

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

TUESDAY, MARCH 31, 1998

SESSION OF 1998

182D OF THE GENERAL ASSEMBLY

No. 25

### HOUSE OF REPRESENTATIVES

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

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

#### PRAYER

REV. D. WAYNE BENDER, Chaplain of the House of Representatives and pastor of Paxton United Methodist Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

Eternal God, as we end a month of significant work for our State and as this session of work nears an end for the legislators prior to their recess, we give You thanks. We give You thanks for the passage of the House budget recommendations, for the decisions we have come to agreement upon, for the glorious spring weather this past week, for the opportunity to express opinion and grow in our ability to listen to each other. For all these things, we give You thanks.

For this spring, when most people are thinking about baseball and gardening, about flowers and sunny days, about summer vacations and golf, we recognize that many of the persons in this room are filled with anxiety about reelections and/or retirement. As these Representatives return to their home districts and many if not most spend countless hours and energy securing their position on the ballot next fall, give them strength, courage, integrity, rest, and reassurance. Help them to run honorable campaigns and to be honest before You and their people.

And as many prepare to celebrate religious holy days with family and their faith communities, give them hope and peace. May they take time to focus on Your role in their individual lives. Grant them – this House and its support staff, this legislature, this Commonwealth and this nation – with sincerity of faith.

This is our prayer. Amen.

#### PLEDGE OF ALLEGIANCE

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

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Monday, March 30, 1998, will be postponed until printed. The Chair hears no objection.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2482** By Representatives MELIO, BELARDI, COY, B. SMITH, OLASZ, WOJNAROSKI, RUBLEY, TRELLO, TIGUE, HARHAI, YOUNGBLOOD, BELFANTI, STETLER, BEBKO-JONES and HENNESSEY

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for zoning hearing board expenditures.

Referred to Committee on LOCAL GOVERNMENT, March 31, 1998.

**No. 2483** By Representatives MELIO, BELARDI, OLASZ, WOJNAROSKI, TRELLO, McCALL, CASORIO, HARHAI, YOUNGBLOOD, SHANER, STABACK, WOGAN, DALEY, STAIRS, BELFANTI, JOSEPHS, BROWNE, PETRARCA, WASHINGTON and JAMES

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, authorizing environmental mitigation expenditures from the Motor License Fund.

Referred to Committee on STATE GOVERNMENT, March 31, 1998.

**No. 2484** By Representatives L. I. COHEN, YOUNGBLOOD, JAMES, KIRKLAND, MANDERINO, CARN, RUBLEY, BARD, TRELLO, PRESTON, MELIO and C. WILLIAMS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding a definition of "collector"; further providing for the sale or transfer of firearms; and imposing a duty to report lost or stolen firearms.

Referred to Committee on JUDICIARY, March 31, 1998.

**HOUSE RESOLUTIONS  
INTRODUCED AND REFERRED**

**No. 399** By Representatives KREBS and ITKIN

A Resolution amending House Resolution No. 180, adopted June 11, 1997, entitled "A resolution establishing and directing a select committee to assess the adequacy of the Eminent Domain Code," changing the date of the report.

Referred to Committee on RULES, March 31, 1998.

**No. 400** By Representatives FLICK, ARMSTRONG, BARRAR, SAYLOR, ORIE, CLARK, KIRKLAND, HANNA, CORRIGAN, HERSHEY, GEIST, FARGO, READSHAW, ZUG, HENNESSEY, WILT, YOUNGBLOOD and SEYFERT

A Concurrent Resolution petitioning the Congress of the United States to propose an amendment to the Constitution of the United States for submission to the states to provide the states a method of offering amendments to the Constitution.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, March 31, 1998.

**No. 401** By Representatives FLICK, ARMSTRONG, BARRAR, SAYLOR, ORIE, CLARK, NAILOR, EGOLF, KIRKLAND, HANNA, CORRIGAN, PISTELLA, HERSHEY, GEIST, FARGO, ZUG, READSHAW, WILT, YOUNGBLOOD and SEYFERT

A Concurrent Resolution petitioning the Congress of the United States to propose an amendment to the Constitution of the United States for submission to the states to establish a mechanism for nullification of Federal laws and regulations where the states determine that such laws or regulations exceed the authority of the Federal Government under the Constitution of the United States.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, March 31, 1998.

**No. 402** By Representatives FLICK, ARMSTRONG, BARRAR, SAYLOR, ORIE, WOGAN, CLARK, NAILOR, MARSICO, EGOLF, KIRKLAND, HANNA, CORRIGAN, PISTELLA, HERSHEY, GEIST, FARGO, ZUG, READSHAW, HENNESSEY, STEVENSON, WILT, YOUNGBLOOD and SEYFERT

A Concurrent Resolution declaring the sovereignty of the states and of the people, and proposing principles by which the sovereignty of the states and of the people may be restored to their intention under the Constitution of the United States.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, March 31, 1998.

**SENATE MESSAGE**

HOUSE BILLS  
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 2357, PN 3080; HB 2362, PN 3085; HB 2363, PN 3086; HB 2364, PN 3087; and HB 2365, PN 3088**, with information that the Senate has passed the same without amendment.

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 162, PN 3299; HB 2281, PN 3301; HB 2355, PN 3284; and HB 2356, PN 3285**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**GUESTS INTRODUCED**

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group of students from the Lehigh Valley Christian High School. They are seated in the House gallery, here today as the guests of Representatives Charles Dent and Pat Browne. Would the guests please rise.

The Chair welcomes guest pages today from the sixth grade of the Charles F. Patton Elementary School, here as the guests of Representative Chris Ross. The guest pages are Paul Novak, Jr.; Andy Jones; Nick Maenhout; and Sean Levine. They are here today also with their parents and teachers, seated to the left of the Speaker: Paul Novak, Sr.; Katie Jones; Kris and Linda Maenhout; Jay Levine; Janet Haldeman; and Lynn Dailey. Would the guests please rise.

The Chair is pleased also to welcome to the House today, as the guests of Representative Nailor, seated in the well of the House, guest pages from Cedar Cliff High School — Rebecca Schwartz and Dustin Hobaugh. Would these guest pages please rise.

And as the guests of the Montgomery County legislative delegation, seated in the gallery are members of the Montgomery County F.O.P. (Fraternal Order of Police) Lodge 14. Would the members please acknowledge their presence.

Seated to the left of the Speaker is a guest of Representative Rod Wilt. The Chair welcomes Kimberly McEntire. Kimberly, would you please rise.

**ACTUARIAL NOTE**

The SPEAKER. The Chair acknowledges receipt of an actuarial note for amendment 1722 to HB 162, PN 3299, which will be filed with the clerk.

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

**GUESTS INTRODUCED**

The SPEAKER. The Chair welcomes to the hall of the House today, as the guests of Representative Nick Colafella, John Anderson and Ralph Hagamier, who are seated to the left of the Speaker. Would the guests please rise.

**ADDITIONS AND DELETIONS OF SPONSORS**

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

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

**LEAVES OF ABSENCE**

The SPEAKER. The Chair turns to leaves of absence and recognizes the majority whip, Mr. Snyder, who requests a leave of absence for the lady from Lancaster, Mrs. TRUE. The Chair hears no objection to granting leave. The leave is granted.

The Chair recognizes the gentleman from Allegheny, Mr. Itkin, who requests a leave of absence for the lady from Erie, Ms. BEBKO-JONES. The Chair hears no objection to granting leave, and leave is granted.

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

**HB 1443, PN 1700** By Rep. HERSHEY

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for termination of leases.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**HB 2243, PN 2965** By Rep. HERSHEY

An Act repealing the act of July 18, 1917 (P.L.1062, No.347), entitled "An act authorizing the Governor to appoint volunteer police officers during the present war with Germany, or in any war in which this Nation may become involved; providing for the organization and discipline of such police officers, and enumerating their powers."

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**HB 2247, PN 2969** By Rep. HERSHEY

An Act repealing the act of May 21, 1943 (P.L.271, No.124), entitled "An act validating certain expenditures heretofore made by county commissioners in order to furnish filing cabinets or other office equipment to rationing boards."

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**HB 2276, PN 3006**

By Rep. HERSHEY

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for cooperative agreements, for training areas and for the operation of Fort Indiantown Gap.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**SB 1163, PN 1858 (Amended)** By Rep. HERSHEY

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for advisory councils for veterans' homes and for pay of members on special duty.

VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS.

**PROFESSIONAL LICENSURE COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Civera, for the purpose of making a committee meeting announcement. Mr. Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

At the break I would like to call a meeting of the Professional Licensure Committee behind the House. Thank you very much.

**MASTER ROLL CALL**

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

The following roll call was recorded:

**PRESENT—201**

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

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

## ADDITIONS—0

## NOT VOTING—0

## EXCUSED—2

Bebko-Jones True

## LEAVES ADDED—1

Preston

## LEAVES CANCELED—1

True

## SENATE MESSAGE

ADJOURNMENT RESOLUTION  
FOR CONCURRENCE

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

In the Senate  
March 31, 1998

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, April 20, 1998, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, April 20, 1998, unless sooner recalled by the Speaker of the House of Representatives.

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

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

## COMMEMORATIVE GAVEL PRESENTED

The SPEAKER. The House will come to order.

The Chair at this time would like to present to Reverend Bender a ceremonial gavel. I think Reverend Bender has done an outstanding job in getting the budget through the House, keeping the snow off the roads, and his only failing has been a little bit in keeping the sound down during some of the debates. Reverend, thank you very much.

## GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of Representative Sturla, David Kadushin, a senior at Manheim Township High School, a student in advanced placement politics. He is here today to shadow Representative Sturla and is working on the floor. At the moment I believe he is seated in front of the Speaker. Would the gentleman please rise. David, where are you? Oh, he is in the rear of the House.

## ANNOUNCEMENT BY SPEAKER

The SPEAKER. May I have the House's attention for another announcement. The House will come to order; the House will come to order.

It gives me a great deal of pleasure to announce to the members that one of our members, Representative Teresa Brown, was married last Saturday, was married to Kevin Forcier and is now to be addressed as "Mrs. Forcier," and I know I will make mistakes in the future, so I am going to apologize in advance should I refer to you as "Mrs. Brown."

Mrs. FORCIER. Thank you, Mr. Speaker.

We had a beautiful day, and I was very lucky to be able to marry my very best friend, and we are very happy.

I wondered if anybody wondered why we were not on our honeymoon now, but my dad mentioned to me that one of the most beautiful trips he has ever taken is up in Newfoundland, so in July the icebergs flow, so he suggested we do that, so we are going to take 3 weeks off in July and go to Newfoundland on our motorcycle.

The SPEAKER. There you are.

Mrs. FORCIER. Thank you.

With a helmet, Mr. Speaker.

The SPEAKER. I am not going to touch that one.

## GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of Representative Rick Geist, Bill Ward— Pardon me. He is the guest of Representative Geist, Representatives Stern, Sather, and Dick Hess. Bill Ward, you have a lot of friends in this place. Bill, will you please stand. Here he is.

**BILLS SIGNED BY SPEAKER**

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

**HB 2357, PN 3080**

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Small Business Advocate in the Department of Community and Economic Development.

**HB 2362, PN 3085**

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1998, to June 30, 1999, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1998.

**HB 2363, PN 3086**

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1998, to June 30, 1999, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1998.

**HB 2364, PN 3087**

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

**HB 2365, PN 3088**

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry and the Department of Community and Economic Development to provide for the expenses of administering the Workers' Compensation Act, The Pennsylvania Occupational Disease Act and the Office of Small Business Advocate for the fiscal year July 1, 1998, to June 30, 1999, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1998.

**SB 1204, PN 1790**

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey to ORIX Wilkinson Neshaminy Venture certain land situate in Bensalem Township, Bucks County; and authorizing the Department of General Services to convey a tract of land located in Somerset Township, Somerset County.

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

**CALENDAR****BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 9, PN 2510**, entitled:

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.

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?

The Chair recognizes the gentleman, Mr. Maitland.

Mr. MAITLAND. Thank you, Mr. Speaker.

I rise today in support of HB 9. This bill is the Agriculture Education Loan Forgiveness Program, and it is very important to my district, where the family farm is the backbone of our economy in Adams County, and we have many young people in Adams County that do want to go on to college and come back to the family farm — not enough but, still, many. And as many of the members are aware, yesterday was Farm Bureau Day, and I had a lengthy discussion with the farmers of my district about this program, and there is a problem with the program but not with this bill. The problem is with PHEAA (Pennsylvania Higher Education Assistance Agency)—

The **SPEAKER**. Will the gentleman yield.

There is entirely too much noise on the floor. Staff members on the floor not involved in today's calendar will please leave the floor. Guests must have seats.

Mr. Maitland.

Mr. MAITLAND. Thank you, Mr. Speaker.

I was describing a problem with this program, and that is, when students make subsidized loan applications to PHEAA, their families' assets count against them in the calculations, and farmers are typically asset-rich but cash-poor, so very few of the family farm children in my district that want to go, say, to Penn State School of Ag Sciences are eligible to qualify for a PHEAA subsidized loan and therefore are unable to benefit from the Agricultural Education Loan Forgiveness Program.

So I just wanted to make members aware of this program. I will be working on legislation that would change the calculations within PHEAA to improve the situation for our farm students, and I urge the members to support both HB 9 and future efforts to help farm families with PHEAA. Thank you, Mr. Speaker.

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

The gentleman, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

At last night's Pennsylvania Farm Bureau banquet, I happened to run into former Secretary of Agriculture Boyd Wolff, and as I met with him and talked to him, I was thinking about this bill and want to acknowledge the Casey administration and Secretary Boyd Wolff, where this idea and program originated as part of

their rural agenda. It was a good program that was implemented back in 1992 as part of the rural agenda. It has helped many folks return to their home farms, to be involved in the agricultural process back there. I think it is a good program that needs to continue.

I thank Chairman Bunt of the House Agricultural Committee, who has introduced this legislation and got it through committee to the House floor, and I would urge everyone to support passage to continue this fine program.

The SPEAKER. The Chair thanks the gentleman.

Mr. ITKIN. Mr. Speaker?

The SPEAKER. The gentleman, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, would the prime sponsor consent to interrogation, please?

The SPEAKER. The gentleman, Mr. Bunt, indicates he will stand for interrogation. The gentleman may proceed.

Mr. ITKIN. Mr. Speaker, I am kind of confused about this program. I have always been a long supporter of the Agricultural Loan Forgiveness Program, since it was instituted in 1992 by this legislature. I think it provides a very useful service in ensuring that Pennsylvania farmers can return to the farms, because agriculture is such an important industry to Pennsylvania, and we are losing so many farmers, young farmers, into other businesses, and I believe that preserving the family farm is extremely important.

But I wanted to know, because you are the chairman of our Agriculture Committee, regarding the Governor's desire to abolish this program. You know, in the Governor's budget document that he submits to us that most of us—

The SPEAKER. Will the gentleman yield.

Is the gentleman interrogating him on the bill that is before the House?

Mr. ITKIN. Yes.

The SPEAKER. The gentleman may proceed.

Mr. ITKIN. I want to know why Mr. Bunt opposes the Governor's desire to eliminate this program.

Mr. BUNT. It is my understanding that it was not funded in the Governor's budget proposal, because the bill was set to expire, and frankly, it was not brought to the Governor or his staff's attention that we were going to renew it, and so the conversations have been very quiet since I introduced the bill to reauthorize.

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

I would like to make some remarks.

The SPEAKER. The gentleman is recognized.

Mr. ITKIN. Mr. Speaker, I would like to turn the attention of the House to the Governor's budget document, and I am going to refer to page E21.6, and this is the 1998-99 budget. This is the budget document that the Governor presented this year. And under that page, the Governor's budget recommendations, it says, "This budget recommends the following changes," and it is under the "Higher Education Assistance Agency" program, and within that, there is an item known as "Agricultural Loan Forgiveness," which in fact this is the program that you are proposing to be continued, and it says, unconditionally, it says, "this budget recommends elimination of this program" and deletes \$177,000.

Would you care, Mr. Speaker, to comment on that, if you might?

Mr. BUNT. Yes, Mr. Speaker. I appreciate the opportunity here to respond as well.

As you may not be aware, Representative Jerry Stern and also Representative Leo Trich had amendments to the budget proposal that passed unanimously to add money to the budget for this program, and whether you are aware or not, Mr. Speaker, this would have had to be reauthorized anyway, HB 9.

Mr. ITKIN. Mr. Speaker, it appears to me that the farmers come to town yesterday and all of a sudden today we see this bill reappearing on this House calendar for final passage.

The SPEAKER. Is the gentleman interrogating or debating at this point?

Mr. ITKIN. No, Mr. Speaker, I am finished interrogating the gentleman. I appreciate the remarks of the gentleman.

Mr. Speaker, it seems to me the farmers come to town yesterday and today we are now considering this bill on final passage. I do not know whether it has the Governor's support. If you believe the Governor's budget document, then it does not. His administration has taken a strong position that this program ought to be terminated.

Mr. Speaker, I disagree with the Governor's pronouncement. I believe that this is a program that should go forward.

I do appreciate the chairman of the Agriculture Committee for moving this bill forward. I just hope that the Governor will reconsider his opposition to the program. I think it is a well-intended program, and I offer you, Mr. Speaker, my support today. Thank you.

The SPEAKER. Does the gentleman, Mr. Stern, desire recognition?

Mr. STERN. Mr. Speaker, I would just like to speak on final passage.

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

Mr. STERN. I would indicate to the chamber today and to all the members present that the amendment in the budget document last week that we passed, there were two amendments offered to fund and restore the Agricultural Loan Forgiveness Program, and the previous speaker had already voted for that amendment last week, Mr. Speaker.

So I would encourage, with the reissuance of the agricultural loan and HB 9 doing away with the sunset provision, that we continue this program and use it for the issuance of getting and helping our family farms, Mr. Speaker. So I would encourage passage of HB 9.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

In response to the gentleman from Allegheny, just to reiterate and to clarify the record, nothing in my conversations with the executive branch — elected official, the Governor, or his staff — has indicated any desire or any inclination to drop support, and I believe, I believe that the funding was not provided in the budget simply because the bill was set to expire, and absent any legislative action on HB 9, which did not occur until today, I think it was a strong message to us to do something very quickly, and as I indicated, Representative Stern and Representative Trich did have amendments pass unanimously. There is an enormous amount of support for this program and for its continued funding and existence by members of both sides of this House chamber and also bipartisan support in the Senate, and absolutely nothing that I have seen or heard from the executive branch indicates any desire to do anything differently.

The SPEAKER. On the question, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I would just like to clear the record.

The Governor in his budget document many times makes recommendations for items that are not currently funded under law. He makes it in his budget document, and he suggests and he recommends to this General Assembly that we adopt the appropriate legislation. Now, Mr. Speaker, it is very clear in this document, the Governor's budget document of this year, that the Governor wished to eliminate this program. Very clearly it says, "this budget recommends elimination of this program."

I just want to make that very clear. It was the Governor's position and his administration's position that this be done. Now, those of us in the General Assembly who see fit to challenge the Governor in this regard, I think we should do that, and we should send the Governor a strong and clear message that the General Assembly wants to see this program continue, and I am with you, Mr. Speaker. Thank you.

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

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

Dermody	Lescovitz	Rooney	Zimmerman
DeWeese	Levdansky	Ross	Zug
DiGirolamo	Lloyd	Rubley	
Donatucci	Lucyk	Sainato	Ryan, Speaker
Druce	Lynch	Santoni	

NAYS-2

Lawless Tigue

NOT VOTING-1

Adolph

EXCUSED-2

Bebko-Jones True

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

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today guests of Representative Sturla — members of the Brightside Baptist Church, Rites of Passage Program, seated in the gallery. Would these guests please rise to be acknowledged.

Seated to the left of the Speaker are guests of Representative Mike Gruitza — Jennifer Woods and Catherine Woods, students at Reynolds High School. Would these guests please rise.

Seated in the rear of the hall of the House, guests of Representatives Marsico, Egolf, Vance, and Tulli, are employees from Nationwide Insurance Company, the Harrisburg Service Center. Would these guests please rise.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1289, PN 3300**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for a supplemental annuity; adding definitions; further providing for actuarial cost method, for set-aside special contribution rates and for annuity reserve account; and providing for a supplemental annuity reserve account.

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

Mr. **LLOYD** offered the following amendment No. **A1614**:

Amend Title, page 1, line 7, by inserting after "DEFINITIONS,"  
revising provisions regarding creditable nonschool service for mandatory maternity leaves of absence;  
Amend Sec. 2, page 9, line 2, by striking out "SECTION 8328(c) and (d)" and inserting  
Sections 8304(b) and 8328(c) and (d)  
Amend Sec. 2, page 9, by inserting between lines 3 and 4  
§ 8304. Creditable nonschool service.

\* \* \*

(b) Limitations on nonschool service.—Creditable nonschool service credit shall be limited to:

(1) Intervening military service.

(2) Military service other than intervening military service and activated military service not exceeding five years provided that a member with multiple service may not purchase more than a total of five years of military service in both the system and the State Employees' Retirement System.

(3) Service in any public school or public educational institution in any state other than this Commonwealth or in any territory or area under the jurisdiction of the United States. This paragraph includes service, prior to July 1, 1965, at a community college established under the act of August 24, 1963 (P.L.1132, No.484), known as the Community College Act of 1963.

(4) Service as an administrator, teacher, or instructor in the field of public school education for any agency or department of the government of the United States whether or not such area was under the jurisdiction of the United States.

(5) Previous service as an employee of a county board of school directors which employment was terminated because of the transfer of the administration of such service or of the entire agency to a governmental entity.

(6) Previous service as a county employee as a nurse. For every three years or major fraction thereof in previous work experience, an individual may buy one year of creditable service, not to exceed a total of five years. The purchase of this service shall begin within three years of the employee's eligibility to purchase this creditable service.

(7) (i) Service for the period of time spent on a maternity leave of absence required by the employer, which creditable service shall not exceed two years per leave and shall be applicable only to a maternity leave which was mandatory prior to May 17, 1975. The purchase of this service shall begin within one year of the employee's eligibility to purchase [this] the creditable service[,] under this subparagraph as originally enacted by the amendatory act of August 5, 1991 (P.L.183, No.23).

(ii) Service for the period of time spent on a maternity leave of absence required by the employer, which creditable service shall not exceed two years per leave and shall be applicable only to a maternity leave that was mandatory and began after May 16, 1975, and prior to November 1, 1978. The purchase of this service shall begin within one year of the employee's eligibility to purchase the creditable service under this subparagraph.

(8) Service in the Cadet Nurse Corps with respect to any period of training as a student or graduate nurse under a plan approved under section 2 of the act of June 15, 1943 (Public Law 78-73, 57 Stat. 153), if the total period of training under the plan was at least two years, the credit for such service not to exceed three years.

\* \* \*

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 from Somerset.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, we passed this amendment two or three times previously. It has to do with mandatory maternity leaves for public school employees. What happened was, several years ago we passed legislation providing for a buyback of that time for school employees who had been forced to take maternity leave prior to the Human Relations Commission order saying that it was illegal

to force them to do that. The problem is, for about 2 years after that time, some school districts, affecting about 50 employees, continued to require mandatory maternity leave. They did not stop doing that until the Federal law was changed. The purpose of this amendment is to allow those 50-some employees to have the same option to buy into the retirement system that we previously gave to the people who had been forced to take leave prior to the Human Relations Commission decision.

Mr. Speaker, I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

### LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair notes the presence in the hall of the House of Representative True and asks that her name be added to the master roll.

### CONSIDERATION OF HB 1289 CONTINUED

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—202

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



Dempsey	Lederer	Rohrer	Yewcic
Dent	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Zimmerman
DeWeese	Levdansky	Rubley	Zug
DiGirolamo	Lloyd	Sainato	
Donatucci	Lucyk	Santoni	Ryan,
Druce	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Bebko-Jones

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

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

The SPEAKER. Will the gentleman, Mr. George, come to the rostrum.

(Conference held at Speaker's podium.)

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. HB 1289, with amendments, is over temporarily.

\*\*\*

**BILLS PASSED OVER**

The SPEAKER. HBs 2100 and 1020 are over.

**RULES SUSPENDED**

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

Mr. WAUGH. Mr. Speaker, I move that the rules of the House be suspended to permit the consideration of HB 1597, PN 1959.

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

The following roll call was recorded:

YEAS-197

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

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

NAYS-5

Carone	Krebs	Steelman	Steil
Hanna			

NOT VOTING-0

EXCUSED-1

Bebko-Jones

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.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1597, PN 1959**, entitled:

An Act amending the act of June 23, 1931 (P.L.899, No.299), known as the Public Bathing Law, further providing for definitions and requiring lifeguards.

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

Mr. WAUGH offered the following amendment No. A1781:

YEAS—202

Amend Title, page 1, line 9, by striking out “and”

Amend Title, page 1, line 9, by removing the period after “lifeguards” and inserting

; and providing for the use of certain pesticides in swimming pools.

Amend Sec. 1 (Sec. 2), page 2, lines 24 and 25, by striking out “which provides an area for swimming as its business or” in line 24, all of line 25 and inserting

that is designed, constructed and/or designated for use by individuals for the primary purpose of swimming, where a fee is charged for admission. This definition shall include, but is not limited to, swimming pools, water rides, wave pools and swimming beaches and other outdoor swimming facilities. The term excludes those facilities owned by condominiums, other property owner associations, rental arrangements which include three or more families or social units, hotels or motels, campgrounds, private clubs and private organizations which do not provide access to the general public, swimming facilities used exclusively for hydrotherapy and residential swimming facilities used solely by the owner of a residence, his family and personal guests.

Amend Sec. 3, page 3, line 5, by striking out “a section” and inserting sections

Amend Sec. 3 (Sec. 4.1), page 3, line 6, by striking out all of said line and inserting

Section 4.1. Certified Lifeguards.—

(a) An adequate number of certified lifeguards

Amend Sec. 3, page 3, by inserting between lines 8 and 9

(b) The department shall promulgate regulations to establish the number of lifeguards required at the recreational swimming establishment based on facility utilization, facility size and other environmental factors which may warrant consideration.

Section 4.2. Swimming Pool Pesticides.—The use of general use pesticides in the care and maintenance of a swimming pool at a private single-family residence by any person is authorized without any certification restrictions imposed by the act of March 1, 1974 (P.L. 90, No. 24), known as the “Pennsylvania Pesticide Control Act of 1973,” or any regulations promulgated thereunder.

Amend Sec. 5, page 4, line 4, by inserting after “implement” the addition of section 4.1 and

On the question,

Will the House agree to the amendment?

The SPEAKER. Mr. Waugh.

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

I would like to speak first on the amendment briefly and then, provided the amendment goes through, make comments on final passage, if I may.

This amendment is an amendment to an original bill that I introduced regarding the Public Bathing Code. The amendment clears up some concerns that were raised when the bill was considered by the Health and Human Services Committee; at least I believe we dealt with all the concerns. This amendment also brings into this proposal some language that would lessen requirements for pesticide applications — that is, chlorine applications — in residential pools, which is sort of a separate issue.

I would ask for the members’ support.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Bebko-Jones

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?

Mr. Waugh.

Mr. WAUGH. Thank you very much.

Again, Mr. Speaker, this proposal, HB 1597, was introduced by myself after an incident on August 18, 1995. On that date a 6-year-old boy nearly drowned in a public bathing facility in the district that I represent in York County. Fortunately for the young man and his family, when he was found floating facedown in the pool, there was a bystander who also happened to be swimming at the facility who was trained in CPR (cardiopulmonary resuscitation) and was able to revive him with the help of some other patrons of the facility.

After talking with the parents of this young man and some of the folks involved in this incident, I did some research into current law regarding lifeguards and the requirement of lifeguards at swimming facilities in our State—

The SPEAKER. Will the gentleman yield; will the gentleman yield.

Conferences on the floor will please break up. The conference in the vicinity of the gentleman, Mr. Waugh, will please break up.

Mr. Waugh.

Mr. WAUGH. Thank you, Mr. Speaker. Thank you for drawing attention. This is, I believe, a very important issue, given that we are coming up on the swimming season this year.

Again, in 1995 a young man nearly lost his life, and what I found in my research of this incident was that in fact today in our State, there is no requirement, no requirement, that lifeguards be on duty at public bathing facilities in our Commonwealth. That was quite a surprise to me, and I have a feeling it may be quite a surprise to many of you. So I introduced this proposal to deal with the issue.

Now, this is not the end of this story. We do a lot of work here in the House of Representatives, and we all have our own reasons for being passionate about an issue. But let me tell you the rest of the story.

The rest of the story goes like this: Exactly 2 years to the day, August 18, 1997, a second 6-year-old boy nearly lost his life in the same swimming pool.

For me, Mr. Speaker, there is a message, and the message is that we need requirements in our State regarding lifeguards. I am not willing to allow the residents, particularly the children, of the 93d House District to give this thing a third opportunity. We have already had two. My proposal would create a requirement that public bathing facilities open to the public for a charge would have to have lifeguards on duty, and there would be certain training requirements for those individuals to serve as a lifeguard.

I ask your support of this proposal, as the weather heats up and the pools begin to open. Thank you.

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-202

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Bebko-Jones

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.

**RULES SUSPENDED**

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

Mr. GANNON. Mr. Speaker, I move that the rules of the House be suspended to permit the consideration of SB 543.

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

**PARLIAMENTARY INQUIRY**

The SPEAKER. Mr. Blaum, on the question of suspension of the rules to consider the Senate bill?

Mr. BLAUM. Yes. Parliamentary inquiry, Mr. Speaker.

We have an amendment to the bill, and so when the bill comes up, the amendment will be in order?

The SPEAKER. The amendment would be in order.

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

The following roll call was recorded:

**YEAS—195**

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

Dent	Lescovitz	Rooney	Zimmerman
Dermody	Levdansky	Ross	Zug
DeWeese	Lloyd	Rubley	
DiGirolamo	Lucyk	Sainato	Ryan,
Donatucci	Maher	Santoni	Speaker
Druce			

**NAYS—7**

Carone	Krebs	Steelman	Tigue
Hanna	Lynch	Steil	

**NOT VOTING—0**

**EXCUSED—1**

Bebko-Jones

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

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of SB 543, PN 1851, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for arson and related offenses; and providing for municipal housing code avoidance and for control of alarm devices and automatic dialing devices.

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

Mr. BLAUM offered the following amendment No. A1842:

Amend Title, page 1, line 2, by inserting after "PROVIDING"  
for neglect of care-dependent people and

Amend Bill, page 1, lines 10 through 12, by striking out all of said lines and inserting

Section 1. Section 2713(d)(2) of Title 18 of the Pennsylvania Consolidated Statutes is amended to read:

§ 2713. Neglect of care-dependent person.

\*\*\*

(d) Enforcement.—

\*\*\*

(2) In addition to the authority conferred upon the Attorney General under the act of October 15, 1980 (P.L.950, No.164), known as the Commonwealth Attorneys Act, the Attorney General shall have the authority to investigate and institute criminal proceedings for any violation of this section [or any series of such violations involving more than one county of this Commonwealth or involving any county of this Commonwealth and another state]. A person charged with a violation of this section by the Attorney General shall not have standing to challenge the authority of the Attorney General to investigate or prosecute the case, and, if any such challenge is made, the challenge shall be dismissed and no relief shall be available in the courts of this Commonwealth to the person making the challenge.

\*\*\*

Section 2. Section 3301(d), (h) and (i) of Title 18 are amended and the section is amended by adding a subsection to read:

Amend Sec. 2, page 3, line 18, by striking out "2" and inserting

Amend Sec. 3, page 8, line 1, 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 Blaum amendment, the Chair recognizes the gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, amendment 1842 to SB 543 gives the Attorney General jurisdiction over elder abuse against senior citizens in care-dependent settings. Currently our district attorneys have jurisdiction. What this amendment does is also gives jurisdiction to the Attorney General, who in many cases has the manpower and the horses able to do the job as compared to our district attorneys, and I would ask for an affirmative vote.

The SPEAKER. The gentleman, Mr. Gannon.

Mr. GANNON. Mr. Speaker, this is an agreed-to amendment. However, it is our position and view that because language in the bill permits the Attorney General to investigate and institute criminal proceedings for any violation, the instances that the amendment deals with would also be covered, so the amendment is agreed to.

The SPEAKER. Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

I do not have a copy of the amendment.

The SPEAKER. The Chair thanks the gentleman.

Are there others who need the amendment before voting?  
All right.

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. This bill and the amendments will go over temporarily.

The Chair apologizes to the members.

\* \* \*

The House proceeded to third consideration of **HB 2261, PN 3198**, entitled:

An Act requiring public hearings before closing State mental facilities.

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

Mr. FAIRCHILD offered the following amendment No. **A1421**:

Amend Sec. 4, page 3, line 4, by striking out "may" and inserting shall

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

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

Mr. FAIRCHILD. Thank you, Mr. Speaker.

The amendment simply is a clarification amendment, and it will simply change the language to read, "If the department does not comply with section 3, the department shall not implement a decision" instead of "...may not implement a decision." It is pertaining to the Statutory Construction Digest, and it was suggested that I introduce this amendment to change it in that fashion. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I support the Fairchild amendment.

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—202**

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Bebko-Jones

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 gentleman, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Very briefly, I have been working on this issue now probably close to 10 years relative to our State institutions. This is, I think, a pretty harmless bill, one that we perhaps should have had in place a long time ago. This would force the Department of Welfare to do something that they have been askance at doing lately, and that is communicating with the public and communicating with legislators. We have seen a history of the Department of Welfare pretty much doing whatever they feel is best relative to our mentally retarded citizens of Pennsylvania.

We are not, by this, precluding any options. What we are trying to do by preserving our State institutions is keeping options alive, keeping more options available for our mentally retarded population. We have seen situations over and over again where folks have been living in these institutions, very happy there, living there for in some cases 50 and 60 years, they feel comfortable there, it is their home, they do not want to leave, and yet they have been forced out on some occasions, and much to their chagrin, have ended up in situations that have not been as desirable or as positive as they should be.

The department, in spite of their efforts, has not always done, I think, these citizens for what they deserve, and this would force, mandate that the department, before they shut down an institution, that they would have a public hearing. I do not think that is asking for too much. I think that is very reasonable, and it is something that, quite frankly, they should have been doing all along. We have had too many of our members here be blindsided by the closings of these institutions and not only the impact that has been on the citizens or the clients of these institutions but sometimes they create an impact on the community as well.

So I would ask, Mr. Speaker, that we pass HB 2261. I want to thank the gentleman, Mr. Fairchild, as well as some of the others that served on our special task force on mental retardation in formulating this and cobbling and crafting this together for the members, for our citizens, really, our mentally retarded citizens throughout the Commonwealth who really need us to be their

advocates, particularly vis-a-vis the Department of Welfare that in many ways sometimes does not do the best for them.

I would ask that we support this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Venango, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I rise to support HB 2261. This is commonsense protection legislation. It is a protection to the families and communities and those who depend upon our institutional settings. Really, all we are asking is that the information be provided to those who will be affected by closures, and this does affect both mental health centers as well as mental retardation centers, and we are just asking that in the future any notifications are received by the families and workers in advance of these major decisions, because they have such a major impact on the lives of people across this Commonwealth.

I ask your support for this legislation. Thank you.

The SPEAKER. The lady, Ms. Manderino, is recognized.

Ms. MANDERINO. Thank you, Mr. Speaker.

I would like to interrogate the maker for a brief moment.

The SPEAKER. The gentleman, Mr. Fairchild, will stand for interrogation. You may begin.

Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, I know that this bill was the subject of a lot of hard work and hearings across the State, and supporting the notion of a hearing but also being concerned about the waiting lists that we have for other services and the proper allocation of those resources, my questions really go to that issue.

Number one, am I clear in reading this bill that all it requires is a hearing and that the amendment that we have adopted only says that if you did not have the hearing, then you can take no action?

Mr. FAIRCHILD. That is correct. The intent is not to stop the closing of any mental health or mental retardation facility. The plan is to allow or mandate that the department hold a public hearing so that clients, parents, the community, elected officials, and others can know from basically a single source of information and be able to plan accordingly for their future and the future of their loved ones.

Ms. MANDERINO. Okay.

And again, just so I make sure I am reading this in total context, once this hearing is held, where does the decision with regard to what happens next lie? Whose decision is that? And are there any other aspects of our Public Welfare Code or some other code that may not be contained in HB 2261 that then converge with this that would result in the hearings in essence being a veto power over a particular action that the department decides to take?

Mr. FAIRCHILD. Thank you.

The answer is no to both of those questions. I think many people tried to read more into this bill than perhaps is really in the bill. As we went through the hearing process with HR 187, what we found was polarized groups on both sides of the issue, and this bill, I think, meets in the middle, and we will have other legislation certainly forthcoming. But this is a bill of what you see is what you get. The department's only obligation here would be to have the public hearing. The authority to close these institutions would continue as it now stands, and that is in the administrative branch of government. However, I do not mind telling you personally that I think that the General Assembly needs to pay attention and

perhaps play a larger role, since we are the ones that created our State mental health institutions, we are the ones that fund them every year, and yet we seem to be locked out, completely locked out of the process when it comes time to make a decision concerning closing.

Ms. MANDERINO. Thank you. My interrogation is finished. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

On the question, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

I rise in support of HB 2261.

We have to make sure the families and clients come first in this process, and what we have seen of late is that notification for parents comes literally simultaneously with the Department of Public Welfare's closure notices. That is not fair to the families, and it is not fair to the individuals who are currently in our State centers and State mental hospitals. I say that because I have gotten hundreds of calls from families who are concerned about placement options, and our task force, the HR 187 task force, under the stewardship of Representative Fairchild, has been trying to highlight those issues. But I can tell you clearly that this legislation addresses the opportunity for parents and individuals to make good placement options for themselves and have notification from the Department of Public Welfare before their placement option changes. I think it is a step forward, and I applaud Representative Fairchild for his stewardship.

Thank you, and I appreciate your support for this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The lady, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Wernersville State Hospital is located in my legislative district, and there is Hamburg Center also in Berks County, which provides great assistance to the mentally retarded. I just want it to be clear — and Representative Fairchild and I have discussed this legislation — that my support of his bill today does not mean that I support the closure of either of these two very important institutions and the consumers that rely on them, not just the consumers but also residents in my district that find employment there.

So again, I just want the Department of Public Welfare to be very clear that my vote today does not mean that I support them in any way in any efforts to close these two institutions. Thank you.

The SPEAKER. The gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the bill stand for a brief interrogation?

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

Mr. VITALI. Mr. Speaker, I have in my legislative district Haverford State Hospital, which is scheduled to be closed in June of 1998, although it is still operating. Should this bill become law, would these requirements be imposed upon that process of Haverford State Hospital?

Mr. FAIRCHILD. The requirements contained in the bill would pertain to the prior date of the announcement of the closing of Haverford center. If you know the date, then I could probably answer that question.

Mr. VITALI. The date they are anticipating it close its doors would be the last day of June 1998.

Mr. FAIRCHILD. The legislation is retroactive to decisions made by the Secretary back to January 1 of this year. So if that decision was made by the Secretary after January 1 of this year — and you will notice in the legislation there is a definition of what a decision is — then they would be affected; otherwise, they would not be affected. And the reason we did that is, you know, it would be unfair, obviously, to keep going back, because there has been downsizing and prior closings, and in fact, I even have an institution in my district that was closed. The announcement was made prior to January 1, 1998, and this legislation does not affect that institution.

Mr. VITALI. So just to be clear, if the public announcement of closure was after January 1, 1998, then this bill would not apply, but if the decision, the public announcement to close was announced before December 31, 1997, on or before December 31, 1997, then public hearings would be required?

Mr. FAIRCHILD. Let me read the applicability section: "This act shall apply to decisions made after December 31, 1997."

Mr. VITALI. Okay. And the point in time when a decision is construed to be made is the public announcement?

Mr. FAIRCHILD. Yes. It is defined under the bill on page 2, line 4.

Mr. VITALI. Okay. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Gruitza.

Mr. Phillips after Mr. Gruitza.

Mr. GRUITZA. Mr. Speaker, just very briefly.

I want to commend Representative Fairchild for all the work he has put into this bill. It is an effort to try to give citizens input into some very important issues that are going on out there across the Commonwealth, and I support the bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker.

I rise to support HB 2261.

Mr. Speaker, as you well remember, on June 2, 1997, by a vote of 194 to 0, this House approved HR 187. This established a task force to study the Department of Public Welfare's policy of closing Pennsylvania mental retardation centers and to review the department's 5-year plan. Representative Fairchild very effectively chaired this task force, and HB 2261 is a positive result of the efforts of many.

It is my understanding that the Department of Welfare may not be happy with the legislation and I am sure were not happy with a more balanced public review of their policies as they pertained to the Commonwealth mental retardation system.

This bill requires public hearings prior to any closing, and I ask you, is that too much to expect? Each and every one of us has been elected to represent approximately 60,000 of our fellow Pennsylvanians. Whether you are from Philadelphia, Erie, the southwest, the southeast, or central Pennsylvania, we have the same responsibility. Part of those responsibilities are making public policy on issues of importance affecting our citizens. Closing a mental retardation facility, as been suggested by the Department of Public Welfare officials, needed review and will need continued review if they move forward with this policy. HB 2261 will provide the members of the General Assembly with notice, and I emphasize notice, and more thorough review prior to closing.

The closing of the Laurelton Center was decided by the department, and although I had more than over 100 employees, my notice consisted of hearing the news account on my car radio as I traveled home from Harrisburg on the day the closing took place. If the Department of Public Welfare thinks that this is the type of notice members of this General Assembly deserve, let them have notice that the days of business as usual are over.

I urge a "yes" vote on this bill. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Allen.

Mr. ALLEN. Thank you, Mr. Speaker.

Over the past 20 years several institutions located in Schuylkill County have been closed by the Welfare Department. At no time in the past have we had the ability to have a public hearing before those institutions were closed, no matter what the administration's policies were to close those institutions.

I therefore commend Representative Fairchild for bringing this bill to the floor, and I ask the members to vote in an affirmative manner. Thank you.

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—202

Adolph	Eachus	Maher	Saylor
Allen	Egolf	Maitland	Schroder
Argall	Evans	Major	Schuler
Armstrong	Fairchild	Manderino	Scrimenti
Baker	Fargo	Markosek	Semmel
Bard	Feese	Marsico	Serafini
Barley	Fichter	Masland	Seyfert
Barrar	Fleagle	Mayermik	Shaner
Battisto	Flick	McCall	Smith, B.
Belardi	Forcier	McGeehan	Smith, S. H.
Belfanti	Gannon	McGill	Snyder, D. W.
Benninghoff	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs
Bishop	Gigliotti	McNaughton	Steelman
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Browne	Gruitza	Miller	Stevenson
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Buxton	Haluska	Nailor	Surra
Caltagirone	Hanna	Nickol	Tangretti
Cappabianca	Harhai	O'Brien	Taylor, E. Z.
Carn	Harhart	Olasz	Taylor, J.
Carone	Hasay	Oliver	Thomas
Casorio	Hennessey	Orie	Tigue
Cawley	Herman	Perzel	Travaglio
Chadwick	Hershey	Pesci	Trello
Civera	Hess	Petrarca	Trich
Clark	Horsey	Petrone	True
Clymer	Hutchinson	Phillips	Tulli
Cohen, L. I.	Itkin	Pippy	Vance
Cohen, M.	Jadlowiec	Pistella	Van Home
Colaafella	James	Platts	Veon
Colaizzo	Jarolin	Preston	Vitali
Cornell	Josephs	Ramos	Walko
Corpora	Kaiser	Raymond	Washington
Corrigan	Keller	Readshaw	Waugh
Cowell	Kenney	Reber	Williams, A. H.
Coy	Kirkland	Reinard	Williams, C.
Curry	Krebs	Rieger	Wilt
Daley	LaGrotta	Roberts	Wogan
Dally	Laughlin	Robinson	Wojnaroski
DeLuca	Lawless	Roebuck	Wright, M. N.

Dempsey	Lederer	Rohrer	Yewcic
Dent	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Zimmerman
DeWeese	Levdansky	Rubley	Zug
DiGirolamo	Lloyd	Sainato	
Donatucci	Lucyk	Santoni	Ryan,
Druce	Lynch	Sather	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Bebko-Jones

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

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

#### GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representatives McIlhinney and Druce, the treasurer and deputy treasurer of Bucks County, Bill Snyder and Donna Werner. They are seated here to the left of the Speaker. I guess they are the guests of the Bucks County delegation. Would they please rise.

#### CONSIDERATION OF SB 543 CONTINUED

The SPEAKER. It is the understanding of the Chair that the Blaum amendments have been circulated to SB 543.

Mr. Blaum, would you take the microphone? The amendments have been read. The gentleman, Mr. Blaum, was in the process of explaining his amendments when the question came up as to whether or not they had been circulated.

Would you briefly explain again your amendments to SB 543.

Mr. BLAUM. Thank you, Mr. Speaker.

What this does, in care-dependent settings, as far as the elder abuse laws go, it gives the Attorney General jurisdiction in any case, whereas right now it rests mainly with the district attorneys.

And I would ask for an affirmative vote.

The SPEAKER. The gentleman, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for a "yes" vote on the Blaum amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

#### YEAS—202

Adolph	Eachus	Maher	Saylor
Allen	Egolf	Maitland	Schroder
Argall	Evans	Major	Schuler
Armstrong	Fairchild	Manderino	Scrimenti



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

NAYS-0

NOT VOTING-0

EXCUSED-1

Bebko-Jones

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, on the question of final passage, the gentleman from Lancaster, Mr. Armstrong.

Mr. ARMSTRONG. Thank you, Mr. Speaker.  
Mr. Speaker, I recognize the problems that we have in our cities with some landlords that have not taken care of their properties, and shame on them for not taking care of the properties, but my consideration here today deals with page 3, "Municipal housing code avoidance."

I recognize that an individual has to be in violation four times in order to be cited under this category, but what happens is they then become a criminal. Then it goes from civil to criminal. I am very concerned about that, because we are taking a housing code and we are criminalizing it. I think this is a precedent that we are taking today; it is a major policy decision.

I stand here ready to assist in drafting whatever kind of legislation we can to come down on these slumlords, and we have already done that, Mr. Speaker. This year we have passed some legislation that dealt with stopping some of these guys from continuing to buy these properties in tax sales and not keeping up with them. We began to deal with this issue, but I think to cross that line, of taking it from civil to criminal, is a line that I myself do not want to cross. I think we have other areas that we need to address before we take that step, and for that sake, Mr. Speaker, I am voting in the negative on this bill.

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-200

Adolph	Egolf	Maitland	Saylor
Allen	Evans	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Baker	Fargo	Markosek	Scrimenti
Bard	Feese	Marsico	Semmel
Barley	Fichter	Masland	Serafini
Barrar	Fleagle	Mayernik	Seyfert
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Belardi	Forcier	McGeehan	Smith, B.
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Benninghoff	Geist	McIlhattan	Snyder, D. W.
Birmelin	George	McIlhinney	Staback
Bishop	Gigliotti	McNaughton	Stairs
Blaum	Gladeck	Melio	Steelman
Boscola	Godshall	Michlovic	Steil
Boyes	Gordner	Micozzie	Stern
Browne	Gruitza	Miller	Stetler
Bunt	Gruppo	Mundy	Strittmatter
Butkovitz	Habay	Myers	Sturla
Buxton	Haluska	Nailor	Surra
Caltagirone	Hanna	Nickol	Tangretti
Cappabianca	Harhai	O'Brien	Taylor, E. Z.
Carn	Harhart	Olasz	Taylor, J.
Carone	Hasay	Oliver	Thomas
Casorio	Hennessey	Orie	Tigue
Cawley	Herman	Perzel	Travaglio
Chadwick	Hershey	Pesci	Trello
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Clark	Horsey	Petrone	True
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Cohen, L. I.	Itkin	Pippy	Vance
Cohen, M.	Jadlowiec	Pistella	Van Horne
Colafella	James	Platts	Veon
Colaizzo	Jarolin	Preston	Vitali
Cornell	Josephs	Ramos	Walko
Corpora	Kaiser	Raymond	Washington
Corrigan	Keller	Readshaw	Waugh
Cowell	Kenney	Reber	Williams, A. H.
Coy	Kirkland	Reinard	Williams, C.

Curry	Krebs	Rieger	Wilt
Daley	LaGrotta	Roberts	Wogan
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Dempsey	Lederer	Rohrer	Yewcic
Dent	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Zimmerman
DeWeese	Levdansky	Rublely	Zug
DiGirolamo	Lloyd	Sainato	Ryan,
Donatucci	Lucyk	Santoni	Speaker
Druce	Lynch	Sather	
Eachus	Maher		

NAYS-2

Armstrong      Stevenson

NOT VOTING-0

EXCUSED-1

Bebko-Jones

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.

\*\*\*

BILL PASSED OVER

The SPEAKER. Page 3. HB 1115 is over.

\*\*\*

The House proceeded to third consideration of **HB 1278, PN 2785**, entitled:

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

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 1278 be put on the table.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 1278 be taken from the table.

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

\*\*\*

The House proceeded to third consideration of **HB 1979, PN 2553**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for 20-years limitation.

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

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

The gentleman, Mr. Tangretti, withdraws his amendment.

BILL PASSED OVER

The SPEAKER. Without objection, HB 1979 will go over.

\*\*\*

The House proceeded to third consideration of **HB 2224, PN 2934**, entitled:

An Act amending the act of February 27, 1847 (P.L.172, No.131), entitled "An act requiring the inspectors of prisons, sheriffs, prothonotaries and clerks of criminal courts and others, to make annual returns to the secretary of the commonwealth, and for other purposes," further providing for duty of counties to file certain reports.

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

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

The question is, shall the bill pass finally?

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

YEAS-202

Adolph	Eachus	Maher	Saylor
Allen	Egolf	Maitland	Schroder
Argall	Evans	Major	Schuler
Armstrong	Fairchild	Manderino	Scrimenti
Baker	Fargo	Markosek	Semmel
Bard	Feese	Marsico	Serafini
Barley	Fichter	Masland	Seyfert
Barrar	Fleagle	Mayernik	Shaner
Battisto	Flick	McCall	Smith, B.

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Bebko-Jones

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 2225, PN 2935**, entitled:

An Act repealing the act of April 17, 1869 (P.L. 74, No. 50), entitled, "An act to provide a mode of inquiring into the origin of fires."

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

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

The question is, shall the bill pass finally?

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

YEAS-202

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

NAYS-0

NOT VOTING-0

EXCUSED-1

Bebko-Jones

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 2226, PN 2936**, entitled:

An Act repealing the act of May 11, 1897 (P.L.49, No.41), entitled "An act relating to appointment of Prison Commissioners in counties of the Commonwealth having over one hundred and fifty thousand population."

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

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

The question is, shall the bill pass finally?

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

#### YEAS-202

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

Dermody	Lescovitz	Ross	Zimmerman
DeWeese	Levdansky	Rubley	Zug
DiGirolamo	Lloyd	Sainato	
Donatucci	Lucyk	Santoni	Ryan,
Druce	Lynch	Sather	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-1

Bebko-Jones

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

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

\* \* \*

BILL PASSED OVER

The **SPEAKER**. Page 5. HB 1895 is over.

#### RULES SUSPENDED

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

Mr. SNYDER. Mr. Speaker, I move that the rules of the House be suspended to permit the consideration of SB 926.

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

The following roll call was recorded:

#### YEAS-193

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

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

NAYS-9

Carone	Krebs	Myers	Steil
Casorio	Melio	Platts	Tigue
Josephs			

NOT VOTING-0

EXCUSED-1

Bebko-Jones

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.

**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 926, PN 1852**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), entitled, as reenacted, Liquor Code, providing for alcoholic cider; further providing for transfers of certain licenses and for limited wineries; providing for construction and applicability; and making repeals.

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?

The Chair recognizes the gentleman, Mr. Rooney.  
Mr. ROONEY. Thank you, Mr. Speaker.  
The SPEAKER. Will the gentleman yield.  
Will the gentleman, Mr. Serafini, come to the desk.

(Conference held at Speaker's podium.)

The SPEAKER. The Chair recognizes the gentleman, Mr. Casorio, on SB 926.

Mr. CASORIO. Thank you, Mr. Speaker.

Mr. Speaker, SB 926 should be of great importance and concern to the members today.

Mr. Speaker, wine - wine - is a fermented product; wine is not a brewed or malt beverage. What we are doing here today is arbitrarily taking a single product from the Pennsylvania State store system and labeling it as a beer arbitrarily. Mr. Speaker, apple wine cider will be called apple beer cider.

I believe the impetus for this bill, Mr. Speaker, comes from several directions. We have been told by a large brewery in Pennsylvania that without changing apple wine cider to apple beer cider, the full market potential will not be reached. Mr. Speaker, since when is the Commonwealth of Pennsylvania in the business of fully and potentially marketing an alcoholic beverage product? That is not the business of the Pennsylvania State store; it is the system of alcohol control, Mr. Speaker.

We have a study done by those folks pushing for this bill, Mr. Speaker, a Barsby study, that states within 5 years - right now apple wine cider will sell 4,700 barrels - in 5 years, if we arbitrarily label apple wine cider as a beer, we will sell over 80,000 barrels, Mr. Speaker.

Mr. Speaker, we have received a letter from a powerful law firm—

The SPEAKER. Will the gentleman yield.

Conferences on the floor, please break up; conferences on the floor, please break up.

Mr. Casorio.

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

Mr. Speaker, we in the House of Representatives received a letter from a powerful law firm who lobbies. They have offices in Pittsburgh and Philadelphia and Erie and New York City, and we were told by this law firm, Mr. Speaker, that adding this wine as a beer will "...have the effect of adding," and I quote, "another brand of moderate strength beer to the present selection." That is what we need in Pennsylvania, Mr. Speaker, another brand of moderate strength beer.

I am concerned about folks in urban areas. My district abuts Allegheny County. I am worried about some of those folks in Philadelphia that have crime rates that are slightly higher than those in other parts of the State. They do not need another brand of moderate strength beer, Mr. Speaker.

Mr. Speaker, a study by the large brewery, again in Pennsylvania, says that sales will increase by 1,700 percent; 1,700 percent, Mr. Speaker. In light of some recent concerns in Indiana County and other State schools of underage and college binge drinking, Mr. Speaker, I think this should raise a red flag and alert us to, where will the 1,700-percent increase come from; who is going to buy apple wine cider? Primarily young people. It is all the rage in other parts of the country, Mr. Speaker, apple wine cider, and now we will be calling it a beer.

The Fraternal Order of Police, Mr. Speaker, Fraternal Order of Police, Allegheny Valley Lodge 39, has taken a strong position against SB 926. They know, they know that this will add to increased consumption, increased potentially DUIs (driving under the influence), and make their job more difficult instead of fighting real crime, Mr. Speaker.

Mr. Speaker, we know what this bill does; we know what SB 926 does. Let us be under no illusion. SB 926 is the beginning of the end of the State store system, pure and simple. Privatization is privatization, Mr. Speaker. We know the impetus for this bill comes from the large California wineries. We know the impetus for this bill comes from the large supermarket chains here in the Commonwealth of Pennsylvania.

Mr. Speaker, I have not received one call in my district office saying we need to make apple wine cider a beer, and I challenge any member, other than a special interest, to tell me that they have received calls from taxpaying citizens saying this is a concern of theirs; we need to have alcohol more accessible to people throughout the Commonwealth.

This is not something we should be wasting our time on, Mr. Speaker. We need to be dealing with property tax reform, but SB 926, unfortunately, does not address that.

Mr. Speaker, as you know, we have the most responsible system of alcohol control in the entire nation. Mr. Speaker, we do not sell as much as we can, whenever we can, to whomever we can. That is what SB 926 intends to do, Mr. Speaker, and I am going on the record as of March 31, 1998, to say this will end the State store system as we know it if we concur with SB 926.

I urge every member, especially those in urban districts, to look at this very closely and cast a "no" vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Rooney.

Mr. ROONEY. Thank you, Mr. Speaker.

Mr. Speaker, while I hold the previous speaker in the highest personal regard, I have a different take on what the contents of SB 926 are really all about and what it represents to the consumers and to the taxpayers of the Commonwealth.

Let me just focus very briefly on what, in my estimation, SB 926 does. It allows a product that is currently regulated and controlled by the Commonwealth to realize its full market potential. Currently the cider is being distributed in the State store system, and it has been suggested and studies have shown that if it is switched into the beer distribution system, the product itself will be more widely accepted by the consumers of Pennsylvania who oftentimes, we hear, demand choice. Adult consumers are looking for choices to make. This, this move, I believe, represents such a choice.

It allows— I mean, with all due respect to the previous gentleman, I have had calls from people who are concerned about this issue. The inescapable fact is that one of the largest distributors of this product, what will be one of the largest distributors of this product, is the Stroh's Brewery, which is located in the Lehigh Valley. So from an economic standpoint in terms of how it impacts Stroh's bottom line to the potential for additional jobs if we are to make this move, the people in the Lehigh Valley do have a concern that we act on this legislation.

So the notion that this is just a whim of a large law firm or California wineries is not necessarily on the mark; quite frankly, it is not on the mark at all. This represents potential and prospect to Pennsylvania apple growers, who have received a commitment that their products, the products that they grow in Pennsylvania, will be used in the distilling process. It also affords the opportunity for the Commonwealth of Pennsylvania to realize more revenue, more tax revenue.

So when you talk about what SB 926 does, I think it is important to keep its perspective. This is about taking a product that is not realizing its full potential in the way it is being sold and distributed and giving these people, these Pennsylvania business people, the Pennsylvania taxpayer, the opportunity (a) to make more choices and (b) to realize more revenue in terms of the taxes this product can bring in.

What SB 926 is not about, Mr. Speaker, it is not about privatization of the State liquor stores. I share the concerns of my friend and colleague who preceded me to the microphone relative to the whole issue of privatization, but this is not privatization. This is, rather, about taking a product that is currently sold in the system and moving it to a system whereby it can realize its full market potential. There is nothing about privatization in that. There is nothing wrong with taking a product and allowing the Pennsylvania business community and the Pennsylvania taxpayers and the Pennsylvania consumers to benefit in the way this bill would allow.

And finally, there has been some discussion that somehow this product will facilitate greater underage drinking, and, Mr. Speaker, that could not be further from the truth. The fact of the matter is that this product has approximately half the alcohol content of what regular beers would have; it is also approximately twice as expensive. So the notion that our urban areas— I represent an urban area, and I honestly, quite frankly, do not share the concerns expressed by my friend and colleague who preceded me to the microphone. This is not about facilitating underage drinking. What it is about is facilitating choices for Pennsylvania consumers and allowing the free market economy to function and work the way it was intended.

I would ask that my colleagues reject the notions that may be offered in terms of what the ill effects of this legislation may bring upon the people of Pennsylvania. The fact of the matter is, this bill is good for Pennsylvania growers, it is good for Pennsylvania business people, and more importantly, it is good for Pennsylvania consumers.

And finally, Mr. Speaker, I would like to thank those of my colleagues who made it possible to consider this bill the way it will be most well received by the Senate, and Chairman Serafini was very accommodating as were Representative Tom Tangretti and Representative Gary Haluska. I appreciate their willingness to allow us to consider the bill in a fashion that will allow it, hopefully, to be gone over to the Senate and signed by the Governor in a very short period of time.

I would ask my colleagues on both sides of the aisle to affirm SB 926 by their positive vote.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady, Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

Would someone from the House, perhaps the chairman of the Liquor Control Committee, be willing to stand for a very brief interrogation on this bill?

The SPEAKER. The gentleman, Mr. Serafini, indicates he will stand for interrogation.

Ms. STEELMAN. Thank you, Mr. Speaker.

My question is, if we change the terminology applying to alcoholic apple cider, from defining it as a wine to defining it as a beer, does that mean that it would also be covered by those

provisions of the Liquor Code that now allow beers to be sold in bars from the tap or would it still be required to be sold only in bottles?

Mr. SERAFINI. Correct. Currently it could be sold now as a tap product, but of course, it would require that the product be sold in a different container. But—

Ms. STEELMAN. I am sorry, Mr. Speaker; I cannot hear the answer. The noise level is so high here, and this is a very interesting answer because one of my local—

The SPEAKER. Will the lady yield.

Ms. STEELMAN. All right.

The SPEAKER. The lady is absolutely right. The noise level is too high.

Conferences in the rear of the House, please break up. Sergeant at Arms, ask the members who are standing to take seats.

Mr. Serafini.

Mr. SERAFINI. The question, I believe, is that can this be consumed as a beer product, the same manner a beer product is consumed? It is essentially a beer substitute. It can be sold in bars as a tap product or as a bottled product currently. It is now purchased in the liquor store system, however, and the accommodation of a keg type of distribution out of a liquor store is not a practical means of distribution in that environment. That is why we are trying to move it into the beer environment, into the beer distributorship, so it can be sold in a manner in which it is really supposed to be sold and consumed.

Ms. STEELMAN. Thank you very much, Mr. Speaker.

That concludes my interrogation. May I speak very briefly on the bill?

The SPEAKER. The lady is in order.

Ms. STEELMAN. Thank you.

It seems to me that, especially as we are looking more and more at some of the microbrew beers which are so heavily flavored that they start looking very unlike the original definition of "beer," that we are moving closer and closer to thinking of beer as more like alcoholic cider.

In some ways I think this redefinition makes a good deal of sense. The one thing that does concern me is the same thing that concerns me with the microbrew beers and with wine coolers as well, and that is the question that was raised about the potential risk for increasing underage drinking.

I really do not know at this point how I am going to vote finally on this bill, but I think the issue of underage drinking and whether we should raise the risks of that is something that we do need to take very seriously. Thank you.

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

Mr. HALUSKA. Thank you, Mr. Speaker.

Mr. Speaker, I had an amendment for this bill. It is the same amendment I ran before to fix a problem with the Liquor Code, but Representative Serafini and the Republican leadership are going to give me a hand trying to get that into another bill, so I am not going to offer that. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia County, Mr. Myers.

Mr. MYERS. Thank you, Mr. Speaker.

I have heard some very interesting propositions here today around the selling of this apple wine. This apple wine— I did not say anything bad, did I? Not yet anyway.

You know, one of the interesting things though is that it seems to me that we as a legislature are not here to micromanage the liquor industry. If the apple cider producer, Stroh's, want to sell this, then why do they not put together a marketing plan that works? I mean, a marketing plan, a sufficient marketing plan, could help raise the volume of sales in the State without us micromanaging the business here in the legislature and saying that, well, they cannot put a marketing plan together so we in the legislature have got to put a marketing plan together for them. We do not get paid to do that. They have people that get paid and they can run ads, or they can run ads on the TV, run ads in the newspaper, they can send out fliers, they can send out letters, they can kind of mix it up with the consumer base and try to increase their product sales; that is one thing they can do.

The other thing is that in the city of Philadelphia, we do not need any more products in our Stop-N-Gos. I mean, we do not even need Stop-N-Gos, and what we want to do now is take what today is a wine and tomorrow call it a beer and then have people consume it when we are trying to close these kinds of places down and some of the products that are being sold.

The other thing is that if people really want a choice, if you really want a choice to buy this product, choose to buy it from the State store. I mean, you could go to the State store and buy this product. It is not like it is not available.

The other issue is that to put this in kegs kind of makes me laugh, because, you know, we could take 100-proof bourbon whiskey and put it in kegs and say today that it is a whiskey but tomorrow call it a beer-type product and then begin to sell it.

And, no, this is not privatization; I agree with that statement. This is more what you call "piece-alization," and "piece-alization" is that instead of selling the whole State store, we are going to dismantle it by moving one product out at a time. So today we will move apple wine out or tomorrow we will move vodka out or next week we will move Courvoisier scotch out and the week after that we will move gin out until there are no more products left in the State store to be sold.

I ask for a "no" vote on SB 926. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The Chair has asked the gentleman, Mr. Chadwick, to temporarily preside.

### THE SPEAKER PRO TEMPORE (J. SCOT CHADWICK) PRESIDING

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to urge a negative vote on SB 926.

We have heard a lot of the reasons as to why SB 926 should go forward. We have also just heard some reasons as to why SB 926 should be rejected.

Mr. Speaker, I want to add to the reasons as to why SB 926 needs to be rejected. I saw an ad on TV last night which indicated that every day, every day at least nine children are being killed somewhere in this country; every day at least nine children are

dying. And also, in addition to that ad, they talked about the number of things that aggravate an already bad situation — alcohol, drugs, problems at home, and a number of other situations that really aggravate this problem amongst young people.

So to that end, I take the position that we need not be engaging in any activity that makes alcoholic beverages, regardless of the content, more available to young people and to people throughout the Commonwealth of Pennsylvania. I believe that Pennsylvania has been able to deal with some of these issues because of the control that we are able to have through the State store system, and I think that anytime we begin to increase availability, then there are natural consequences that arise from that increased availability. So I do not think that we need to be packaging any level of alcoholic content in kegs, boxes, cans, bottles, or what have you. This is an opportunity to really draw the line in the sand and let the people of Pennsylvania know that we are not going to participate in that level of discussion that would increase the availability of alcoholic beverages.

Secondly, Mr. Speaker, from an economic standpoint, we have heard the argument that we need to take this cider out of the State store and put it in beer distributors because it will increase jobs; it will increase economic benefits to a certain segment of the Pennsylvania population. Well, by the same token, if we really, if we really want to maintain a business opportunity that provides thousands of jobs for people across the State of Pennsylvania through the State store system, we can look at ways in which this product can be made available under very controlled circumstances. This product is not a dying product inside the State store system; it is a product that is limited through the State store system.

And so if we want to increase our opportunities, a number, a number of people have met with committees and met with the executive branch and have met with many of us and talked about ways in which we can make the State store system more productive, productive in a way that it will increase job opportunities, it will increase proficiency, and it will continue to only make that product available to a certain segment of the Pennsylvania population. So if economics is the question, then it is possible for us to deal with the economic issue, but under no circumstances should we attempt to deal with the economics of the State store system by shifting it to another system that is only going to create more problems rather than bring solutions to the whole problem of alcohol in the Commonwealth of Pennsylvania.

So for those two reasons — in the best interest of our kids and in the interest of economics to a system that is producing jobs, that is producing benefits for the Commonwealth of Pennsylvania — I say, let us put up a resounding “no” to SB 926. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Dent.

Mr. DENT. Thank you, Mr. Speaker.

I rise in support of SB 926.

I wish to clear up a few things that have been said here today, but cider should be distributed like a beer. Beer, as you know, is distributed in the form of kegs and bottles and cases. That is how this alcoholic cider will be distributed if we advance this legislation. Also, this alcoholic cider does have an alcohol content — less than 6 percent — which more closely reflects a beer.

For all practical purposes in Pennsylvania, this product is not sold through the State stores. In 1996, 170,000 dollars' worth of

this product was sold. That is negligible. We might as well not sell it in the State store system. If this product is moved from the State stores to beer distribution, not one job, let me repeat, not one State store job will be lost. So the argument that this is a foot in the door to privatization is erroneous and false.

Again, this product is available in Pennsylvania but not really sold through the State stores, and it is an expensive product. This is not necessarily the type of product that young people will be able to afford to purchase.

So again, I ask you to consider these points when voting on this legislation. As the gentleman from Lehigh had indicated previously, this legislation does have an impact to many constituencies within the Commonwealth of Pennsylvania, some in the Lehigh Valley and elsewhere.

Again, I would urge the members to adopt this legislation. It is proconsumer and it is a worthwhile initiative that should be embraced by all members. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Snyder, is recognized.

Mr. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, several members have already expressed their support for this legislation and have given various arguments. The one point I want to make, however, is that we as a legislature have to be cognizant of changing markets and changing needs. We have a product that is produced in Pennsylvania by Pennsylvania workers. It uses products that are grown and produced in Pennsylvania, and yet, because of the method in which it has to be marketed, we are not able to, first of all, provide the opportunities for production in our own Commonwealth for this product. Number two, our own citizens really do not have the availability of this product that is being demanded by them.

The change from apple cider beer really occurred as a result of congressional action in 1997 that reclassified this fermented product to be treated as a beer. That was really the impetus behind this. We are not doing anything different than what has happened in Washington with regard to this matter and what has happened in other States. The fact is, Mr. Speaker, we are asking this legislature to allow a product that is being made in Pennsylvania to be sold in Pennsylvania in a way that will meet our consumers' needs.

Mr. Speaker, I believe that the arguments about the State store system really are not founded on fact. The reason that the market is not being met through the State store system is because of the way the State store system is set up not to handle kegs, not to handle cases. It is unusual for us to be able to sell those kinds of products through the existing system, whereas the beer distribution system, which is also a controlled system, is able to handle that kind of marketing.

And that really is the reason why we are asking for this legislation to be approved today, and I ask for its support. Thank you.

The SPEAKER pro tempore. Mr. Sturla, the gentleman from Lancaster County, is recognized.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I was not going to rise on this, but I have some questions, I guess, that I need to have answered, and perhaps Mr. Serafini, the chairman of the Liquor Committee, could answer some of these questions for me.



The SPEAKER pro tempore. The gentleman indicates he is willing. You are in order and may proceed.

Mr. STURLA. Mr. Speaker, it is my understanding that one of the distinctions between apple cider and beer is that one is brewed and the other is fermented. Is that correct?

Mr. SERAFINI. That is correct.

Mr. STURLA. Are there any other nonbrewed products that we allow to be distributed in Pennsylvania in the beer system?

Mr. SERAFINI. Not that I am aware of; no.

Mr. STURLA. Okay.

Thank you, Mr. Speaker.

Mr. SERAFINI. Sure.

Mr. STURLA. Mr. Speaker, if I could make a few comments?

The SPEAKER pro tempore. You are in order.

Mr. STURLA. Mr. Speaker, I understand the concerns of the members who have a business located in or near their district that might be the distributor for this product and why they might be in favor of this, and I do not begrudge them the possibility of being able to distribute this product in their district.

However, I do have a concern with, in essence, stepping over the line in terms of what is a brewed product and what is not. And I am not much of one for these slippery-slope theories, but the fact of the matter is, if we allow alcoholic cider to now be treated as a beer, then the question becomes, what happens if I, as a person who has a winery that makes apple wine and even though it has got a 12-percent alcohol content, if I say, you know what, if I just dilute that with a little bit of grape juice, I can get it down to 6 percent; I put it in kegs. And now they will be coming back and saying, can I distribute my apple wine as a beer, because after all, I am just competing with apple cider as a beer, and you have to give me that competitive advantage that you have given apple cider. And then the next thing you are going to have is, you are going to have an apple schnapps producer coming in and saying, you know, I want to mix my apple schnapps with whatever you normally mix apple schnapps with, and I will get it down to 6-percent alcohol content and I will put it in a keg, and now you have to give me the right to distribute that at the beer distributors. And then you are going to have some college students who are going to get rather inventive, and they are going to take their trash can that they would normally use for their frat party and they are going to buy good Pennsylvania nonalcoholic apple cider and they are going to fill the trash can with apple cider and they are going to pour in a couple bottles of pure grain alcohol, get it up to 6 percent, and they are going to put it in a keg and say, now you have to give me the opportunity to distribute my regular apple cider spiked with pure grain alcohol, and it is all going to be under the guise of beer.

Now, as I said, I am not much of one for a slippery-slope theory, but I think we are heading down that path pretty quickly, and I rise to oppose this bill.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Gordner, is recognized.

Mr. GORDNER. Thank you, Mr. Speaker.

I would like to interrogate the gentleman, Mr. Snyder, from Lehigh County.

The SPEAKER pro tempore. The gentleman, Mr. Snyder, indicates that he is willing. You are in order and may proceed.

Mr. GORDNER. Thank you, Mr. Speaker.

Mr. Speaker, during your previous speech, you indicated that this product is made in Pennsylvania by Pennsylvania workers. I understand this product is not made in Pennsylvania and it is not made by Pennsylvania workers, that it is made in Vermont and distributed in Pennsylvania. Could you clarify that, please?

Mr. SNYDER. Mr. Speaker, this product is made by many different manufacturers and distillers and brewers, but Stroh's Brewery in the Lehigh Valley will be one of the producers of this product, utilizing Pennsylvania apples and Pennsylvania workers.

Mr. GORDNER. Again, Mr. Speaker, your comment was that this product is made in Pennsylvania by Pennsylvania workers, so are you indicating that apple cider is made in Pennsylvania by Pennsylvania workers, by the Stroh's Company?

Mr. SNYDER. That is what they intend to do if we pass this legislation.

Mr. GORDNER. Thank you, Mr. Speaker.

On the bill?

The SPEAKER pro tempore. The gentleman is in order.

Mr. GORDNER. I think that needs to be clarified. The other gentleman said or the previous gentleman said that this product is currently made in Pennsylvania by Pennsylvania workers. That is just not true. It is made in Vermont by Stroh's. There are some distribution workers that are involved with this. There will be no more hires that we are aware of as a result of this legislation, so I think that should be dispelled.

The other thing that— I mean, there is a difference between the State stores and beer distributors. I challenge you to tell me how many underage drinkers have gone to State stores and purchased products. That is one of the great things about our State store system, is that underage drinkers do not go and buy items at State stores; they do not. What they do do is they go to beer distributors and they either go in and try to do it or they sit in the parking lot and have a friend go in and do it or something along those lines. The Stroh Brewery Company has indicated that they expect the sales of this product to increase more than 1,000 percent, and I think that is a sobering statistic — even more so when you read the lead article in USA Today yesterday. If you read that, they said that college campus binge drinking is possibly at an all-time high. And what are we doing in this General Assembly? We are going to pass legislation that is going to make it easier for those college students to acquire this product. I think that is wrong, I think it is shortsighted, and I think you should seriously think about what you are doing when you cast a vote on this bill. Thank you.

The SPEAKER pro tempore. The gentleman from Bucks County, Mr. Clymer, is recognized.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, every member in this General Assembly is concerned about underage drinking and about ways that we can help them with their problem. From my perspective, this legislation is not going to help us with this problem. It is going to have more of our teenagers, underage people, drinking a product that is going to create the problems we currently have with those who become intoxicated who are addicted to drinking.

And so, Mr. Speaker, I, along with others who have spoken in opposition to this bill, would ask my colleagues for a "no" vote. Thank you.

The SPEAKER pro tempore. The lady, Ms. Boscola, is recognized.

Ms. BOSCOLA. Thank you, Mr. Speaker.

I rise to support SB 926.

And, basically, I have been a little distressed hearing the testimony that some of my colleagues made. I think it is very emotional and sensationalized.

You know, I think back when I was in college, and yes, there were drinking parties that we would go to and there was underage drinking involved, but it was grain alcohol mixed with Hi-C and 7-Up and in things like that. I mean, when you talk about cider, have you ever had it? Have you ever had alcoholic cider, anybody in this room? It is very sweet, very sweet tasting. Individuals, kids, women kind of tend to like this type of drink as opposed to beer. You cannot— It is almost impossible to get intoxicated on this type of beverage because it is so sweet. You can tolerate maybe a glass or two of the sweetness of the beverage, almost like a wine cooler. Kids are not getting drunk on wine coolers. They are getting drunk after drinking a lot of beer or mixing grain alcohol with other variations of fruit juice or whatever.

I think that this choice beverage for individuals who might not like a mixed drink or hard vodka or hard liquor, that they might like this as an option, and the alcohol content is low, only 6 percent. So to have a choice available with a lower content is a good thing to have in the public and not a bad thing. Children will be abusing alcohol; individuals abuse alcohol, but there are a lot of people that are social, moderate drinkers who do not deserve to be penalized just because a few people abuse it.

Give this bill some consideration, and if you have not tasted the wine cider, you should, because then you would understand that kids are not going to get drunk over this beverage and neither are responsible adults. Thank you.

The SPEAKER pro tempore. The lady from Lancaster County, Representative True.

Mrs. TRUE. Thank you, Mr. Speaker.

I was not going to stand up and speak on this bill. I do, however, rise in opposition to it and for the record would like to refute everything that was said by the previous speaker.

The wine coolers that were mentioned have 6 percent alcohol in them, and the people that like that particular brew are elementary school children, middle school children, and the notion that the lower alcohol content does not inebriate people is absolutely false. We do not need something else that makes it easier for people to find — particularly young people — for people to find to party with, and I strongly urge a “no” vote on this bill.

The SPEAKER pro tempore. The gentleman, Mr. Serafini, for the second time.

Mr. SERAFINI. Mr. Speaker, just to clarify some points relative to this piece of legislation that have been brought up by other speakers.

The purpose of this legislation was far removed from any privatization intention. Privatization is an issue that we have dealt with in the Liquor Committee, and if I had any intention or the committee had any intention of moving towards privatization by allowing this bill to be put out of our Liquor Committee, that would not have happened; it would not be on the floor of the House of Representatives.

The intention that this will lead to other products being kegged, such as hard liquor, bourbon, et cetera, will not happen. The legislation restricts itself to a 6-percent alcohol limitation.

The problem of underage drinking is a problem that we are dealing with on a daily basis, not only in our committee but in our lives. It is a situation that is far beyond allowing cider to be sold through beer distributorships. We have done a lot of soul-searching in our committee, come up with the zip-strip program, where cards can be identified through a machine that allows the owner of an establishment to identify whether a person is 21 years old or not and if that card is a forged card, and those are the ways to curb underage drinking.

The purpose of this legislation is merely to allow an alternative product to be distributed through our beer distribution system in the packaging format that is used in other States where this product is sold. It is not the intention to allow any other products that are fermented, such as wines with a higher alcohol content, to be moved out of the liquor store. This product, by its basic design and production, is intended as a tap product, and that is all this legislation does. It does not bring other underage drinkers by droves to consume this particular product; it is an alternative.

The product of choice for underage drinkers is beer, and that is currently distributed through beer distributors and our 20,000 licensed establishments throughout the State. If we want to attack underage drinking, there are other ways to do it. This product does not contribute to that particular problem; it is only to give an alternative product to the public that they would have in any other State in their local establishments through the keg process.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Northumberland County, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, it was not my intention to rise either on this bill. However, I have had a number of members stop by the desk and ask me my position, because they look at this as a State store issue or an LCB issue, and quite frankly, Mr. Speaker, I have heard from labor organizations who are supporting this bill and who are opposed to this bill.

Frankly, Mr. Speaker, the number of alcoholic products that are available for distribution in the State store system presently number in the thousands, perhaps the tens of thousands, and the State store system does not carry all of them. They choose which ones to carry and which ones not to. I do not believe that cider is one of those commodities that would cause any harm at all to the State store system as was mentioned earlier by a previous speaker. I do not believe that one State store employee would lose a job over the transfer of this commodity, this one single, minute commodity that represents a small fraction of the alcoholic sales in this State, and transfer that to the beer distributors.

I cannot honestly stand here and say that I believe that my colleagues who are fearful that this will lead to the dismantling of the State store system are correct in their presumptions either. There is no member in this chamber who is a more ardent supporter of that system than I am, and I will always rise and stand to oppose any attempt to privatize alcoholic sales in this State.

But again, we should be looking at this in the macro, not micro, and I believe that some of the comments made today have been overblown and have been red herrings, and I am personally torn on how to vote on this issue. But I just think that too many comments were made on the floor that will cause people to think that this is strictly a labor issue or a State-store-system issue, and I do not believe it is either of those things.

So I am going to cast a "yes" vote. I just do not want people to be under the wrong impression that this vote is indicative of how one feels about the entire State-store-system issue, which I believe is totally separate and distinct from this. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Horsey, from Philadelphia is recognized.

Mr. HORSEY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose SB 926. I oppose it not for any union reasons but because it will expose younger people to this beverage. College kids, as the gentleman from York County stated, will be exposed and be able to get this beverage in a more ready manner.

This is a bad idea, Mr. Speaker, and I just find it ironic that folks from areas that have universities and college campuses in their districts are favoring this legislation, because within 1 year, I promise you, we will be back to look at this issue again when the first college or university kid dies from drinking or overdrinking this particular beverage that is spiked.

Every single member in this chamber, Mr. Speaker, has gone to the State store, bought eggnog, and spiked it. Please. This will be no different than eggnog, Mr. Speaker. This beverage will be taken home, will be spiked to push up the amount of alcohol in it, and will be drunk by young people.

Stop-N-Gos are a major problem in my particular community, and kids stopping in the Stop-N-Gos are a problem in my community, and that is the primary reason, Mr. Speaker, that I oppose this particular legislation. Please vote "no" on SB 926. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Delaware County, Mr. Kirkland, is recognized.

Mr. KIRKLAND. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose SB 926.

Mr. Speaker, I appreciate the fact that our State store system has been set up to discourage young people from coming in and purchasing alcoholic beverages. This bill, Mr. Speaker, will allow for our young people to have easier access to alcoholic beverages.

I heard one of the previous speakers mention the fact that this was a sweet alcoholic beverage, and I think it is important that we in this House and all of us on this House floor get real. Many of us in our younger times — and I will make it personal; in my younger times — were attracted to sweet alcoholic beverages; you know, like the Manischewitz and the Boone's Farms. Those are sweet alcoholic beverages, Mr. Speaker, and young people are attracted to sweets, and in doing so, one of the previous speakers also said that it is only 6 percent. Well, what happens is, you simply drink more. And they do not drink just to be drinking, but they drink to get high, Mr. Speaker; they drink to get drunk, and if you drink a keg of 6 percent of anything, anything that has 6 percent alcohol in it, you will in fact get drunk.

Mr. Speaker, I think that we need to be about putting together laws that allow our young people to be safe, allow our young people to have access to a better education, and not putting together bills and laws that allow them to have access, easier access, to alcohol. Our kids are going to, if this bill is passed, our kids are going to find themselves in more serious trouble; our kids are going to experiment, and it always starts off with something that is 6 percent and leads to something that becomes even more and more harmful — 17 percent and 21 percent. I mean, some folks talked about beer and the keg parties. Well, Mr. Speaker, you

heard what was poured into that 6 percent later on, the grain alcohols. All this is going to do, Mr. Speaker, is lead to a greater and greater indulgence.

So I rise to oppose SB 926 simply because of personal experiences, Mr. Speaker, personal experiences in dealing with something that was so-called supposed to be light at the very beginning and simply grew into a greater, greater problem, and we see that every single day. Leave the apple cider, leave it in the State stores. Leave it there so that our young people will not have access to it. Oppose SB 926. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman from Schuylkill County seek recognition? The gentleman, Mr. Lucyk, is recognized.

Mr. LUCYK. Thank you, Mr. Speaker.

I rise here just to close up some of the arguments I have heard on this House floor and perhaps bring a little moderation to this debate.

As usual, I think the House, as we go along and we debate an issue and more people become involved, the more intense the debate becomes and the more we lose sight of what we are doing here. Actually, I think this issue is being blown out of proportion. What we basically have here is the movement of a product from one retail outlet to another retail outlet.

I have listened to the debate. There has been no stronger supporter of our State liquor system, our liquor stores, than I have been over the years. I have taken a firm stand on the dismantling of our State system. I see the good of it, I see the good it does, and I see what it does for the State and I see what it does to deter unlawful alcohol consumption in the Commonwealth. Do I think the moving of this product from the State stores to beer distributors is going to dismantle, is going to aid in the dismantling of our State system? I do not think so. Do I think that the movement of this product is going to increase alcoholic consumption on college campuses? I do not think so. I think that has been going on for years and years, and I do not think anything we can do here other than to make it illegal to consume any type of alcohol in college fraternities is going to do that.

I just think that we are looking at this thing from the wrong angle. I think we can look at it from a marketing point of view. Let us ask ourselves the question, will the State, will our coffers, will our State coffers benefit from the movement of this product from the State stores into beer distributorships, and I think yes. Will it add to the problems that we are so dramatically discussing here today? I do not think so.

I would ask for a positive vote on this, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The gentleman from Bucks County, Mr. Corrigan.

Mr. CORRIGAN. Thank you, Mr. Speaker.

Mr. Speaker, I will be as brief as I can.

The issue that has come up time and again this afternoon is enforcement. We are not talking about whether this is a good product. This is a good product. Will responsible people enjoy it? They probably will. Will responsible people at the bar or at the beer distributor facility do the right thing? They will. The problem that we are talking about is enforcement, and until the Liquor Control Committee, both sides of the aisle, and the committee in the Senate and the administration get together and do something about enforcement, we are going to have these same non— I consider this a nonsensical argument. This is about

responsibility. This is about the people that we license to sell these things, these products, in Pennsylvania. It is not about whether the product is good or bad.

You know, in urban areas, and I do not want to single out Philadelphia or Pittsburgh or anywhere else, and I have had this discussion in committee. I have been on the Liquor Committee I think since the day I got here, and that is 12 years, and we have gone over this and over it and over it. What we are asked to do time and again by the urban centers in this Commonwealth is to penalize the other people in Pennsylvania who might be responsible drinkers, who might want to consume this alcohol, and we are penalizing businesses who probably would have to put more people on in the brewery if they are going to have a new product; they are going to maybe sell more in different areas throughout Pennsylvania. We are asked to penalize those people because we cannot enforce the law, and we do not enforce it. In the urban areas there is no enforcement, and I cannot answer that, why that happens, but it does.

So is this good for tourism, this bill? I think it is. Is it going to put more people to work? I think it will. Are people going to enjoy it in Pennsylvania, and is it going to produce more tax dollars? It definitely will. The problem is not with the product that we are talking about; the problem, rather, is about enforcement, and enforcement is the responsibility of this legislature and the people that we delegate that authority to, and quite frankly, we are not doing a very good job of it.

Do not penalize this industry or the tourism industry because we cannot enforce the law. Thank you.

On the question recurring,  
Shall the bill pass finally?

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

## YEAS—103

Adolph	Feese	Major	Saylor
Barrar	Fichter	Manderino	Schroder
Battisto	Fieagle	Marsico	Semmel
Belfanti	Flick	Masland	Serafini
Blaum	Forcier	Mayernik	Seyfert
Boscoia	Gannon	McCall	Shaner
Boyes	Geist	McGeehan	Smith, B.
Browne	Gigliotti	McGill	Smith, S. H.
Bunt	Gladeck	McIlhattan	Snyder, D. W.
Butkovitz	Godshall	McIlhinney	Stevenson
Carone	Gruppo	Micozzie	Tangretti
Chadwick	Habay	Nailor	Taylor, J.
Civera	Harhart	Nickol	Tigue
Cohen, L. I.	Hasay	O'Brien	Tulli
Colafella	Herman	Orie	Vance
Cornell	Jadlowiec	Perzel	Van Home
Corpora	Jarolin	Pesci	Veon
Corrigan	Keller	Pippy	Vitali
Coy	Kenney	Platts	Waugh
Dally	Laughlin	Raymond	Williams, C.
Dempsey	Lederer	Reber	Wilt
Dent	Leh	Reinard	Wogan
Dermody	Lescovitz	Roberts	Wright, M. N.
DeWeese	Lucyk	Rooney	
DiGirolamo	Maher	Ross	
Donatucci	Maitland	Rublely	
Druce			

Ryan,  
Speaker

## NAYS—98

Allen	Evans	Markosek	Scrimenti
Argall	Fairchild	McNaughton	Staback
Armstrong	Fargo	Melio	Stairs
Baker	George	Michlovic	Steelman
Bard	Gordner	Miller	Steil
Barley	Gruitza	Mundy	Stern
Belardi	Haluska	Myers	Stetler
Benninghoff	Hanna	Olasz	Strittmatter
Birmelin	Harhai	Oliver	Sturla
Buxton	Hennessey	Petrarca	Surra
Caltagirone	Hershey	Petrone	Taylor, E. Z.
Cappabianca	Hess	Phillips	Thomas
Carn	Horsey	Pistella	Travaglio
Casorio	Hutchinson	Preston	Trello
Cawley	Itkin	Ramos	Trich
Clark	James	Readshaw	True
Clymer	Josephs	Rieger	Walko
Cohen, M.	Kaiser	Robinson	Washington
Colaizzo	Kirkland	Roebuck	Williams, A. H.
Cowell	Krebs	Rohrer	Wojnaroski
Curry	LaGrotta	Sainato	Yewcic
Daley	Lawless	Santoni	Youngblood
DeLuca	Levdansky	Sather	Zimmerman
Eachus	Lloyd	Schuler	Zug
Egolf	Lynch		

## NOT VOTING—1

Bishop

## EXCUSED—1

Bebko-Jones

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.

## LEAVE OF ABSENCE

Mr. ITKIN. Mr. Speaker?

The SPEAKER pro tempore. Does the gentleman, Mr. Itkin, seek recognition? For what purpose?

Mr. ITKIN. Yes, Mr. Speaker, to request leave for the gentleman from Allegheny, Mr. PRESTON.

The SPEAKER pro tempore. For the balance of the day?

Mr. ITKIN. No, not for the balance of the day; I expect him back.

The SPEAKER pro tempore. The Chair thanks the gentleman. Without objection, the leave will be granted.

## BILL ON THIRD CONSIDERATION

DECISION OF CHAIR RESCINDED  
ON HB 1979

The SPEAKER pro tempore. Turn to page 3 of today's calendar.

Without objection, the Chair rescinds its announcement that HB 1979, PN 2553, is over for the day.

The House proceeded to third consideration of HB 1979, PN 2553, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for 20-years limitation.

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

Mr. GEORGE offered the following amendment No. A1276:

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

; and providing for immunity from suit in connection with certain actions related to environmental law or regulation.

Amend Bill, page 1, by inserting after line 18

Section 2. Title 42 is amended by adding a section to read:

§ 8340.1. Environmental law or regulation.

(a) General rule.—A person who acts in furtherance of the person's right of petition or free speech under the Constitution of the United States or the Constitution of Pennsylvania in connection with an issue related to enforcement or implementation of environmental law or regulation shall be immune from civil liability in any action regardless of intent or purpose except where the communication to the government agency is not genuinely aimed at procuring a favorable governmental action, result or outcome. A communication is not genuinely aimed at procuring a favorable governmental action, result or outcome if it is not material or relevant to the enforcement or implementation of environmental law or regulation.

(b) Motion to strike.—

(1) A cause of action against a person arising from any act of that person in furtherance of the person's right of petition or free speech under the Constitution of the United States or the Constitution of Pennsylvania in connection with a public issue shall be subject to a special motion to strike unless the court determines that the plaintiff has established that there is a substantial likelihood that the plaintiff will prevail on the claim. In making its determination, the court shall consider the pleadings and supporting and opposing affidavits stating the facts upon which the liability or defense is based. The court shall advance any motion to strike so that it may be heard and determined with as little delay as possible.

(2) The court shall stay all discovery proceedings in the action upon the filing of a motion to strike, provided, however, that the court, on motion and after a hearing and for good cause shown, may order that specified discovery be conducted. The stay of discovery shall remain in effect until notice of the entry of the order ruling on the motion to strike.

(3) If the court determines that the plaintiff has established that there is a substantial likelihood that he will prevail on the claim, neither that determination nor the fact of that determination shall be admissible in evidence at any later stage of the case, and no burden of proof or degree of proof otherwise applicable shall be affected by that determination.

(4) The special motion may be filed within 60 days of the service of the complaint or, in the court's discretion, at any later time upon terms it deems proper.

(c) Attorney fees.—If a person successfully defends against an action under this section, that person shall be awarded reasonable attorney fees and the costs of litigation. If the person prevails in part, the court may award reasonable attorney fees and costs of litigation or an appropriate portion thereof. A person successfully defends against an action if the person prevails on a motion to strike a cause of action under subsection (b) or later prevails on the merits in the action.

(d) Intervention of government agency.—The government agency involved in the furtherance of a person's right of petition or free speech under the Constitution of the United States or the Constitution of Pennsylvania in connection with a public issue shall have the right to intervene or otherwise participate as an amicus curiae in the action involving public petition and participation.

(e) Construction.—Nothing in this section shall be construed to limit any constitutional, statutory or common-law protections of defendants to actions involving public petition and participation.

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

"Act in furtherance of a person's right of petition or free speech under the Constitution of the United States or the Constitution of Pennsylvania in connection with a public issue." Any written or oral statement or writing made before a legislative, executive or judicial proceeding, or any other official proceeding authorized by law; any written or oral statement or writing made in connection with an issue under consideration or review by a legislative, executive or judicial body, or any other official proceeding authorized by law; any written or oral statement or writing made in a place open to the public or a public forum in connection with an issue of public interest; or any written or oral statement or writing made to a government agency in connection with the implementation and enforcement of environmental law and regulations.

"Enforcement of environmental law and regulations." Any activity related to the identification and elimination of violations of environmental laws and regulations, including investigations of alleged violations, inspections of activities subject to regulation under environmental law and regulations and responses taken to produce correction of the violations.

"Government agency." The Federal Government, the Commonwealth and all of its departments, commissions, boards, agencies and authorities, and all political subdivisions and their authorities.

"Implementation of environmental law and regulations." Any activity related to the development and administration of environmental programs developed under environmental law and regulations.

Amend Sec. 2, page 2, line 1, by striking out "2" and inserting

3

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

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

Mr. GEORGE. Mr. Speaker, the intent of this amendment was to help those 4,000 retirees that are not allowed to get into a medical-providing system. When I—

The SPEAKER pro tempore. Will the gentleman suspend for one moment, please.

Mr. GEORGE. I apologize, Mr. Speaker. I see they have called it back up.

Mr. Speaker, the purpose of this amendment, as has been explained before, 179 of those of us who believe in fairness to all believe in the environment, believe that individuals should not be suffering or intimidated because of an action that is taken by someone who for some reason wants to have their way in destroying the environment.

This bill, as you know, had gone over, or the amendment, a similar amendment, into another bill, and it languishes in the Senate, and the Senate is taking a posture, I believe, that it matters not what we pass; they will take what they want and send it back to us. Regardless of where it sits, the purpose was never more important. The subject matter every day brings about greater concern.

Many States in the country have already adopted this similar language. We should not be playing followup; we ought to be playing leader. There is no reason why those of us that are responsible, those of us that fear that all today the environment is being played as a game where the department is saying, we are on the computer; we are on the Web page; you can see who is violating; you can see who is being censored. The truth of the matter is, it is what we cannot see that should concern all of us.

We need not take all day to debate this amendment. It passed before. I ask that you understand the significance and the importance of us, regardless of what party we belong to, to understand it could be in your area, it could be one of your constituents, and I am asking that you adopt this amendment.

### GERMANENESS QUESTIONED

The SPEAKER pro tempore. On the amendment, the gentleman from Delaware County, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I would like to make a motion that this amendment is not germane to this bill.

The SPEAKER pro tempore. The gentleman from Delaware County has raised the question of whether amendment A1276 is germane. Under House rule 27, questions involving whether an amendment is germane to the subject shall be decided by the House.

On the question,

Will the House sustain the germaneness of the amendment?

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, the substance of HB 1979 deals with a statute of limitations on documents under seal. It has absolutely nothing to do with lawsuits filed by one party or another, and for that reason I would ask that this House declare this amendment to be not germane.

The SPEAKER pro tempore. Does the gentleman, Mr. George, seek recognition on the question of germaneness? The gentleman is recognized.

Mr. GEORGE. Mr. Speaker, how many times do I have to debate the matter of germaneness?

The SPEAKER pro tempore. Two.

Mr. GEORGE. Two. Hopefully, Mr. Speaker, I will only need one.

The bill, the amendment, was germane when we passed it. The matter of germaneness was brought up the last time, and fortunately, there are those of us that wanted to do the right thing, because in truth, all it does is amend a bill that is a Title 42 criminal bill. It is as germane as any other bill. It is as germane as the main language of the bill itself. All it does is add what legally can be added and what is most important to support the concept of what we have been talking about over all these months.

Please, vote it germane. If you do not believe in the principle, then vote it down when it comes up for a vote, but we have delayed this matter too long. We have given this an apathetic approach. We feel that all the legislation that comes before us all on their own are important, and I daresay there is no more

important legislation today that you will be dealing with than this legislation, and it definitely is germane.

The SPEAKER pro tempore. On the motion, the gentleman, Mr. Perzel. The gentleman waives off.

The gentleman, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, in addition to what Mr. George has said, all of which I totally agree with, I would add that HB 1979 deals with legal rights. The amendment that Mr. George is offering also deals with legal rights and that this amendment is germane because of that as well.

I would add also that later in the day we will be voting on SB 640 in which we obviously believe that it is germane. What started out as a Title 18 bill now has become a Title 42 bill. We obviously believe it is germane to switch titles, and if it is germane to switch titles, it ought to be perfectly germane to amend this bill the way Mr. George wishes to.

I urge a vote of support for germaneness.

The SPEAKER pro tempore. Those who believe the amendment is germane will vote "aye"; those who believe the amendment is not germane will vote "no."

On the question recurring,

Will the House sustain the germaneness of the amendment?

The following roll call was recorded:

#### YEAS-96

Baker	Dermody	Lucyk	Santoni
Battisto	DeWeese	Maitland	Scrimenti
Belardi	Donatucci	Manderino	Shaner
Belfanti	Eachus	Masland	Smith, S. H.
Bishop	Evans	Mayernik	Staback
Blaum	Fairchild	McCall	Steelman
Boscola	Feese	McGeehan	Stetler
Butkovitz	George	McIlhattan	Sturla
Buxton	Gordner	Melio	Surra
Caltagirone	Gruitza	Michlovic	Tangretti
Cappabianca	Haluska	Mundy	Thomas
Carn	Hanna	Myers	Tigue
Carone	Harhai	Olasz	Travaglio
Casorio	Itkin	Oliver	Trello
Cawley	James	Pesci	Trich
Clark	Jarolin	Petrarca	Veon
Cohen, M.	Josephs	Petrone	Vitali
Colafrilla	Kaiser	Pistella	Walko
Colaizzo	Keller	Ramos	Washington
Corpora	Kirkland	Readshaw	Williams, A. H.
Cowell	Laughlin	Rieger	Williams, C.
Curry	Lederer	Roberts	Wojnaroski
Daley	Levdansky	Robinson	Yewcic
Dally	Lloyd	Roebuck	Youngblood

#### NAYS-104

Adolph	Fleagle	Markosek	Schuler
Allen	Flick	Marsico	Semmel
Argall	Forcier	McGill	Serafini
Armstrong	Gannon	McIlhinney	Seyfert
Bard	Geist	McNaughton	Smith, B.
Barley	Gigliotti	Micozzie	Snyder, D. W.
Barrar	Gladeck	Miller	Stairs
Benninghoff	Godshall	Nailor	Steil
Birmelin	Gruppo	Nickol	Stern
Boyes	Habay	O'Brien	Stevenson
Browne	Harhart	Orie	Strittmatter
Bunt	Hasay	Perzel	Taylor, E. Z.

Chadwick	Hennessey	Phillips	Taylor, J.
Civera	Herman	Pippy	True
Clymer	Hershey	Platts	Tulli
Cohen, L. I.	Hess	Raymond	Vance
Cornell	Hutchinson	Reber	Van Horne
Corrigan	Jadlowiec	Reinard	Waugh
Coy	Kenney	Rohrer	Wilt
DeLuca	Krebs	Rooney	Wogan
Dempsey	LaGrotta	Ross	Wright, M. N.
Dent	Lawless	Rubley	Zimmerman
DiGirolamo	Leh	Sainato	Zug
Druce	Lescovitz	Sather	
Egolf	Lynch	Saylor	Ryan,
Fargo	Maher	Schroder	Speaker
Fichter	Major		

NOT VOTING-1

Horsey

EXCUSED-2

Bebko-Jones Preston

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

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

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

YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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 SPEAKER (MATTHEW J. RYAN)  
PRESIDING

The SPEAKER. The Chair thanks the gentleman, Mr. Chadwick, for presiding.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 2134, PN 2805**, entitled:

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."

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

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



YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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.

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The House proceeded to third consideration of **HB 2136, PN 2807**, entitled:

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."

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

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

The question is, shall the bill pass finally?

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

YEAS-200

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



NAYS-0

NOT VOTING-1

Rieger

EXCUSED-2

Bebko-Jones Preston

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.

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The House proceeded to third consideration of HB 2138, PN 2809, entitled:

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."

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

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

The question is, shall the bill pass finally?

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

YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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.

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The House proceeded to third consideration of HB 2207, PN 2917, entitled:

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."

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

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

The question is, shall the bill pass finally?

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

YEAS-201

- Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Eachus, Egolf, Evans, Fairchild, Fargo, Feese, Fichter, Maher, Maitland, Major, Manderino, Markosek, Marsico, Masland, Schroder, Schuler, Scrimenti, Semmel, Serafini, Seyfert, Shaner

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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.

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The House proceeded to third consideration of HB 2209, PN 2919, entitled:

An Act repealing certain acts as being obsolete.

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

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

The question is, shall the bill pass finally?

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

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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 2210, PN 2920**, entitled:

An Act repealing certain acts as being obsolete.

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

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

The question is, shall the bill pass finally?

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

**YEAS-201**

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

- |            |       |         |         |
|------------|-------|---------|---------|
| DiGirolamo | Lloyd | Santoni | Ryan,   |
| Donatucci  | Lucyk | Sather  | Speaker |
| Druce      | Lynch | Saylor  |         |

NAYS-0

NOT VOTING-0

EXCUSED-2

- |             |         |
|-------------|---------|
| Bebko-Jones | Preston |
|-------------|---------|

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

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

\* \* \*

**BILL PASSED OVER**

The **SPEAKER**. SB 669 is over.

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 961, PN 3204**, entitled:

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

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

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

**YEAS-201**

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones      Preston

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

Ordered, That the clerk inform the Senate accordingly.

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS  
TO HOUSE AMENDMENTS  
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to the following **SB 640, PN 1850**, as further amended by the House Rules Committee:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for juvenile matters definitions, for prisoner litigation, for limitation on remedies, for prospective relief, for time limits on settlements and for payment of damages; further providing for collection of restitution, reparation, fees, costs, fines and penalties and for record requirements; and providing for contents of presentence reports.

On the question,

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

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

Mr. BIRMELIN. Thank you, Mr. Speaker.

For the benefit of the members, I would like to share with you what the Senate amendments were.

They are essentially HB 1744. HB 1744, of which I am the author, deals with the issue of restitution. HB 1744 passed here on October 29 of last year 190 to 1. It had received very strong support in the House Judiciary Committee after having had several public hearings and was voted almost unanimously, as I mentioned earlier, in October.

I wanted to share with you just a little bit about what these amendments do, because it has been 6 months since you voted on them, or 5 months at least, and share with you some of the reasons why the Senate put the bill that I had passed in the House into this version of the Senate bill.

When we passed HB 1744, it contained the SLAPP suit (strategic lawsuit against public participation) amendment that Representative George has just recently been denied the opportunity to introduce to another bill, and the Senate, in their wisdom or lack thereof, whatever, decided that they felt it was too controversial to move HB 1744, and so we decided that we needed to do what we are doing today, and that is to put it into the Senate bill that is currently before us. So they did that in the Senate and sent it over to us, and so what you really have is two bills — the one, the original bill, which is the bill dealing with the frivolous lawsuits by prisoners in Pennsylvania's prisons, but you also have a major portion of this bill that now currently is the restitution legislation that we did pass last October that was my bill, HB 1744. And what I want to do is just share a couple reasons why I think you supported it so strongly in the fall and hopefully will do so again in these next few minutes.

The first and I think the most important part of this legislation is that it raises and elevates the status of victims in Pennsylvania to an equal status of those who are collecting fines and court costs from offenders. Currently, some counties do a good job of collecting restitution, some do not do such a good job, and unfortunately in those counties where they do not do such a good job, victims who have had restitution orders made—

The SPEAKER. The gentleman will yield.

This is a complicated measure that requires the attention of the members. Those who are engaged in conferences should do so off the floor.

Mr. Birmelin.

Mr. BIRMELIN. As I was saying, Mr. Speaker, we are elevating the status of the victim so that the first 50 percent of any moneys collected from an offender will go to the victim's restitution, whether that offender has gone to jail, and of course that would mean not a whole lot of money at first for the receiver of the restitution, but oftentimes before or if they do not go to jail and they simply go on parole or after they get out of jail and get back into society and have an income. It does so through these mandatory restitution orders which we passed in the crime session 2 years ago. It also gives us the ability to attach wages for this purpose, and as I had mentioned 5 months ago, you do not need to fear that children who were depending on child support would not get it because it was going to restitution, because there is an order of priority for these collections from these offenders, and if restitution is ordered and it interferes with the collection of child support, the child support would come first.

This legislation also has some other significant portions of it. I will not go into great detail on it, and I certainly would be willing to answer any questions that members have on it, but it also deals with prisoner information when prisoners are transferred from

State to county or county to State, makes sure that the medical records and psychological analyses and sentence reports and all these other sorts of things are included, so that when our prisons receive prisoners, they have an adequate file of information to know exactly who that prisoner is and what crimes they have committed and what their current medical and physical status is.

I believe that this legislation strengthens mandatory restitution, makes it more collectible, makes it better for the victims of Pennsylvania who have restitution orders on their behalf, and I think goes a long way toward restoring not only the integrity of the criminal justice system so that people can believe that justice will be done in a criminal case, but quite frankly, it will also restore, I believe, the offenders more quickly into society knowing that they have paid for their crime, not simply by spending time in prison or on parole or probation but because they will have actually paid the person they have offended and caused financial harm to.

So for all these reasons I would ask that you would support this bill on concurrence from the Senate. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia County, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I agree with Mr. Birmelin that the restitution language here is heartily worth supporting. This is a reasonable statutory scheme that will lead, over time, to more money being paid out in restitution, and it will lead to a greater emphasis on restitution in the State judicial process. And because of the strong provisions for restitution that Mr. Birmelin has put in the bill as well as because of some of the language restricting absolutely frivolous lawsuits by prisoners, I would urge support of this bill.

I would, however, caution for the record and for the benefit of the Senate, the Attorney General's Office, and anybody else that the language on pages 18, 19, and 20 trying to restrict lawsuits by prisoners may backfire over time. For better or for worse, one of the key tests for getting into Federal court is the lack of a remedy in State court, and pages 18, 19, and 20 restrict the remedies of State court that prisoners have in nonfrivolous legislation, and it will in all likelihood lead to greater activities by lawyers in Federal courts.

Recently, many of us are aware, there was a very controversial judicial nomination, the nomination of Frederica Massiah-Jackson to the Federal court of Philadelphia. The District Attorneys Association and the Attorney General strongly opposed her nomination, and the strong outcry in regard to the nomination of Frederica Massiah-Jackson showed how important the Federal courts are to local prosecutors throughout the State of Pennsylvania.

This legislation inadvertently, I believe, will strengthen the Federal courts by taking away remedies in State courts. It is going to send a lot more cases to Federal courts and make the Federal courts more important in the area of prisoners' litigation. I would hope the Senate would clean up this language, but I think the bill as a whole is worth supporting, and I would urge a "yes" vote.

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman is correct in that we had amended the SLAPP bill into his bill. I thought it was important that we do that in that his bill deals with frivolous lawsuits of prisoners. And with the fact that the SLAPP amendment deals with frivolous

lawsuits that are brought about — people who merely ask the Department of Environmental Resources to look into a matter of why their homes are being shut up or their land is being degraded, many things — today this will happen. In Bedford where they are screaming about pig farms, they are happening in other places, anytime some big entity that has money wants to scare an individual off, Mr. Speaker, they bring about a charge and they take them to court. I am a little confused in what the difference would be in limiting a person's right to speak out, so—

The SPEAKER. Mr. George?

Mr. GEORGE. Yes, Mr. Speaker?

The SPEAKER. On the question of limiting a person's right to speak up, we are doing concurrence now, so you are limited to the question raised by the Senate in its actions, and you are restricted to speaking on the question of concurring or nonconcurring.

Mr. GEORGE. Mr. Speaker, if I may.

The SPEAKER. Yes. I know you are going to get the best of me—

Mr. GEORGE. No, no, no, I am not, Mr. Speaker.

The SPEAKER. —but I just want to hear how you are going to do it.

Mr. GEORGE. No; my purpose is, Mr. Speaker, that all of us who voted that day sent that bill over, it had amendment A1808 in it, and now they sent it back and it went into Rules. It does not have the amendment in, and I am not going to tax your patience.

The SPEAKER. All right; you got it.

Mr. GEORGE. No, I am not going to do that. I am just going to ask—

The SPEAKER. That would be relevant to nonconcurrence.

### MOTION TO SUSPEND RULES

Mr. GEORGE. Well, then, Mr. Speaker, I suppose you would allow me the opportunity to suspend the rules, and I so move.

The SPEAKER. The gentleman, Mr. George, moves this House to suspend the rules of the House to give him the opportunity to do what?

Mr. GEORGE. To give me the opportunity, along with every other colleague in this House, Mr. Speaker, to do the right thing for the people in Pennsylvania. This is not my bill, it is not a Democratic bill, it is not a Republican bill; it is a bill to protect people.

The SPEAKER. Oh, that is beautiful. In addition to that, do you have something specific in mind? If I may, I am going to borrow that during the upcoming election. But do you have something specific in mind that we want to entertain this motion to suspend the rules for?

Mr. GEORGE. Hopefully, Mr. Speaker, you and I will not have too much trouble in November, but should we have, I am proposing that we take up to suspend the rules so we can again run an amendment where the people will judge the amendment by its merits and its context, that the community banks will not be out running all over these fellows saying, do not vote on this bill—

The SPEAKER. Would that—

Mr. GEORGE. Have I gone too far again?

The SPEAKER. Would that be amendment 1808?

Mr. GEORGE. Yes; it would, Mr. Speaker.

The SPEAKER. That is the information I was looking for. Thank you.

Mr. GEORGE. Thank you.

The SPEAKER. The gentleman, Mr. George, moves this House suspend its rules to permit the immediate consideration of amendment A1808.

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

The SPEAKER. On that issue, the gentleman, Mr. DeWeese, waives his right to debate the question of suspension—Mr. DeWeese, do you waive in favor of Mr. George?

Mr. DeWEESE. The gentleman has indicated that I might make a few observations relative to suspension.

Thank you, Mr. Speaker.

I would quickly aver that we should suspend the rules, and we should suspend the rules primarily for the reasons adumbrated by the gentleman from Clearfield County.

Anti-SLAPP is a comparatively confusing phrase, but to the best of my knowledge, "strategic lawsuits against public participation" is what the SLAPP acronym stands for and what was in the measure that we sent to the Senate. What the gentleman from Clearfield County is trying to do is say that if someone pollutes your land in Butler County, if someone pollutes your land in Warren County, if someone pollutes your land in Lancaster County, and you want to sue, then what he is trying to do is say that the big corporations and their legal armamentarium cannot come quickly into court and frivolously challenge your right to engage them in court, and notwithstanding the idealism of the plaintiff, they might not have the financial wherewithal. So they are saying — "they" being not only the gentleman from Clearfield County, Mr. Speaker, but 179 of us — we want to suspend the rules so that we, those 179 of us who embraced his perspective a few weeks ago, can do it again.

I think the Senate thinks that we are all a bunch of bunny suckers. I cannot fathom why we continue to acquiesce to the Senate. This Delphi warrior from Clearfield is asking for your help. He is asking for a suspension of the rules so that we can say to the conglomerates that are polluting our streams, polluting our fields, polluting our air, that we are going to meet them in court.

Vote with Bud George for a suspension of the rules.

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, Mr. George will have his chance, as he always does, to amend almost every other bill on the calendar to do the SLAPP suits. But I did want to mention that this bill is ready to go to the Governor, and this is dealing with prison lawsuits, and I believe the people of Pennsylvania would like to stop the types of lawsuits that the prisoners are doing in the prisons of Pennsylvania today, such as two would-be transsexuals, both prisoners, sued to force the taxpayers to pay for their sex-change surgery — that was one; the underwear was too tight; one prisoner said he was denied sex and he should have had it because his religion said that he should have it every day; another one sued and said that there were not enough chocolate chips in his chocolate-chip cookies. I know, it is horrendous.

Mr. Speaker, this piece of legislation is ready to go to the Governor. If it is passed here today, it will be signed into law. I do not believe the people of Pennsylvania want this to continue. I am opposing the motion to suspend the rules, Mr. Speaker.

The SPEAKER. On the question, Mr. George.

Mr. Cohen, you and Mr. George cannot be recognized now. This is a limited debate. Mr. DeWeese may be recognized, but it is between the two leaders at this point. Mr. DeWeese did not yield to Mr. George originally.

On the question of suspension, those in favor of suspension will vote "aye"—

### PARLIAMENTARY INQUIRY

The SPEAKER. Ms. Manderino, for what purpose do you rise?

Ms. MANDERINO. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. Would you state it?

Ms. MANDERINO. Yes. I just want to check on the status of this bill. It is my understanding that it was amended in the House Rules Committee, and having been so amended in the House Rules Committee, is my understanding correct that it must go back to the Senate?

The SPEAKER. That is correct.

Ms. MANDERINO. So it is not ready for signature of the Governor on vote of this chamber. Is that correct?

The SPEAKER. That would be correct.

Ms. MANDERINO. Thank you, Mr. Speaker.

Mr. PERZEL. Mr. Speaker, I apologize. I was just told by my staff over here that it was not going to the Governor's desk. But for all the reasons I reiterated here, I would still request a "no" vote.

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

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

The following roll call was recorded:

### YEAS—100

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

NAYS-101

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

NOT VOTING-0

EXCUSED-2

Bebko-Jones      Preston

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

On the question recurring,

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

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

YEAS-199

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

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

NAYS-1

Myers

NOT VOTING-1

Thomas

EXCUSED-2

Bebko-Jones      Preston

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

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

JUDICIARY COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

For an announcement, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. GANNON. Mr. Speaker, upon the recess, the House Judiciary Committee will reconvene today's meeting in the rear of the House.

The SPEAKER. The Chair thanks the gentleman.

RESOLUTIONS

Mr. DeLUCA called up HR 294, PN 2555, entitled:

A Resolution memorializing Congress to enact legislation instituting a plan by which the Environmental Protection Agency would return a portion of fines and penalties levied on municipalities and their agencies for sewerage treatment violations to the municipality and its agency in which the violation occurred.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones      Preston

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

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Mr. CORPORA called up HR 296, PN 2556, entitled:

A Resolution memorializing Congress to authorize a ten-year extension of the Delaware and Lehigh Navigation Canal National Heritage Corridor Act and to authorize continued Federal support for cultural, historical and natural resource policies that will preserve the Delaware and Lehigh Navigation Canal National Heritage Corridor's unique contributions to our national heritage.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0



EXCUSED-2

Bebko-Jones      Preston

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

\* \* \*

Mr. COLAFELLA called up **HR 382, PN 3209**, entitled:

A Resolution memorializing the Attorney General to investigate the tremendous price increases in generic drugs that have been proposed by Mylan Laboratories, Inc., and to coordinate the investigation with the United States Attorney General and the Federal Trade Commission.

On the question,  
Will the House adopt the resolution ?

**MOTION TO RECOMMIT**

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HR 382 be recommitted to the Rules Committee.

Mr. COLAFELLA. Mr. Speaker, point of order.

The SPEAKER. The Chair recognizes the gentleman.

Mr. COLAFELLA. Mr. Speaker, I object to the motion to recommit HR 382 to the Rules Committee.

**MOTION WITHDRAWN**

The SPEAKER. The Chair is advised that the motion is withdrawn to recommit.

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

The SPEAKER. On the question, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, for 3 straight days in early March, three TV stations in the Pittsburgh area reported that Mylan Pharmaceuticals, a Pittsburgh-based company and the largest manufacturer of generic drugs, was raising their drug prices on seven medications 4,300 percent. Let me repeat this: 4,300 percent. Examples of the price increases: Diabinese, a diabetes drug, went for \$40 to \$50 for 1,000 pills. Now the pills will cost the people in Pennsylvania \$300. Chlorazepate – it is a generic equivalent of the anxiety medicine – it went from \$10 to \$375 per thousand pills. This is unbelievable, Mr. Speaker. Our people in western Pennsylvania and all over this State will probably have to do without these drugs, whether it be sugar diabetes drugs or depression drugs.

I am asking for this House to pass this resolution and urge the Attorney General of Pennsylvania along with the Attorney General of the United States and the Federal Trade Commission to investigate this matter. Even a Congressman from California, Pete Stark, sent a letter to the Attorney General outraged over the increase in prices by the Pittsburgh-based manufacturer.

Mr. Speaker, I ask everyone for an affirmative vote on HR 382.

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

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones      Preston

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

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EXCUSED-2

Mr. ALLEN called up HR 388, PN 3265, entitled:

A Resolution memorializing Congress and the Federal Communications Commission to allow state regulatory agencies greater flexibility in undertaking practices aimed at conserving the amount of telephone numbers and exchange codes issued to telephone service providers in an effort to extend the useful lines of current telephone area codes.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

Bebko-Jones Preston

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

RESOLUTION PURSUANT TO RULE 35

Ms. WILLIAMS called up HR 396, PN 3303, entitled:

A Resolution declaring the week of May 2 through 9, 1998, as "Connections for Independent Living Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Ms. SEYFERT called up HR 403, PN 3325, entitled:

A Resolution designating the week of April 19 through 25, 1998, as "Tool and Die Making Week" in Pennsylvania.

On the question, Will the House adopt the resolution?

The SPEAKER. These are all resolutions pursuant to rule 35.

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

The following roll call was recorded:

YEAS-201

Table listing names of members who voted 'YEAS-201' in a 4x4 grid format.

Table listing names of members who voted 'NAYS-0' in a 4x4 grid format.

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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

\* \* \*

Mrs. RUBLEY called up HR 404, PN 3326, entitled:

A Resolution designating the week of April 12 through 18, 1998, as "Local Government Week" in Pennsylvania.

On the question, Will the House adopt the resolution?

The following roll call was recorded:

YEAS-201

Table listing names of members who voted 'YEAS-201' in a 4x4 grid format.

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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

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Mrs. RUBLEY called up HR 405, PN 3327, entitled:

A Resolution declaring the week of April 6 through 10, 1998, as "Public Health Awareness Week" in Pennsylvania.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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

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Mr. HORSEY called up HR 409, PN 3331, entitled:

A Resolution designating April 4, 1998, as "African-American Barristers Day" in Pennsylvania.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-201

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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

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Mr. EVANS called up HR 410, PN 3332, entitled:

A Resolution designating the month of April 1998 as "Fair Housing Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-201

Adolph	Eachus	Maher	Schroder
Allen	Egolf	Maitland	Schuler
Argall	Evans	Major	Scrimenti
Armstrong	Fairchild	Manderino	Semmel
Baker	Fargo	Markosek	Serafini
Bard	Feese	Marsico	Seyfert
Barley	Fichter	Masland	Shaner
Barrar	Fleagle	Mayernik	Smith, B.

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones Preston

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

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Mrs. MILLER called up HR 411, PN 3333, entitled:

A Resolution proclaiming April 19 through 25, 1998, as "Grange Week" and April 27, 1998, as "Grange Day."

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-201

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Bebko-Jones      Preston

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

**RULES COMMITTEE MEETING**

The SPEAKER. The majority leader is recognized and calls for an immediate meeting of the Rules Committee at the majority leader's desk.

**RESOLUTION REPORTED FROM COMMITTEE**

**HR 399, PN 3321**

By Rep. PERZEL

A Resolution amending House Resolution No. 180, adopted June 11, 1997, entitled "A resolution establishing and directing a select committee to assess the adequacy of the Eminent Domain Code," changing the date of the report.

RULES.

**BILL ON CONCURRENCE REPORTED FROM COMMITTEE**

**HB 162, PN 3299**

By Rep. PERZEL

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for eligibility for special early retirement; and further providing for standards of compensation for employees of the Public School Employees' Retirement Board and the State Employees' Retirement Board.

RULES.

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

**HB 778, PN 878**

By Rep. GANNON

An Act mending the act of October 12, 1984 (P.L.964, No.188), referred to as the Philadelphia Quarter Sessions Clerk Fee Law, increasing fees; and providing for additional fees.

JUDICIARY.

**HB 1053, PN 3339 (Amended)**

By Rep. GANNON

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

JUDICIARY.

**HB 1617, PN 3340 (Amended)**

By Rep. GANNON

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

JUDICIARY.

**HB 1686, PN 3341 (Amended)**

By Rep. GANNON

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

JUDICIARY.

HB 2270, PN 3000

By Rep. GANNON

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

JUDICIARY.

SB 420, PN 1859 (Amended)

By Rep. GANNON

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, providing further procedures prior to name change orders.

JUDICIARY.

RULES SUSPENDED

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

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HR 399.

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

The following roll call was recorded:

YEAS-190

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

Dermody	Leh	Ross	Youngblood
DeWeese	Lescovitz	Rubley	Zimmerman
DiGirolamo	Levdansky	Sainato	Zug
Donatucci	Lloyd	Santoni	
Druce	Lucyk	Sather	Ryan, Speaker
Eachus	Maher	Saylor	

NAYS-11

Adolph	Civera	Lynch	Steil
Barrar	Hanna	Micozzie	Tigue
Carone	Lawless	Reber	

NOT VOTING-0

EXCUSED-2

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

SUPPLEMENTAL CALENDAR B

RESOLUTION

Mr. KREBS called up HR 399, PN 3321, entitled:

A Resolution amending House Resolution No. 180, adopted June 11, 1997, entitled "A resolution establishing and directing a select committee to assess the adequacy of the Eminent Domain Code," changing the date of the report.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-201

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

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

NAYS—0

NOT VOTING—0

EXCUSED—2

Bebko-Jones      Preston

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

## SUPPLEMENTAL CALENDAR C

### BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 162, PN 3299**, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for eligibility for special early retirement; and further providing for standards of compensation for employees of the Public School Employees' Retirement Board and the State Employees' Retirement Board.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Stairs.

Mr. STAIRS. Thank you, Mr. Speaker.

Last summer the Education Committee moved out HB 162, and as the members have this on their desks, they see the number of sponsors, so certainly a lot of bipartisan support was exhibited here as sponsors of this very important legislation.

The Senate just recently, after digesting this for a while, certainly made a few minor changes to it, and I would hope that we could concur with those changes. Even though we felt that what we had sent over was an excellent piece of legislation after it was passed unanimously, they made the changes, but we can

agree to those changes, and this will allow our hardworking teachers and State employees to be able to retire after 30 years of service and receive the full pension benefits.

It does narrow the window somewhat, and it will be in effect from when the Governor signs this, hopefully in the next couple of days, until July of 1999.

It is somewhat more restrictive for teachers. They have two windows, at the end of this school year and the end of next school year, but certainly I am thinking that this narrow window of opportunity will maybe make it more conducive to people to want to retire, rather than in the past we would give a longer extension period and maybe not get the benefits that we wish we would have.

Cost saving? Yes, I believe there will be a cost saving. This will enable school districts in particular, and the State also but the school districts in particular, to replace, and I would say, higher priced teachers. Because of the longevity in service, they would have a higher pay scale than, I suspect, a starting teacher. So it would be a cost reduction to our school districts as well as allowing new ideas. We have a lot of young people who are fresh out of college or they are going to be graduating. They are full of energy and new education ideas that they have acquired, and they are eager to start, and also a lot of new technical ideas in technology that maybe the older teachers do not have.

So I think we are going to see a lot of improvements and a lot of bright ideas and a cost saving, so I hope we all could concur and agree to the Senate changes and concur with HB 162. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I would like to join with Representative Stairs in urging concurrence in the Senate amendments to HB 162. He has very accurately and appropriately described the provisions in the legislation. There is some urgency that we do it now. There might be some circumstances where I would argue that we should try to tough it out with the Senate and argue for a more generous window, particularly for teachers, but the urgency is that the end of the school year is approaching, people need to make plans and decisions about the rest of their lives, particularly around these retirement decisions, and our school districts need to begin to factor this in and these retirement decisions into their budget plans for the next fiscal year.

So it is important that we do it now. The legislation is good legislation. It is appropriate. It is timely. I urge a concurrence vote.

The SPEAKER. The gentleman, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Will the gentleman, Mr. Stairs, stand for a brief interrogation?

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

Mr. COY. Thank you, Mr. Speaker.

Just a point of clarification, Mr. Speaker, and that is that the window for public school employees has two separate openings, one this year and one next, during summer months primarily? A clarification on that, Mr. Speaker.

Mr. STAIRS. Yes. Yes; you are correct. There is somewhat of a limited opportunity for public school teachers, and it in essence would be at the end of the school years, both this year and next year, that they would have to do this, and I think it would



begin this year when the Governor signs this until in July. I think July 10 is the day. Then next year would be from April 1 to the 1st of July. So they are somewhat limited, and the idea was not to break up the school year with a teacher working part of the year and then having a substitute and having uniformity for the classroom students.

Mr. COY. So that the effective date of the beginning of the window for this calendar year is when the Governor signs the bill?

Mr. STAIRS. That is correct.

Mr. COY. Thank you.

Mr. STAIRS. And hopefully that is before April 1, as Representative Cowell just indicated.

Mr. COY. Thank you.

On the bill, Mr. Speaker?

The SPEAKER. The gentleman, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

I want to congratulate the individuals who worked out this compromise. Early on in the discussion of this issue, there was talk indeed at one point that the bill was in the form that the window for public school employees would have been during the course of the school year, and like Representative Cowell, I agree that that would have been very disruptive for the school year, it would have been disruptive for school districts, but more than that, it would have been very hard for schoolteachers to be able to plan their futures. I think this bill does much more in regard to that, and I join in urging concurrence.

The SPEAKER. The gentleman, Mr. Allen.

Mr. ALLEN. Thank you, Mr. Speaker.

As the original prime sponsor of the bill, I urge concurrence with the Senate amendments. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS-200

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

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

NAYS-1

Lawless

NOT VOTING-0

EXCUSED-2

Bebko-Jones      Preston

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

Ordered, That the clerk inform the Senate accordingly.

REPORT SUBMITTED

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I simply rise to note the submission of a report for the record.

During the prior session, the House appointed or caused the creation of a select committee of the House Education Committee pursuant to HR 37, and at the end of that session, there was a report filed by the majority members. The minority members of that committee who disagreed with the report did so indicate at that time and since have been concerned that, frankly, the report has been circulated nationally and a lot of people around the country have been led to believe that different things have happened in this State as a result of that report, and so for the record, and again, reiterating the concerns that the minority members of the HR 37 committee articulated at the time – and that was in 1996 – I am submitting for the record and we will have

distributed to every member of the House a copy of a minority report and the addendum. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

(Copy of report is on file with the Chief Clerk.)

### VOTE CORRECTIONS

The SPEAKER. The Chair recognizes the lady from Philadelphia County, Ms. Bishop.

Ms. BISHOP. Thank you, Mr. Speaker.

I wish to correct the record.

On SB 926, final passage, my switch did not register. I wish to be reported in the negative.

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

Ms. BISHOP. Thank you.

The SPEAKER. The gentleman, Mr. Pistella.

Mr. PISTELLA. Thank you, Mr. Speaker.

Also for the purpose of correcting the record.

I am recorded as not having voted on final passage of HB 1347 on Monday, March 30, 1998. I wish to be recorded in the affirmative. Thank you.

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

There will be no further roll-call votes.

### CONSUMER AFFAIRS COMMITTEE MEETING

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

Mr. WOGAN. Thank you, Mr. Speaker.

There will be a meeting of the House Consumer Affairs Committee at 20 minutes past 3 in room 39E.

The SPEAKER. The Chair thanks the gentleman.

Any other announcements before the hall clears?

### JUDICIARY COMMITTEE MEETING

The SPEAKER. There is a meeting of the Judiciary Committee right now in the rear of the hall of the House.

### STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, to remind the members of the State Government Committee meeting tomorrow morning. I believe it is in room 39 or room 40 at 10 a.m. Please remember that meeting; important legislation to consider. Thank you.

The SPEAKER. The Chair thanks the gentleman.

### VOTE CORRECTIONS

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

Mr. ROHRER. Thank you, Mr. Speaker.

I would like to correct the record on a vote, please.

On SB 543 I was recorded in the affirmative. I would like to be in the negative.

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

Mr. ROHRER. Thank you.

The SPEAKER. Further corrections to the record?

Mr. Petrone.

Mr. PETRONE. Thank you, Mr. Speaker.

Mr. Speaker, yesterday on HB 1347, concurrence vote, at 3:36 p.m., I wanted to vote in the affirmative and my switch malfunctioned. I was recorded as not voting, but I want to vote in the affirmative.

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

Mr. PETRONE. Thank you.

### BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

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

HB 1228;

HB 2400;

SB 506;

SB 509; and

SB 512.

On the question,

Will the House agree to the motion?

Motion was agreed to.

### BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

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

HB 1228;

HB 2400;

SB 506;

SB 509; and

SB 512.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILLS SIGNED BY SPEAKER**

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

**HB 162, PN 3299**

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for eligibility for special early retirement; and further providing for standards of compensation for employees of the Public School Employees' Retirement Board and the State Employees' Retirement Board.

**HB 961, PN 3204**

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

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

**HOUSE BILLS  
INTRODUCED AND REFERRED**

**No. 2486** By Representatives STETLER, BELARDI, DEMPSEY, WAUGH, VAN HORNE, L. I. COHEN, TRAVAGLIO, RUBLEY, HANNA, CORRIGAN, JOSEPHS, ORIE, STEIL, MANDERINO, RAMOS, YOUNGBLOOD and C. WILLIAMS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing the use of radar by local police officers who meet certain qualifications.

Referred to Committee on TRANSPORTATION, March 31, 1998.

**No. 2487** By Representatives HUTCHINSON, FORCIER, HENNESSEY, SCHRODER, HALUSKA, BAKER, BENNINGHOFF, BROWNE, CIVERA, CLARK, L. I. COHEN, EGOLF, FLICK, GODSHALL, HARHART, HERSHEY, KIRKLAND, LEDERER, LYNCH, MAHER, ORIE, PIPPY, PISTELLA, RUBLEY, SATHER, SEMMEL, SEYFERT, B. SMITH, D. W. SNYDER, STERN, TANGRETTI, E. Z. TAYLOR, TRUE, WAUGH, C. WILLIAMS and YOUNGBLOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for duty of driver on approach of emergency vehicle.

Referred to Committee on TRANSPORTATION, March 31, 1998.

**No. 2488** By Representatives TANGRETTI, EVANS, PERZEL, J. TAYLOR, KENNEY, STEELMAN, NICKOL, MANDERINO and MELIO

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of the commission.

Referred to Committee on LOCAL GOVERNMENT, March 31, 1998.

**No. 2489** By Representatives BUNT, MAJOR, ARMSTRONG, TRUE, HERSHEY, SEMMEL, MAITLAND and KREBS

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 family farm corporation exemption, for definitions, for acquired company and for excluded transactions.

Referred to Committee on FINANCE, March 31, 1998.

**No. 2490** By Representatives ARMSTRONG, JOSEPHS, KREBS, BATTISTO, ROBINSON, HERSHEY, READSHAW, TRELLO, E. Z. TAYLOR, SHANER, RAMOS, LAUGHLIN, SAYLOR, B. SMITH, CIVERA, ADOLPH, SEYFERT, YOUNGBLOOD, BAKER, NAILOR, EGOLF, M. N. WRIGHT, MAITLAND, MAJOR, WOGAN, STEELMAN, McCALL, STERN, CHADWICK, CLYMER, ZIMMERMAN and SCHULER

An Act providing for bed and breakfast establishment safety regulations.

Referred to Committee on LABOR RELATIONS, March 31, 1998.

**No. 2491** By Representatives CAPPABIANCA, GEIST, OLASZ, BOYES, SCRIMENTI, BEBKO-JONES, TIGUE and CAWLEY

An Act designating a section of the Bay Front Parkway in Erie County, Pennsylvania as the Bernard (Bennie) J. Dombrowski Memorial Highway.

Referred to Committee on TRANSPORTATION, March 31, 1998.

The SPEAKER. The gentleman, Mr. Rohrer.

Mr. ROHRER. Thank you, Mr. Speaker.

Could I make some comments, please, relative to a matter that one of the members mentioned just a few minutes ago? He offered a minority report for the record. Could I offer some remarks on that issue, please? Is that appropriate?

The SPEAKER. Are they the type remarks that we ordinarily would want the other side to be present for to respond to?

Mr. ROHRER. Perhaps.

The SPEAKER. If that is the case, do you think it would be better to wait until we come back? Is that all right?

Mr. ROHRER. If you so desire. I wanted to make sure that I had something relative to the comments being entered on the record at the close of the day here.

The SPEAKER. It is my understanding that you would like to call to the attention of the House that the report that is being

submitted is a report that is a consequence of work that took place in a prior session of the legislature.

Mr. ROHRER. That is correct.

The SPEAKER. I have now put that on the record, and I suggest that, if you like, you bring that up at the next session date when Mr. Cowell is here—

Mr. ROHRER. That is fine.

The SPEAKER. —and you can discuss it.

Mr. ROHRER. Okay. That is fine. I appreciate it.

The SPEAKER. Now it is on the record for whatever purpose it serves in the interval.

Mr. ROHRER. I appreciate it. Thank you, Mr. Speaker.

#### STATEMENT BY DEMOCRATIC LEADER

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

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

I would just like to politely request that the majority party and the executive branch strongly consider taking up campaign finance reform when we come back from our Easter break. It is a paramount issue not only in our Commonwealth but across the United States. We have not heard enough, in my view, from Governor Ridge and the executive branch, and I would like to politely admonish the people in the administration to be helpful with Representative Levdansky, myself, and others, who will be considering a variety of proposals on campaign finance reform after the Easter break. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

**HB 1472, PN 1764** By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the possession of tobacco.

JUDICIARY.

**HB 1897, PN 3348 (Amended)** By Rep. GANNON

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

JUDICIARY.

**HB 2414, PN 3349 (Amended)** By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for selling or furnishing liquor or malt or brewed beverages to minors.

JUDICIARY.

#### BILLS AND RESOLUTION PASSED OVER

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

#### ADJOURNMENT

The SPEAKER. Do the Republican leaders have any further business? Do the Democratic leaders have any further business? Any further reports? Any corrections of the record?

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

Mr. DeWEESE. Mr. Speaker, I move that this House do now adjourn until Monday, April 20, 1998, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:58 p.m., e.d.t., the House adjourned.