. Speaker.

Just in response to the previous speaker's second objection, and with all due respect to the majority Appropriations staff now and in the past when it was under the guidance of Representative Evans, I kind of think that the PCCD will be a little bit more able to separate any bias that they might have on an issue than our Appropriations staff. This is going to be a much less biased impact statement, and for that reason alone, I think it is worth your positive support. Thank you.

The SPEAKER. The lady, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I just want to remind the people who have spoken against this and all of you on the floor that this is a completely permissive procedure. Representative Birmelin and I have done a great deal of work on it. We have consulted with PCCD. We have consulted with various other interest groups; mostly with PCCD. They have no objection to doing this.

I think that all we are doing by asking for an impact statement is giving us more information, and I would remind you that not every member can ask for this impact statement. It is only seven people in the General Assembly: the Speaker, the minority leader, the majority leader, and the minority and majority leaders of the House and Senate committees. That is not a great deal— Actually, I am not sure that that is totally correct. Let me read it: "...the written request of the Chairman or Minority Chairman of the Senate Judiciary Committee, the Chairman or Minority Chairman of the Judiciary Committee of the House of Representatives, the Speaker of the House of Representatives or

the Majority Leader or Minority Leader of the House of Representatives...." That is not very many people, so I am not sure that any except the most important bills or the bills that we have the most questions about are ever going to be subjected to this process.

And again I remind you that we can go ahead, under this legislation, pass bills, act on them in any way we want to, in the absence of this impact statement. The only thing Representative Birmelin and I are trying to do is to put in the hands of all of us a little bit more information, and some of that information may show, for instance, if we are working on alternative sentencing or different kinds of schemes to allow people, for instance, to pay restitution to their victim rather than going to jail, some of these impact statements may show that we are saving money at the same time as repairing victims of crimes.

So all I ask is for this chamber to allow itself to be better informed, something I think the public would very much appreciate and something which would make us better experts in the fiscal process in which all of us are engaged. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman, Mr. Sturla, desire recognition on this subject? The gentleman waives off.

The gentleman, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would just like to concur with my colleagues Cohen, Josephs, and Birmelin that I think this is a fair compromise on this piece of legislation. We have been trying for years to get some type of an impact statement that would deal with this issue. We are going to be voting on the budget very shortly, within the next few weeks. The largest item in the budget has been the Department of Corrections. I think Representative Birmelin has it on target as to what we should be reporting back to the General Assembly as to the impact of the legislation that we are dealing with and how it really is affecting the total budget in this State.

I would urge my fellow colleagues to support this amendment. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Battisto.

Mr. BATTISTO. Thank you, Mr. Speaker.

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

Just yesterday I was speaking to a group of graduate students from the University of Delaware who visited this area, and I was talking about public policy. One of the things I addressed was corrections, and I said, unfortunately, from time to time when we vote here on Title 18 bills, we make political votes, unfortunately, because we are afraid to be labeled "soft on crime." The mere fact today that Representative Birmelin and Representative Josephs together are supporting this, I think, intelligent proposal is indication of the fact that maybe we are coming together on a very important issue and maybe we can begin to control this crazy, crazy, out-of-control, rising cost of corrections.

I commend both Representative Birmelin and Representative Josephs for bringing this to us, and I enthusiastically support it. Thank you very much.

The SPEAKER. On the question of the adoption of the amendment, the gentleman, Mr. Birmelin.

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

In echoing the last speaker's comments, I guess it is not a secret that Representative Josephs and I are not ideological twins — I

think it was safe to say that — but occasionally she comes up with some brilliant ideas that I agree with.

This is not about ideological politics; this is not about philosophy. This is about legislators making informed, wise choices, knowing as much as we can about legislation before we vote on it. That is one of the reasons why we have public hearings and invite people from all perspectives who have an interest in legislation to give us their take on it. That is why we talk to our constituents. Quite frankly, I am surprised that one of the previous speakers said he did not want to know all this stuff, he did not want this extra information, he did not want to have more information to make a decision; he just wanted to know what the crime was and what the punishment should be. I guess I have been accused of having that attitude in the past, but I certainly do not, and I am surprised that that statement would even be made on this House floor.

So in conclusion, I think this is good legislation because it gives all of us the opportunity to know as much as possible about what we are about to enact in committee, on the House floor, that impacts our whole criminal justice and probation and parole system that is extensive, expensive, and we need all the help we can in this area, so I would ask the members for their support. Thank you.

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

The following roll call was recorded:

YEAS—192

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

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

NAYS—6

Blaum	McGeehan	True	Wogan
Kenney	O'Brien		

NOT VOTING—0

EXCUSED—5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—198

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

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

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

NAYS-0

NOT VOTING-0

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

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

HR 355 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Snyder, who moves that the vote by which HR 355, PN 3032, was passed on the 11th day of March be reconsidered.

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

The following roll call was recorded:

YEAS-198

Adolph	Donatucci	Major	Schroder
Allen	Druce	Manderino	Schuler
Argall	Eachus	Markosek	Scrimenti
Armstrong	Egolf	Marsico	Semmel
Baker	Evans	Masland	Serafini
Bard	Fairchild	Mayernik	Seyfert
Barley	Fargo	McCall	Shaner
Barrar	Feese	McGeehan	Smith, B.
Battisto	Fichter	McGill	Smith, S. H.
Belardi	Fleagle	McIlhattan	Snyder, D. W.
Belfanti	Flick	McIlhinney	Staback
Benninghoff	Geist	McNaughton	Stairs
Birmelin	George	Melio	Steelman

NAYS-0

NOT VOTING-0

EXCUSED-5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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 adopt the resolution ?

RESOLUTION COMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that HR 355, PN 3032, be committed to the Committee on Rules.

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

SUPPLEMENTAL CALENDAR B

RESOLUTIONS PURSUANT TO RULE 35

RESOLUTION REFERRED

No. 367 By Representatives SCHRODER, HENNESSEY, E. Z. TAYLOR, HERSHEY, FLICK, RUBLEY, ROSS, CIVERA, and DeLUCA

A Resolution honoring the memory of David Good, a volunteer of Lionville Fire Company who was killed by a tractor-trailer while he and other emergency personnel were attending to an accident scene.

Introduced as noncontroversial resolution under rule 35, March 11, 1998.

Referred to Committee on RULES, March 11, 1998.

Mr. McGEEHAN called up **HR 362, PN 3074**, entitled:

A Resolution declaring March 1998 as "Irish American Heritage Month" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The SPEAKER. On the question, those in favor will sing "Danny Boy"; those— See, nobody listens. Those in favor will vote "aye"; opposed, "no."

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Bebko-Jones	Hershey	Levdansky	Maher
Gannon			

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The gentleman, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I would like to thank the members of the House for voting on HB 2038, helping the second largest employers, the restaurant and food employees of the Commonwealth, with this House bill, and I would like just to submit these comments for the record today.

The SPEAKER. The gentleman will submit his remarks.

Mr. DeLUCA. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. Speaker, the restaurant and food service industry is the second largest employer in the Commonwealth. Restaurants have become a part of virtually everyone's daily life. We all go out to eat almost as much if not more than we eat at home. But how often do we stop and think about what it takes to run a restaurant, with trained staff there to serve us, the customers?

Finding and keeping trained employees is one of the hardest pieces in the restaurant managing puzzle. Many times, workers gain some training and then move on to other jobs, sometimes within only a few weeks of being hired, leaving the owners left right back where they started from, having invested substantial time and effort training an employee who is no longer available.

This bill would work to provide an incentive program for restaurants, who choose to participate, to set aside in an escrow account funds each week that a trainee remains in training for a specific job in that restaurant.

At the end of their training period, that employee would receive those funds in weekly installments for a period equal to the time spent in training.

This program goes a long way toward helping restaurants and employees forge a relationship. We all know that well-trained, comfortable employees are the best asset a restaurant can offer. Customers benefit from the experience and service, employees benefit, and restaurant owners benefit. I ask for an affirmative vote. Thank you.

VOTE CORRECTIONS

The SPEAKER. Are there any corrections to the record?

The gentleman, Mr. Lucyk.

Mr. LUCYK. Mr. Speaker, on SB 585, amendment 689, I would like to be recorded in the affirmative, please.

The SPEAKER. Ms. Youngblood.

Ms. YOUNGBLOOD. Mr. Speaker, on HB 481 I was reported not voting on amendment A0700. I would like to be reported in the affirmative.

The SPEAKER. The remarks of the two members will be made part of the record.

FINANCE COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Boyes.

Mr. BOYES. Thank you, Mr. Speaker.

The Finance Committee public hearing scheduled for tomorrow has been changed to an informational meeting. This informational meeting on the local taxpayer bill of rights will be held in room 140 at 9:30 a.m. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements?

Do the Republican leaders have any announcements? Do the Democratic leaders have any announcements?

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 1189, PN 3035**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL SIGNED BY SPEAKER

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

SB 492, PN 1507

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.

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

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 minority leader have any further business?

Hearing none, the Chair recognizes the gentleman from Cambria County, Mr. Wojnaroski.

Mr. WOJNAROSKI. Mr. Speaker, I move that this House do now adjourn until Monday, March 16, 1998, at 1 p.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 1:09 p.m., e.s.t., the House adjourned.