

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MARCH 10, 1999

SESSION OF 1999

183D OF THE GENERAL ASSEMBLY

No. 15

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. CROFT M. PENTZ, Chaplain of the House of Representatives and pastor of senior adult and outreach ministries, Calvary Assembly of God, Waynesboro, Pennsylvania, offered the following prayer:

On Monday I did a prayer in sign language. In sign language this is the sign for government, where all the thinking takes place. Of course, when deaf people do not have a nice thought of government, they have a little different sign. And of course, the sign for Republican is the elephant; for the Democrats it is a donkey. It is quite interesting, the same sign for Democrat is the same sign they use for being stubborn. I am sure that was invented by a Republican.

Let us pray:

God, we approach You with thankful and grateful hearts. We thank You for another day You have given us to help and serve others.

Today we are reminded of King David's prayer: "But you desire honesty from the heart, so you can teach me to be wise in my inmost being."

We ask that those in this chamber may never stray from integrity, principle, or high moral ethics. Though these leaders were elected by the people they serve, may they also realize it was You who placed them in this place of leadership.

Lord, give each one gathered here wisdom and understanding. Give them a clear and reasonable mind. May they put aside the interest of their own party, having concern and compassion for all the people within the Commonwealth.

May those within this chamber be aware of the needs of those whom they serve. Often those that are least vocal are the most needy. May these needs be recognized and met.

Be with all serving in places of leadership nationally, statewide, as well as those in leadership in local areas.

God, we thank You for Your concern and compassion toward our needs. Sometimes these needs seem to overwhelm us, but You have given us the wherewithal and wisdom to meet these needs.

We thank You, God, for Your help and guidance and goodness in advance. In Your holy name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Tuesday, March 9, 1999, will be postponed until printed. The Chair hears no objection.

LEAVES OF ABSENCE

The SPEAKER. The Chair turns to leaves of absence and recognizes the majority whip, who requests a leave for the gentleman, Mr. McILHINNEY, of Bucks County; Mr. MASLAND of Cumberland County; Mr. REINARD of Bucks County; and Mr. SCHULER of Lancaster County. Without objection, the leaves will be granted. The Chair hears no objections.

The Chair recognizes the minority whip, who requests a leave of absence for the gentleman from Philadelphia, Mr. RAMOS; the gentleman from Philadelphia, Mr. EVANS. Mr. Daley continues on leave for the week. Without objection, the leaves will be granted. The Chair hears no objections. The leaves are granted.

ACTUARIAL NOTES

The SPEAKER. The Chair announces to the members that it has received an actuarial note for HB 164, PN 152; an actuarial note for HB 166, PN 154; HB 275, PN 597; and an actuarial note for HB 190, PN 178.

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

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is pleased to welcome to the hall of the House a former member of this House, Ron Goebel, here today with his son, Don, as the guests of the gentleman, Mr. Mayernik. Ron, please stand up. Some of the older members recognize him. Welcome back to Harrisburg.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair turns to today's tabled bill calendar and recognizes the majority leader.

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

HB 10;
HB 76;
HB 157; and
HB 164.

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 10;
HB 76;
HB 157; and
HB 164.

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

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

Adolph	Fairchild	Major	Schroder
Allen	Fargo	Manderino	Scrimenti
Argall	Feece	Mann	Semmel
Armstrong	Fichter	Markosek	Serafini
Baker	Fleagle	Marsico	Seyfert
Bard	Flick	Mayernik	Shaner
Barley	Forcier	McCall	Smith, B.
Barrar	Frankel	McGeehan	Smith, S. H.
Bastian	Freeman	McGill	Snyder
Battisto	Gannon	McIlhattan	Solobay
Bebko-Jones	Geist	McNaughton	Staback
Belardi	George	Melio	Stairs
Belfanti	Gigliotti	Metcalfe	Steelman
Benninghoff	Gladeck	Michlovic	Steil
Birmelin	Godshall	Micozzie	Stern
Bishop	Gordner	Miller, R.	Stetler
Blaum	Grucela	Miller, S.	Stevenson
Boyes	Gruitza	Mundy	Strittmatter
Browne	Habay	Myers	Sturla
Burt	Haluska	Nailor	Surra
Butkovitz	Hanna	Nickol	Tangretti
Buxton	Harhai	O'Brien	Taylor, E. Z.
Caltagirone	Harhart	Oliver	Taylor, J.
Cappabianca	Hasay	Orie	Thomas
Carn	Hennessey	Perzel	Tigue
Casorio	Herman	Pesci	Travaglio
Cawley	Hershey	Petrarca	Trello
Chadwick	Hess	Petrone	Trich
Civera	Horsey	Phillips	True
Clark	Hutchinson	Pippy	Tulli
Clymer	Jadlowiec	Pistella	Vance
Cohen, L. I.	James	Plats	Van Horne
Cohen, M.	Josephs	Preston	Veon
Colafella	Kaiser	Raymond	Vitali
Cornell	Keller	Readshaw	Walko
Corrigan	Kenney	Rieger	Washington

Costa	Kirkland	Roberts	Williams
Coy	Krebs	Robinson	Wilt
Curry	LaGrotta	Roebuck	Wogan
Dailey	Laughlin	Rohrer	Wojnaroski
Daly	Lawless	Rooney	Wright
DeLuca	Lederer	Ross	Yewcic
Dempsey	Leh	Rublely	Youngblood
Dermody	Lescovitz	Ruffing	Yudichak
DeWeese	Levdansky	Sainato	Zimmerman
DiGirolamo	Lucyk	Samuelson	Zug
Donatucci	Lynch	Santoni	
Druce	Maher	Sather	Ryan,
Eachus	Maitland	Saylor	Speaker
Egolf			

ADDITIONS—0

NOT VOTING—0

EXCUSED—7

Daley	Masland	Ramos	Schuler
Evans	McIlhinney	Reinard	

LEAVES ADDED—2

Flick	Jadlowiec
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LEAVES CANCELED—1

Schuler

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of
the House today, seated to the left of the Speaker, as the guests of
Representative Colafella, Larry Ferrigno and Marlene Ferrigno.
Would the guests please rise.

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 319, PN
326**, entitled:

An Act requiring public hearings before closing State mental health
or mental retardation facilities.

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?

On the question of final passage, the Chair recognizes the
gentleman, Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.
HB 319, as many people may know, is a change from HB 2261
that this chamber passed unanimously last year. The Senate also

passed HB 2261. However, the Governor vetoed it, and what this is is a compromise between the Governor's veto and the House and the HR 187 task force and also members of the Senate.

I would like to thank the Governor and his staff, the Senate members who are interested in this issue, and especially the House members who have stuck with a lot of these issues, but basically, what this will do is require the Department of Public Welfare to hold hearings in the area—

The SPEAKER. Will the gentleman yield.

Sergeant at Arms, clear the area in back of the rail. Members, please hold your conferences in the other room. We have rooms provided for conferencing.

Mr. Fairchild.

Mr. FAIRCHILD. Thank you, Mr. Speaker.

This measure will require the Department of Public Welfare to hold public hearings within 30 days of an announcement or any decision that would close or transfer control of a State mental health or mental retardation facility or allow a resident/patient census reduction or staff complement reduction of 20 percent at a facility.

I know there are some others that may want to make some brief comments, but again, I would like to thank all the members of the House, especially those that are interested in these types of issues. They become complex; they are emotional, and this measure hopefully will guarantee that individuals, family members, the community will all be made aware of what is happening in their communities and with their loved ones. Thank you very much, Mr. Speaker.

The SPEAKER. The gentleman from Venango, Mr. Hutchinson.

Mr. HUTCHINSON. Thank you, Mr. Speaker.

I, too, rise in support of HB 319.

I first want to commend Representative Fairchild for his diligence and hard work on this issue.

I think the main thing we have to keep in mind as legislators, as public policymakers of Pennsylvania, is that we have to make sure that when a State agency is making a decision that affects the lives of many individuals, that both those who live in the community surrounding an institution, those who are living in the institutions, those who are employed by the institutions, it only makes sense that when such grave decisions are being made, that all those parties have a chance to be involved in the process, in the decisionmaking process, to have their voices heard, to have a formal way that their comments and their input can become part of that decisionmaking process, and that is why I think it is very important that we pass HB 319, and I ask for your support today. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Mr. Markosek.

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

Mr. Speaker, I also rise in support of HB 319, of which I am a cosponsor.

As mentioned, the special task force on mental retardation last session and again to be formed this session held many hearings throughout the State and garnered quite a bit of information regarding the way we in Pennsylvania treat perhaps the most helpless of all of our constituents — the mentally retarded.

We found many flaws in the way that the department manages that system. We found many areas for improvement, and one of the

very simplest things I think we can do is demand that when the department is thinking about modifying or closing an institution that so many of these people rely on, that we would at least, at minimum, have a public hearing.

It almost seems very difficult to imagine in this day and age, in this body, in this legislature, where we have public hearings on almost everything, that we would not allow for a public hearing when we are closing an institution. In some cases people have lived there almost all of their lives and are senior citizens and are literally being thrown out and put into less desirable situations in many cases, and in many cases, without much preknowledge, foresight ahead for the families and the guardians of these people. So I think this legislation is really just a minimum — just a minimum — of what we can do and should be doing for the mentally retarded population in the Commonwealth of Pennsylvania.

I hope this is just a start of the many positive things that we as a legislature can do for these citizens of Pennsylvania that really, in many ways, are the most helpless of all, particularly those that are aged, and their guardians, their families, have died off and they have lost their support system, and I think it is very critical that we consider ourselves the support system for many of these people throughout the Commonwealth.

So with that, I urge a "yes" vote on this, and I would like to thank the gentleman, Mr. Fairchild, for all of his very hard work on this issue. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bucks County, Mr. Corrigan.

Mr. CORRIGAN. Thank you, Mr. Speaker.

I, too, would like to support HB 319 and just comment on the efforts of Representative Fairchild.

Russ Fairchild has been swimming upstream for many years, you know, tackling this issue head-on. I have been in meetings with him where he has gone head to head with members of the administration and some of the bureaucrats in Harrisburg.

The effort that he has made on behalf of MH/MR (mental health/mental retardation) in Pennsylvania is herculean. And, Mr. Speaker, I want to say thank you very much, because there are a number of people in my district who are very much involved and who have children and parents in these kinds of situations and they do appreciate all that you have done over the years. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, I also rise in support of HB 319 and likewise would like to commend Representative Fairchild for leading the role, taking the leading role in this issue.

Mr. Speaker, in the 1991-92 legislative session—

The SPEAKER. Will the gentleman yield.

Conferences on the floor, please break up.

The gentleman may proceed.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, this House as well as the Senate adopted a similar measure during the 1991-92 legislative session. That measure, however, dealt with the closure of State general hospitals. The measure passed overwhelmingly in both chambers where subsequently the bill was vetoed by Governor Casey, and this

House overrode that veto and the veto override failed in the State Senate by one vote.

However, Mr. Speaker, this is a much more important issue. The argument used by the administration some 8 years ago was that there were plenty of general hospitals available to the public at large, so the State should be out of the general hospital business.

And while I certainly appreciate the support I received by my colleagues, who are still here, some 8 years ago, this issue far transcends that one and is far more important, because we do not have in this Commonwealth an infrastructure out there in place to accommodate some of Pennsylvania's most needy citizens. Someone who is suffering a lifelong mental illness or mental incapacity really does not have the ability to adjust and to mainstream and to find another accommodation, if you will, if the Commonwealth arbitrarily and unilaterally closes mental institutions, and I, for one, believe that as many people with mental deficiencies as possible should be mainstreamed. We should not be in the business of incarcerating people who are mentally ill or mentally challenged.

However, having Danville State Hospital in my legislative district and being very familiar with Laurelton and some of the other facilities, we know that there are many, many patients and many, many patients' families who know that the only secure, the only logical, the only charitable place where certain individuals should remain for their sakes and the sakes of their family are where they are receiving the best of care, and that is in the few remaining State mental hospitals.

So I, like my other colleagues who have spoken immediately prior, believe that a public hearing which would require the Department of Public Welfare to ensure that the community at large or the families affected have a way to place these individuals so that they will receive loving care and will have a place to go and will not be unsupervised and unmedicated and cause themselves or others some danger because of their release from an institution, that a public hearing is the very least that we ought to require of the Department of Public Welfare.

So I would like again to applaud Representative Fairchild and urge my colleagues to support this measure, unanimously if possible. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mrs. TAYLOR. Thank you, Mr. Speaker.

I rise in support of HB 319, and I, too, wish to commend Representative Fairchild and the task force for the work that they have done in this area.

Over the past 20 years there has been certainly a progressive and probably a much-needed way of treating those that heretofore had been institutionalized, but let us remember that 20 years ago families had to make wrenching, heartbreaking decisions to put a loved one into one of these State institutions, and over the years that person has lived under those conditions. Those families that made that decision, parents grew older and, as someone said before, no longer do those people have the support that they once did. I think the least that we can do is certainly put this bill into effect and respond to the needs of families who need to know when a closure may be in effect. I come from an area where Pennhurst was closed, and I have dealt over the years with all the problems that that presents.

So I heartily endorse the passage of HB 319 and again commend Representative Fairchild. Thank you.

The SPEAKER. The gentleman from Bucks, Mr. DiGirolamo. Mr. DiGIROLAMO. Thank you, Mr. Speaker.

I also rise in support of HB 319.

Mr. Speaker, my first year in the legislature, 4 years ago, I had the opportunity to have a mental health facility close in my district, and at that time it was a very confusing, a very chaotic time, not only for the patients who were at the facility but also for the staff and many of the residents in the surrounding area. If we would have had the opportunity and HB 319 would have been in place at that time, we would have had the opportunity to talk about this, hold a public hearing, and it would have been very beneficial.

I urge my colleagues to vote affirmative on this bill, and I commend the gentleman, Representative Fairchild, for taking the lead. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne County, Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

As a member of the mental retardation task force, I also rise to support HB 319 and the work of our chairman, Russ Fairchild.

In a time when many of us get sidetracked by partisan issues, this task force and the leadership of Representative Fairchild has focused on real issues affecting real lives of people in our State mental health and mental retardation centers. That work has been productive; the findings have been meaningful; and I really believe that it is because of the work, uncompromising work, on behalf of the citizens who reside in those facilities that we have come up with a bill that is moderate, that allows certain standards for any closures that people in communities, residents of those facilities, families of those residents, have some projection of what the lives are going to look like of their loved ones who are in these facilities.

Again, I support HB 319 and applaud Russ Fairchild and our task force for the work that we have done. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny County, Mr. Preston.

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

I think that HB 319 is long overdue. I guess having served under three different Governors I have watched what I call all three Governors, because of cost, force people out on the street. Even during the current budget hearings when I asked the Secretary of Welfare, has she received any notification or direction from the Governor's Office directing her to reduce or reassess the State mental institutions, I did not get an answer, and I think it is wrong for us sometimes to use those individuals as a cost-reduction measure for the State budget. It should be our responsibility to be able to do the right thing. I think that this bill will help prohibit some of these cost-saving measures that we have done by putting people who are still out there without all the proper care and without the proper evaluation.

I am encouraging the members to be able to vote for this. It is the time; it is the right place; it is time to get it on. Thank you very much.

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.

The following roll call was recorded:

YEAS—194

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

NAYS—1

Kenney

NOT VOTING—0

EXCUSED—7

Daley	Masland	Ramos	Schuler
Evans	McIlhinney	Reinard	

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

RESOLUTION PURSUANT TO RULE 35

Mr. READSHAW called up HR 57, PN 796, entitled:

A Resolution commemorating the 177th anniversary of the birth of Brevet Major General Samuel Kurtz Zook.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—193

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

NAYS—0

NOT VOTING—2

Browne Colafella

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

EXCUSED—7

Daley	Masland	Ramos	Schuler
Evans	McIlhinney	Reinard	

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 394 be removed from the table.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. PERZEL. Mr. Speaker, I move that HB 394 be recommitted to the Committee on Appropriations.

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

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Julie Harhart, Mr. Gary Birks, a legislative aide in her district office, and Mr. Alan Boyer. Would these folks please rise.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2 By Representatives FLICK, TIGUE, BARRAR, HENNESSEY, BATTISTO, L. I. COHEN, DEMPSEY, FAIRCHILD, FARGO, FLEAGLE, GEIST, HERSHEY, MAITLAND, MARSICO, NAILOR, PHILLIPS, RAMOS, READSHAW, ROBINSON, ROSS, RUBLEY, SEYFERT, SNYDER, SOLOBAY, STURLA, E. Z. TAYLOR, TULLI, VAN HORNE, WOJNAROSKI, YOUNGBLOOD and ZUG

An Act establishing a unified workforce investment system; restructuring certain administrative functions, procedures and entities; transferring workforce development functions of Commonwealth agencies; establishing the Pennsylvania Human Resources Investment Council; and authorizing local workforce investment boards.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, March 10, 1999.

No. 757 By Representatives PESCI, L. I. COHEN, READSHAW, GEORGE, HARHAI, LAUGHLIN, WOJNAROSKI, SHANER, GIGLIOTTI, PETRARCA, CORRIGAN, TRAVAGLIO, HALUSKA, SEYFERT, ROBERTS,

WASHINGTON, WILLIAMS, STABACK, MAHER, YOUNGBLOOD, SAINATO, TRELLO, RUFFING, PRESTON, GRUCELA, M. COHEN, HENNESSEY, PISTELLA and HORSEY

An Act amending the act of June 28, 1995 (P.L.89, No.18), known as the Conservation and Natural Resources Act, providing for the issuance of the Keystone Card.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 10, 1999.

No. 804 By Representatives GODSHALL, NAILOR, ORIE, PRESTON, ROSS, SERAFINI and STABACK

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for deposits in the Judicial Computer System Augmentation Account.

Referred to Committee on JUDICIARY, March 10, 1999.

No. 805 By Representatives GODSHALL, COLAFELLA, HERSHEY, ORIE, PLATTS, PRESTON, ROSS and TIGUE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for passenger restraint systems.

Referred to Committee on TRANSPORTATION, March 10, 1999.

No. 806 By Representatives GODSHALL, ORIE, PLATTS, PRESTON, SERAFINI, STABACK, STURLA and TIGUE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for restraint systems.

Referred to Committee on TRANSPORTATION, March 10, 1999.

No. 807 By Representatives GODSHALL, BUNT, DALEY, DALLY, McNAUGHTON, SEYFERT, TRELLO and WOGAN

An Act amending the act of February 19, 1980 (P.L.15, No.9), known as the Real Estate Licensing and Registration Act, providing for licensee advertisements.

Referred to Committee on PROFESSIONAL LICENSURE, March 10, 1999.

No. 808 By Representatives BEBKO-JONES, CURRY, BARD, YEWIC, MANN, SCRIMENTI, STURLA, M. COHEN, WALKO, LEDERER, BISHOP, SHANER, LEVDANSKY, SAINATO, WASHINGTON, VAN HORNE, KIRKLAND, BROWNE, CIVERA, PETRONE, TRELLO, HALUSKA, JOSEPHS, DeWEESE, L. I. COHEN, ROBINSON, GRUITZA, RAMOS, MELIO, STABACK, MICHLOVIC, J. TAYLOR, VEON, HORSEY, STEELMAN, FRANKEL, YOUNGBLOOD, WILLIAMS, BELARDI, THOMAS, OLIVER, MYERS, MUNDY, READSHAW, ORIE, CAPPABIANCA, PETRARCA, WOJNAROSKI, BUXTON, TANGRETTI, MANDERINO, DALEY, TRICH, CARN, DERMODY, LAUGHLIN, ROEBUCK, RUFFING and PRESTON

An Act establishing the Job Opportunities in Basic Services (JOBS) Program; and providing for duties of Secretary of Public Welfare, for eligibility for program, for compensation, for supervisors, for prohibited activities, for annual report, for local JOBS Program incubator, for regulations, for expenditure of funds and for funding.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 10, 1999.

No. 809 By Representatives GIGLIOTTI, S. H. SMITH, READSHAW, STABACK, TRELLO, TIGUE, LAUGHLIN, SHANER, STERN, HARHAI, DeLUCA, McCALL, MANDERINO, SAYLOR, MELIO and WOJNAROSKI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentence of partial confinement and for sentence of total confinement.

Referred to Committee on JUDICIARY, March 10, 1999.

No. 810 By Representatives GIGLIOTTI, MARKOSEK, VAN HORNE, DeLUCA, MELIO, PRESTON, PISTELLA, WOJNAROSKI, PESCI, HALUSKA, HARHAI, WALKO and TRELLO

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the number of retail licenses to be used in each municipality.

Referred to Committee on LIQUOR CONTROL, March 10, 1999.

No. 811 By Representatives GIGLIOTTI, BELFANTI, DeLUCA, TRAVAGLIO, MELIO, BELARDI, PRESTON, VAN HORNE, STABACK, SURRA, STURLA, LEVDANSKY, WOJNAROSKI, HORSEY, PESCI, LAUGHLIN, JAMES, HALUSKA, HARHAI, SHANER, WALKO, COLAFELLA, CASORIO, TRELLO and LaGROTTA

An Act regulating and requiring the licensure of construction contractors; establishing the Construction Contractor Licensing Board; establishing the Construction Contractor Licensing Board Fund; imposing penalties; and making an appropriation.

Referred to Committee on PROFESSIONAL LICENSURE, March 10, 1999.

No. 812 By Representatives SCHULER, CAPPABIANCA, CAWLEY, RUBLEY, BAKER, SEYFERT, TIGUE, GEIST, KIRKLAND, CLARK, PESCI and WILLIAMS

An Act providing for a designated percentage of tobacco litigation master settlement agreement funds to be utilized for home and community-based long-term care services; establishing the Tobacco Settlement - Long-Term Care Fund.

Referred to Committee on APPROPRIATIONS, March 10, 1999.

No. 813 By Representatives STURLA, MANDERINO, STABACK, M. COHEN, YOUNGBLOOD, GEORGE, TRICH, HORSEY, SAYLOR, STEELMAN, THOMAS, TIGUE, MELIO, HENNESSEY, SANTONI, DeWEESE, COY, LEVDANSKY,

BUXTON, WOJNAROSKI, LAUGHLIN, BELFANTI, BEBKO-JONES, WILLIAMS, HERMAN, SOLOBAY, ARMSTRONG, ARGALL, TRELLO, CARN, JAMES, DALEY, READSHAW, RAMOS, CURRY, PRESTON, BARRAR, BELARDI, HARHAI, MICHLOVIC, BAKER, BROWNE, PETRARCA, WASHINGTON, JOSEPHS, BARD and L. I. COHEN

An Act establishing the Day-care Facilities Loan and Loan Guarantee Fund; providing for terms and conditions of loans and for a penalty; and making an appropriation.

Referred to Committee on AGING AND YOUTH, March 10, 1999.

No. 814 By Representatives GRUCELA, FREEMAN, MARKOSEK, SERAFINI, TANGRETTI, GEORGE, STEELMAN, HORSEY, MUNDY, DeLUCA, LAUGHLIN, YOUNGBLOOD, McNAUGHTON, LEVDANSKY, McCALL, MELIO, JOSEPHS, M. COHEN, WILLIAMS, YUDICHAK, TRELLO, RUFFING, SOLOBAY, COSTA and ROONEY

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, adding definitions; and further providing for submission of plans and permits, for permits and licenses required, for granting of permits and licenses and for bonds.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 10, 1999.

No. 815 By Representatives GRUCELA, M. COHEN, DALLY, ROONEY, FREEMAN, MARKOSEK, TANGRETTI, GEORGE, STEELMAN, HORSEY, MUNDY, DeLUCA, LAUGHLIN, YOUNGBLOOD, McNAUGHTON, LEVDANSKY, McCALL, SURRA, JOSEPHS, WILLIAMS, YUDICHAK, STETLER, TRELLO, SOLOBAY, RUFFING and COSTA

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for powers and duties of the Department of Health and for host municipality benefit fee; authorizing an affected municipality benefit fee; further providing for unlawful conduct; and making editorial changes.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 10, 1999.

No. 816 By Representatives GRUCELA, M. COHEN, FREEMAN, BATTISTO, MARKOSEK, TIGUE, SERAFINI, TANGRETTI, GEORGE, HORSEY, MUNDY, DeLUCA, LAUGHLIN, YOUNGBLOOD, McNAUGHTON, LEVDANSKY, McCALL, MELIO, SURRA, JOSEPHS, WILLIAMS, YUDICHAK, STETLER, TRELLO, RUFFING, SOLOBAY, COSTA and ROONEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for penalties for exceeding maximum weights.

Referred to Committee on TRANSPORTATION, March 10, 1999.

No. 817 By Representatives GRUCELA, ROONEY, M. COHEN, FREEMAN, BATTISTO, MARKOSEK, SERAFINI, TANGRETTI, GEORGE, HORSEY, DeLUCA, LAUGHLIN, McNAUGHTON, HARHAI, LEVDANSKY, McCALL, SURRA, JOSEPHS, WILLIAMS, YUDICHAK, TRELLO, RUFFING, SOLOBAY and COSTA

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, providing for municipal waste transportation fees.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 10, 1999.

No. 818 By Representatives EACHUS, MUNDY, RUFFING, YUDICHAK, COY, WOJNAROSKI, SOLOBAY, GEORGE, GIGLIOTTI, SHANER, ORIE, DONATUCCI, CALTAGIRONE, VAN HORNE, CORRIGAN, SEYFERT, GORDNER, McCALL, HALUSKA, SCRIMENTI, GRUCELA, TRAVAGLIO, ROBERTS, JOSEPHS, CASORIO, STABACK, MANDERINO, STEELMAN, SANTONI, LEVDANSKY, WILLIAMS, PESCI, TIGUE, READSHAW, SURRA, DALEY, DeWEESE, LAUGHLIN, BEBKO-JONES, HARHAI, L. I. COHEN, CAPPABIANCA, SAINATO, TRELLO, BELFANTI, M. COHEN, FREEMAN, CURRY, PRESTON, SERAFINI, MELIO, WALKO, TANGRETTI, KENNEY, MANN, DeLUCA, PISTELLA, ROONEY, JAMES, PLATTS, TRICH, BARD, BLAUM, STETLER, BARRAR, MICHLOVIC and HORSEY

An Act amending the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, amending certain definitions and deleting provisions relating to PACENET and certain deductibles.

Referred to Committee on FINANCE, March 10, 1999.

No. 819 By Representatives PHILLIPS, DEMPSEY, ORIE, STABACK, SURRA, E. Z. TAYLOR, RUBLEY, DALEY, TIGUE, READSHAW, SEYFERT, ROSS and WILLIAMS

An Act amending the act of April 27, 1927 (P.L.465, No.299), referred to as the Fire and Panic Act, further providing for school tobacco control.

Referred to Committee on EDUCATION, March 10, 1999.

No. 820 By Representatives PHILLIPS, ALLEN, SURRA, ORIE, READSHAW, FORCIER, SATHER, STERN, HERSHEY, SHANER, LAUGHLIN, HENNESSEY, FARGO, YOUNGBLOOD, BAKER, ROHRER and HESS

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for license costs and fees.

Referred to Committee on GAME AND FISHERIES, March 10, 1999.

No. 821 By Representatives PHILLIPS, GEORGE, ZIMMERMAN, ALLEN, STABACK, SATHER, YOUNGBLOOD, LAUGHLIN, SHANER, HERSHEY, FAIRCHILD, HARHAI, SEMMEL, THOMAS and E. Z. TAYLOR

An Act restricting fees an ambulance service may charge for certain services.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 10, 1999.

No. 822 By Representatives PHILLIPS, BELFANTI, YOUNGBLOOD, LYNCH, ALLEN, WILT, FAIRCHILD, GEORGE, E. Z. TAYLOR, STERN, ORIE, HERSHEY, SAYLOR, GEIST, SEYFERT, CIVERA and ROHRER

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for resident status for hunting or furtaking licenses.

Referred to Committee on GAME AND FISHERIES, March 10, 1999.

No. 823 By Representatives PHILLIPS, E. Z. TAYLOR, FAIRCHILD, BELARDI, ORIE, STERN, FORCIER, PRESTON, LYNCH, DALEY, SEYFERT and MARKOSEK

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, requiring the Auditor General to perform certain audits of library funds.

Referred to Committee on EDUCATION, March 10, 1999.

No. 824 By Representatives PHILLIPS, GEIST, STABACK, BARRAR, WILT, TRELLO, E. Z. TAYLOR, HARHAI and SAYLOR

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

Referred to Committee on TRANSPORTATION, March 10, 1999.

No. 825 By Representatives READSHAW, MICOZZIE, ADOLPH, DeLUCA, CIVERA, FICHTER, GODSHALL, NICKOL, SATHER, DEMPSEY, GLADECK, REINARD, GANNON, TANGRETTI, CHADWICK, BELFANTI, CLARK, COLAFELLA, CORRIGAN, DALEY, FRANKEL, HALUSKA, HARHAI, KAISER, LAUGHLIN, MARKOSEK, MAYERNIK, McCALL, ORIE, PETRARCA, PRESTON, RAMOS, RUFFING, SAINATO, SEYFERT, SHANER, STEVENSON, TRELLO, VAN HORNE, WALKO, WOGAN, WOJNAROSKI and YOUNGBLOOD

An Act regulating certain transfers of structured settlement payments.

Referred to Committee on JUDICIARY, March 10, 1999.

No. 826 By Representatives NICKOL, PLATTS and MAITLAND

An Act designating a portion of State Route 24 in York County as the 24th Infantry Division Association Highway.

Referred to Committee on TRANSPORTATION, March 10, 1999.

No. 827 By Representatives RAYMOND, ALLEN, BELARDI, CIVERA, L. I. COHEN, CURRY, DeLUCA, GEIST, GIGLIOTTI, GRUCELA, HARHAI, HENNESSEY, HORSEY, KAISER, KENNEY, LAUGHLIN, PESCI, PISTELLA, RAMOS, SCHRODER, SERAFINI, STABACK, E. Z. TAYLOR, THOMAS, TRELLO and YOUNGBLOOD

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for assistance to an exceptional child during transportation.

Referred to Committee on EDUCATION, March 10, 1999.

No. 828 By Representatives RAYMOND, BELARDI, CIVERA, L. I. COHEN, GEIST, GIGLIOTTI, HARHAI, HENNESSEY, KENNEY, LAUGHLIN, MAHER, NAILOR, PESCI, PISTELLA, ROSS, RUBLEY, SEYFERT and TRELLO

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding from the sales and use tax the sale or transfer of ownership rights of an animal by nonprofit kennels.

Referred to Committee on FINANCE, March 10, 1999.

No. 829 By Representatives RAYMOND, BELARDI, CIVERA, L. I. COHEN, GEIST, GIGLIOTTI, HARHAI, HENNESSEY, KENNEY, LAUGHLIN, MAHER, NAILOR, PESCI, PISTELLA, ROSS, RUBLEY, SEYFERT and TRELLO

An Act providing for governmentwide computer security and for the training in security matters of persons who are involved in the management, operation and use of State computers and State computer systems.

Referred to Committee on STATE GOVERNMENT, March 10, 1999.

No. 830 By Representatives RAYMOND, ALLEN, BELARDI, CIVERA, GANNON, GEIST, GIGLIOTTI, HARHAI, KENNEY, LAUGHLIN, PESCI, SCHULER, SERAFINI, SEYFERT, J. TAYLOR and TRELLO

An Act providing for the rights of law enforcement officers concerning certain complaints and grievances.

Referred to Committee on JUDICIARY, March 10, 1999.

No. 831 By Representatives RAYMOND, BAKER, CIVERA, CLARK, L. I. COHEN, COLAFELLA, DeLUCA, GEIST, GIGLIOTTI, HARHAI, HENNESSEY, KENNEY, LAUGHLIN, MAHER, PESCI, ROSS, RUBLEY, SATHER, SCHRODER, SERAFINI, SEYFERT, STABACK, STERN, E. Z. TAYLOR, TRELLO and TULLI

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, exempting qualified civic groups from payment of sales tax.

Referred to Committee on FINANCE, March 10, 1999.

No. 832 By Representatives S. H. SMITH, RUBLEY, TRUE, BAKER, BARD, BARRAR, BELARDI, CLARK, CORRIGAN, DALEY, EGOLF, HENNESSEY, KAISER, HARHAI,

LEDERER, MICOZZIE, S. MILLER, READSHAW, SOLOBAY, MANN, SEYFERT, SHANER, E. Z. TAYLOR, THOMAS, TRELLO and ROSS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving under influence of alcohol or controlled substance.

Referred to Committee on TRANSPORTATION, March 10, 1999.

No. 833 By Representatives SAYLOR, BUNT, SEMMEL, HERSHEY, COY, ARMSTRONG, BARRAR, BENNINGHOFF, BRÖWNE, L. I. COHEN, FORCIER, GIGLIOTTI, GODSHALL, HENNESSEY, HERMAN, JADLOWIEC, LAUGHLIN, MAHER, MARSICO, McCALL, McILHINNEY, MICOZZIE, NAILOR, NICKOL, PESCI, PETRARCA, PLATTS, READSHAW, ROSS, SAINATO, SEYFERT, SHANER, STERN, TULLI, WALKO, WILT and YOUNGBLOOD

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for tax exemption; and further defining "net profits."

Referred to Committee on LOCAL GOVERNMENT, March 10, 1999.

No. 834 By Representatives SAYLOR, DEMPSEY, FAIRCHILD, MASLAND, NAILOR, ARMSTRONG, BARRAR, FORCIER, HANNA, HENNESSEY, HERSHEY, HUTCHINSON, MARSICO, ORIE, PESCI, RUBLEY, STEELMAN, STEIL, STEVENSON, SURRA, TIGUE and TULLI

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for taxation by school districts.

Referred to Committee on LOCAL GOVERNMENT, March 10, 1999.

No. 835 By Representatives SAYLOR, CHADWICK, DRUCE, GORDNER, FLICK, NAILOR, BAKER, BARD, BARRAR, BELARDI, BISHOP, CAWLEY, CLARK, L. I. COHEN, COLAFELLA, CORRIGAN, DALEY, DALLY, FAIRCHILD, FORCIER, GANNON, GODSHALL, GRUCELA, HALUSKA, HARHAI, HENNESSEY, HUTCHINSON, LAUGHLIN, LEH, MAITLAND, MANDERINO, MARKOSEK, MASLAND, McCALL, S. MILLER, MUNDY, NICKOL, PESCI, PIPPY, PLATTS, ROSS, SCHRODER, SCHULER, SEMMEL, SOLOBAY, STABACK, STAIRS, STEIL, STERN, SURRA, E. Z. TAYLOR, TIGUE, TRELLO, TRICH, VAN HORNE, WILLIAMS and YUDICHAK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for approved reimbursable rental for leases hereafter approved and approved reimbursable sinking fund charges on indebtedness.

Referred to Committee on EDUCATION, March 10, 1999.

No. 836 By Representatives SAYLOR, MASLAND, CLARK, TRUE, DeLUCA, EGOLF, GEIST, HARHAI, HERSHEY, KAISER, LAUGHLIN, LYNCH, McCALL, McNAUGHTON, MELIO, S. MILLER, NICKOL, PLATTS, RAYMOND, READSHAW, SCHRODER, SCRIMENTI, STABACK, STERN, SURRA, E. Z. TAYLOR, TIGUE and TRELLO

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, further providing for the power to parole.

Referred to Committee on JUDICIARY, March 10, 1999.

No. 837 By Representatives SAYLOR, MASLAND, CLARK, TRUE, DeLUCA, EGOLF, GEIST, HARHAI, HERSHEY, KAISER, LAUGHLIN, LYNCH, McCALL, McNAUGHTON, MELIO, S. MILLER, NICKOL, PLATTS, RAYMOND, READSHAW, SCHRODER, SCRIMENTI, STABACK, STERN, SURRA, E. Z. TAYLOR, TIGUE and TRELLO

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

Referred to Committee on JUDICIARY, March 10, 1999.

No. 838 By Representatives TIGUE, THOMAS, CAPPABIANCA, PESCI, GIGLIOTTI, READSHAW, HALUSKA, MANDERINO, TRELLO, WOJNAROSKI, LAUGHLIN, SHANER, STABACK, HARHAI, HENNESSEY, CORRIGAN, MELIO, BATTISTO, TANGRETTI, COLAFELLA, RAMOS, LEDERER, BELFANTI, McCALL, SCRIMENTI, TULLI, YOUNGBLOOD, DeLUCA, WILT and KELLER

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for a provisional Sunday sales permit.

Referred to Committee on LIQUOR CONTROL, March 10, 1999.

No. 839 By Representatives TIGUE, CAPPABIANCA, THOMAS, PESCI, GIGLIOTTI, READSHAW, FORCIER, GEORGE, SANTONI, WOJNAROSKI, LAUGHLIN, SHANER, HALUSKA, MANDERINO, TRELLO, STABACK, HARHAI, CURRY, CORRIGAN, ROEBUCK, STURLA, MELIO, BATTISTO, DALEY, TANGRETTI, RAMOS, LEDERER, BELFANTI, McCALL, SCRIMENTI, MUNDY, STEELMAN, YOUNGBLOOD, DeLUCA, WILT, KELLER, E. Z. TAYLOR, M. COHEN and MICHLOVIC

An Act amending the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code, providing for checks issued by the Commonwealth.

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, March 10, 1999.

No. 840 By Representatives TIGUE, CAWLEY, PESCI, DEMPSEY, CAPPABIANCA, BEBKO-JONES, SAINATO, BELFANTI, LEDERER, SCRIMENTI, McCALL, LEVDANSKY, LAUGHLIN, TRELLO, STABACK, TRAVAGLIO, WOJNAROSKI, PRESTON, JAMES, MYERS,

GRUITZA, MICHLOVIC, VAN HORNE, YOUNGBLOOD, GEIST, SERAFINI, HARHAI, M. COHEN and COLAFELLA

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, providing for increases in retirement allowance for employees other than police or city-paid firemen.

Referred to Committee on URBAN AFFAIRS, March 10, 1999.

No. 841 By Representatives CIVERA, MARKOSEK, CAWLEY, LAUGHLIN, McCALL, DALEY, PESCI, BELFANTI, GANNON, READSHAW, TRELLO, RAYMOND, STABACK, HARHAI, SERAFINI, HORSEY, ADOLPH and SEMMEL

An Act providing for the utilization of certain litigation settlements for the purpose of school district real estate tax reduction; imposing powers and duties on the Department of Education; and requiring annual reports by school districts.

Referred to Committee on APPROPRIATIONS, March 10, 1999.

No. 842 By Representatives CIVERA, NAILOR, READSHAW, BARRAR, STABACK, GIGLIOTTI, FICHTER, DALEY, WALKO, VAN HORNE, S. MILLER, MICOZZIE, RAYMOND, MELIO, LAUGHLIN, PRESTON, SERAFINI, HENNESSEY, BELFANTI, DeLUCA, MAJOR and STEELMAN

An Act requiring licensing of plumbing contractors and journeymen plumbers; creating the State Board of Plumbing Contractors and providing for its members, powers and duties; imposing continuing education requirements; providing for suspension and revocation of licenses; providing for powers of municipalities regarding plumbing work and services; prohibiting certain acts by unlicensed persons; imposing criminal and civil penalties; and making an appropriation.

Referred to Committee on PROFESSIONAL LICENSURE, March 10, 1999.

No. 843 By Representatives WASHINGTON, JAMES, DeWEESE, BEBKO-JONES, ORIE, MAHER, BUXTON, MAITLAND, READSHAW, MYERS, YOUNGBLOOD, GEIST, BELARDI, EVANS, FICHTER, DALEY, DRUCE, STURLA, MANDERINO, RUBLEY, MUNDY, J. TAYLOR, LAUGHLIN, VAN HORNE, BROWNE, CURRY, GRUCELA, BELFANTI, JOSEPHS, WILLIAMS, MELIO, M. COHEN, DeLUCA, RAMOS, TANGRETTI, HARHAI, STEELMAN, LEVDANSKY, SANTONI, TRICH, BLAUM, STETLER, HORSEY and BARD

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for visitation and inspection.

Referred to Committee on AGING AND YOUTH, March 10, 1999.

No. 844 By Representatives WASHINGTON, JOSEPHS, MYERS, MAHER, READSHAW, BELARDI, DeWEESE, BEBKO-JONES, FICHTER, DALEY, DRUCE, STURLA, MANDERINO, MUNDY, J. TAYLOR, LAUGHLIN, VAN HORNE, BROWNE, CURRY, GRUCELA, MELIO, M. COHEN, DeLUCA, JAMES, RAMOS, TANGRETTI,

STEELMAN, PISTELLA, LEVDANSKY, SANTONI, BARD, TRICH, BLAUM, STETLER, YOUNGBLOOD and HORSEY

An Act making an appropriation to the Department of Public Welfare to increase the number of inspectors.

Referred to Committee on APPROPRIATIONS, March 10, 1999.

No. 845 By Representatives STAIRS, COLAFELLA, SCHULER, SEMMEL, HERMAN, SHANER, E. Z. TAYLOR, BAKER, BELFANTI, BENNINGHOFF, CIVERA, L. I. COHEN, M. COHEN, DEMPSEY, FAIRCHILD, FICHTER, GEIST, HALUSKA, HARHAI, HORSEY, LAUGHLIN, MARKOSEK, McCALL, PESCI, PETRARCA, PIPPY, PRESTON, RAMOS, READSHAW, SAINATO, STERN, SURRA, TANGRETTI, THOMAS, VAN HORNE, WILLIAMS, WOGAN, YOUNGBLOOD, BASTIAN, CORNELL, COY, DeWEESE, FLEAGLE, FRANKEL, GRUCELA, HABAY, HANNA, HERSHEY, HESS, HUTCHINSON, JAMES, McILHATTAN, ORIE, STEVENSON, STRITTMATTER, TRELLO, VEON, WILT and YEWIC

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service.

Referred to Committee on EDUCATION, March 10, 1999.

No. 846 By Representatives STAIRS, COLAFELLA, ARMSTRONG, BAKER, BARD, BARRAR, BEBKO-JONES, BELFANTI, BOYES, BROWNE, CAPPABIANCA, L. I. COHEN, CORRIGAN, COY, CURRY, DALEY, DALLY, DeLUCA, DEMPSEY, DiGIROLAMO, EGOLF, FAIRCHILD, FLEAGLE, FREEMAN, GEORGE, GIGLIOTTI, GODSHALL, GORDNER, HALUSKA, HARHAI, HASAY, HERMAN, HERSHEY, HESS, JOSEPHS, KAISER, KREBS, LAUGHLIN, McCALL, MELIO, MYERS, NAILOR, PETRARCA, PIPPY, PLATTS, PRESTON, READSHAW, ROONEY, RUBLEY, SAINATO, SANTONI, SAYLOR, SCHULER, SEMMEL, SERAFINI, SEYFERT, SHANER, STERN, STEVENSON, STRITTMATTER, SURRA, E. Z. TAYLOR, TIGUE, TRICH, VAN HORNE, WALKO, WOJNAROSKI, WRIGHT and ZUG

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, changing the calculation of factors relating to Commonwealth payments for vocational curriculums.

Referred to Committee on EDUCATION, March 10, 1999.

No. 847 By Representatives STAIRS, COLAFELLA, BAKER, BOYES, STERN, ARMSTRONG, BARD, BARRAR, BEBKO-JONES, BELFANTI, BROWNE, CAPPABIANCA, L. I. COHEN, CORRIGAN, COY, CURRY, DALEY, DALLY, DeLUCA, DEMPSEY, DiGIROLAMO, EGOLF, FAIRCHILD, FLEAGLE, FREEMAN, GEORGE, GIGLIOTTI, GODSHALL, GORDNER, HALUSKA, HARHAI, HASAY, HERMAN, HERSHEY, HESS, JOSEPHS, KAISER, KREBS, LAUGHLIN, McCALL, MELIO, MYERS, NAILOR, PETRARCA, PIPPY, PLATTS, PRESTON, READSHAW, ROONEY, SAINATO, SANTONI, SAYLOR, SCHULER, SEMMEL, SERAFINI, SEYFERT, SHANER, STEVENSON, STRITTMATTER,

SURRA, E. Z. TAYLOR, TRICH, VAN HORNE, WALKO, WOJNAROSKI, WRIGHT and ZUG

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing an incentive program to increase enrollment at area vocational-technical schools; and making an appropriation.

Referred to Committee on EDUCATION, March 10, 1999.

No. 848 By Representatives STAIRS, COLAFELLA, ARGALL, BAKER, BARRAR, BATTISTO, BELFANTI, BISHOP, BLAUM, CAPPABIANCA, L. I. COHEN, CURRY, DALEY, DALLY, DeLUCA, DRUCE, FICHTER, GEIST, GRUCELA, HARHAI, HASAY, HENNESSEY, HERMAN, HORSEY, JAMES, LAUGHLIN, MAHER, McCALL, McNAUGHTON, MELIO, ORIE, PESCI, PETRARCA, PISTELLA, ROSS, RUBLEY, SAYLOR, SEMMEL, SEYFERT, SHANER, SOLOBAY, STABACK, TANGRETTI, E. Z. TAYLOR, TRAVAGLIO, TRELLO, TRICH, TULLI, WILLIAMS, WILT, WOGAN and WOJNAROSKI

An Act amending the act of January 25, 1966 (1965 P.L.1546, No.541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," further providing for the amount of scholarship awards.

Referred to Committee on EDUCATION, March 10, 1999.

No. 849 By Representatives KENNEY, FARGO, CLARK, WOGAN, MICOZZIE, ORIE, HENNESSEY, GODSHALL, HERMAN, ADOLPH, WALKO, PETRARCA, LAUGHLIN, JAMES, DeLUCA, SAINATO, PRESTON, WILT, STABACK, SAYLOR, GEIST, E. Z. TAYLOR, MAHER, PESCI, TIGUE, HARHAI, MELIO, CURRY, COLAFELLA, TRELLO, WILLIAMS, ROONEY and RUBLEY

An Act prohibiting false claims; imposing duties on the Attorney General and on district attorneys; and providing for procedures and for penalties.

Referred to Committee on JUDICIARY, March 10, 1999.

No. 850 By Representatives CASORIO, VAN HORNE, TANGRETTI, BELFANTI, TRELLO, WOJNAROSKI, PETRARCA, HARHAI, LAUGHLIN, SANTONI, STURLA, SCRIMENTI and CURRY

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, adding and amending certain definitions; prohibiting creation of local government employee retirement systems; providing for mandatory membership of local government employees; revising and continuing general municipal pension system State aid; and providing for supplemental local government benefit accumulation plans and for local government contributions and guarantees.

Referred to Committee on LOCAL GOVERNMENT, March 10, 1999.

No. 851 By Representatives HANNA, LAUGHLIN, HALUSKA, M. COHEN, CLARK, TRELLO, DALEY, FAIRCHILD and KAISER

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for certificates of title and for registration of animal-drawn vehicles.

Referred to Committee on TRANSPORTATION, March 10, 1999.

No. 852 By Representatives MICHLOVIC, MUNDY, READSHAW, CURRY, KAISER, STABACK, BELARDI, LEVDANSKY, MAHER, BAKER, PESCI, CAWLEY, HENNESSEY, SCRIMENTI, NAILOR, SEYFERT, GANNON, CLARK, TRELLO, WOJNAROSKI, HARHAI, SERAFINI, VAN HORNE, PETRARCA, LEH, SAYLOR, JAMES, HORSEY, ROBERTS, MYERS, YOUNGBLOOD, LYNCH, MARKOSEK, TIGUE, McCALL, ROSS, TRAVAGLIO, SCHRODER, STEVENSON, LAUGHLIN, BEBKO-JONES, PHILLIPS, SOLOBAY, MELIO, DeLUCA, WALKO, KELLER, McGILL and RUFFING

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for certificate of title.

Referred to Committee on TRANSPORTATION, March 10, 1999.

No. 853 By Representatives SANTONI, KENNEY, GEORGE, BATTISTO, COY, THOMAS, PESCI, JADLOWIEC, WOGAN, BELARDI, SEYFERT, BUXTON, VAN HORNE, RUBLEY, ARGALL, SHANER, GORDNER, TIGUE, BELFANTI, SAINATO, MARKOSEK, YOUNGBLOOD, TANGRETTI, BROWNE, HERMAN, STEELMAN, MUNDY, HARHAI, LAUGHLIN, MANDERINO, McNAUGHTON, McCALL, WILLIAMS, ROEBUCK, L. I. COHEN, SURRA, GEIST, S. MILLER, BARRAR, STURLA, MELIO, RAMOS, JOSEPHS, BEBKO-JONES, CIVERA, SCRIMENTI, PETRARCA, M. COHEN, STETLER, DALEY, TRELLO, CURRY, JAMES, RUFFING, FREEMAN, SOLOBAY, GRUCELA, ROSS, KIRKLAND, COSTA, BARD, MANN, FRANKEL, ROONEY and BLAUM

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing a tax credit to corporations that provide child day-care facilities or subsidies for their employees.

Referred to Committee on FINANCE, March 10, 1999.

No. 854 By Representatives MICOZZIE, KENNEY, STERN, MELIO, SCHRODER, FLEAGLE, DeLUCA, BELARDI, BAKER, BARRAR, L. I. COHEN, DALEY, DALEY, GEIST, HENNESSEY, JOSEPHS, KAISER, MANDERINO, McILHATTAN, MUNDY, PESCI, PETRARCA, PIPPY, PRESTON, ROHRER, SCRIMENTI, B. SMITH, E. Z. TAYLOR, TRELLO and WILLIAMS

An Act amending the act of December 20, 1996 (P.L.1492, No.191), known as the Medical Foods Insurance Coverage Act, providing for low protein modified food products.

Referred to Committee on INSURANCE, March 10, 1999.

No. 855 By Representatives BROWNE, BAKER, BELFANTI, BUNT, CAPPABIANCA, CAWLEY, CIVERA, L. I. COHEN, COLAFELLA, CORRIGAN, CURRY, DALLY, DeLUCA, EGOLF, FAIRCHILD, FARGO, FICHTER, FLICK, FORCIER, FREEMAN, GEIST, GIGLIOTTI, GRUCELA, HARHAI, HENNESSEY, HERMAN, HUTCHINSON, JAMES, JOSEPHS, LAUGHLIN, MAHER, MAITLAND, MAJOR, MANDERINO, MANN, MARSICO, McCALL, MELIO, MICHLOVIC, MICOZZIE, S. MILLER, NAILOR, ORIE, PESCI, PETRARCA, RAYMOND, READSHAW, ROONEY, ROSS, RUBLEY, SAINATO, SAYLOR, SCHRODER, SCHULER, SCRIMENTI, SEMMEL, SEYFERT, B. SMITH, SOLOBAY, STABACK, STEELMAN, STERN, STEVENSON, STURLA, SURRA, E. Z. TAYLOR, TRAVAGLIO, TRICH, TRUE, VAN HORNE, WALKO, WILLIAMS, WILT, WOJNAROSKI, YOUNGBLOOD, ZUG and HARHART

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

Referred to Committee on ~~FINANCE~~, March 10, 1999.

No. 856 By Representatives DRUCE and REINARD

An Act conferring limited eminent domain power upon certain economic development financing authorities.

Referred to Committee on STATE GOVERNMENT, March 10, 1999.

No. 857 By Representatives WASHINGTON, YOUNGBLOOD, MANDERINO, HORSEY, JOSEPHS, PISTELLA, WILLIAMS and BISHOP

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for regulations.

Referred to Committee on AGING AND YOUTH, March 10, 1999.

No. 858 By Representatives LEDERER, YOUNGBLOOD, J. TAYLOR, BUTKOVITZ, McGEEHAN, MICHLOVIC, WALKO, RUFFING, LEVDANSKY, RAMOS, CARN and KELLER

An Act making an appropriation to the Department of Community and Economic Development for enterprise zones.

Referred to Committee on APPROPRIATIONS, March 10, 1999.

No. 859 By Representatives MARKOSEK, SAINATO, GEIST, STABACK, PESCI, MAHER, CORNELL, HARHAI, ROBINSON, WILT, TRELLO, RUFFING, E. Z. TAYLOR, YOUNGBLOOD, WALKO, M. COHEN and WASHINGTON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for oxygen tank transportation systems.

Referred to Committee on TRANSPORTATION, March 10, 1999.

No. 860 By Representatives MARKOSEK, SAINATO, PETRARCA, STEELMAN, PESCI, TIGUE, DALEY, HARHAI, ROBINSON, TRELLO, BELFANTI, RUFFING, YOUNGBLOOD, PRESTON, M. COHEN, WASHINGTON and MICHLOVIC

An Act amending Title 35 (Health and Safety) of the Pennsylvania Consolidated Statutes, creating the State Disaster Assistance Loan Program; providing for powers and duties of the Pennsylvania Emergency Management Agency; establishing the State Disaster Assistance Loan Fund; and providing for funding for the State Disaster Assistance Loan Program.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 10, 1999.

No. 861 By Representatives TANGRETTI, MARKOSEK, READSHAW, BELFANTI, GEIST, HERMAN, WOJNAROSKI, HALUSKA, PISTELLA, LAUGHLIN, SHANER, WALKO, FARGO, PESCI, TRELLO, STABACK, MICOZZIE, CASORIO, VAN HORNE, TIGUE, GIGLIOTTI, SANTONI, MELIO, RAMOS, McCALL, MUNDY, SOLOBAY, M. COHEN, JAMES, YOUNGBLOOD and STEELMAN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for transferred programs and classes.

Referred to Committee on EDUCATION, March 10, 1999.

No. 862 By Representatives TANGRETTI, GEORGE, MARKOSEK, READSHAW, BELFANTI, HERMAN, WOJNAROSKI, WILT, BAKER, HALUSKA, PISTELLA, LAUGHLIN, CORRIGAN, CURRY, WALKO, PESCI, TRELLO, MICHLOVIC, STABACK, ARGALL, MICOZZIE, TIGUE, GIGLIOTTI, MELIO, RAMOS, McCALL, SOLOBAY, M. COHEN, JAMES, BELARDI, YOUNGBLOOD, PETRARCA, CIVERA and HARHAI

An Act establishing the State Disaster Assistance Program to provide disaster and emergency relief; further providing for the powers and duties of the Pennsylvania Emergency Management Agency and for the Pennsylvania Housing Finance Agency; and making an appropriation.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, March 10, 1999.

No. 863 By Representatives TANGRETTI, WOJNAROSKI, HALUSKA, LAUGHLIN, MARKOSEK, READSHAW, BELFANTI, SCRIMENTI, CLARK, WALKO, PESCI, SURRA, TRELLO, MICHLOVIC, STABACK, MICOZZIE, TIGUE, GIGLIOTTI, MELIO, RAMOS, McCALL, SEYFERT,

SOLOBAY, M. COHEN, YOUNGBLOOD, PETRARCA, BENNINGHOFF and HARHAI

An Act prohibiting negative option billing for renewal of maintenance service contracts.

Referred to Committee on CONSUMER AFFAIRS, March 10, 1999.

No. 864 By Representatives TANGRETTI, MARKOSEK, READSHAW, GEIST, BELFANTI, WOJNAROSKI, HALUSKA, LAUGHLIN, CORRIGAN, WALKO, PESCI, TRELLO, MICHLOVIC, ARGALL, MICOZZIE, SAYLOR, GIGLIOTTI, MELIO, SOLOBAY, FORCIER, JAMES, YOUNGBLOOD, BENNINGHOFF, CIVERA and HARHAI

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for ineligibility of candidates; and further providing for penalties.

Referred to Committee on STATE GOVERNMENT, March 10, 1999.

No. 865 By Representatives TANGRETTI, WILT, GEORGE, MARKOSEK, READSHAW, BELFANTI, SCRIMENTI, FAIRCHILD, WOJNAROSKI, MAITLAND, HALUSKA, LAUGHLIN, CORRIGAN, CURRY, SHANER, WALKO, E. Z. TAYLOR, PESCI, SURRA, TRELLO, STABACK, ARGALL, MANDERINO, MICOZZIE, SAYLOR, CASORIO, TIGUE, GIGLIOTTI, STERN, SANTONI, MELIO, RAMOS, McCALL, SEYFERT, SOLOBAY, M. COHEN, SAINATO, ROSS, FORCIER, JAMES, FREEMAN, BELARDI, YOUNGBLOOD, STEELMAN, PETRARCA, CIVERA and HARHAI

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for blind pension eligibility and amount.

Referred to Committee on HEALTH AND HUMAN SERVICES, March 10, 1999.

No. 866 By Representatives S. H. SMITH, BELFANTI, CLARK, HENNESSEY, MICOZZIE, ROSS, SAYLOR, SEYFERT, STABACK, TRELLO, TULLI and YOUNGBLOOD

An Act providing for the award of costs, expenses and attorney fees in cases involving coal mining activities.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 10, 1999.

No. 867 By Representatives S. H. SMITH, HERSHEY, GEORGE, ARGALL, BAKER, BENNINGHOFF, CAWLEY, HALUSKA, HASAY, HENNESSEY, HERMAN, LAUGHLIN, LEH, MICOZZIE, PETRARCA, ROSS, RUBLEY, SAYLOR, SERAFINI, STABACK, SURRA, TANGRETTI, TIGUE, TRELLO and YOUNGBLOOD

An Act providing for the funding of volunteer groups to clean up and restore watersheds affected by acid mine drainage; establishing a project selection board to select and oversee projects to be funded; identifying

funding sources to aid volunteer organizations in cleanup and restoration projects; and authorizing the Department of Environmental Protection to administer the funding of the selected projects.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 10, 1999.

No. 868 By Representatives S. H. SMITH, TANGRETTI, HERSHEY, ARGALL, CAWLEY, GEIST, GEORGE, HALUSKA, HENNESSEY, HERMAN, LAUGHLIN, LEH, MICOZZIE, ROSS, SAYLOR, SERAFINI, STABACK, STERN, SURRA, TIGUE, TRELLO and YOUNGBLOOD

An Act providing immunity for certain persons who reclaim certain abandoned lands or abate certain water pollution.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, March 10, 1999.

No. 869 By Representatives E. Z. TAYLOR, HENNESSEY, FLICK, ROHRER, ARMSTRONG, STERN, GEIST, RUBLEY, STABACK, HESS, GEORGE, SEYFERT, LEH, RAYMOND, KIRKLAND, CORRIGAN, PESCI, HUTCHINSON, HERMAN, CAWLEY, LYNCH, ROSS and LAUGHLIN

An Act amending the act of December 19, 1990 (P.L.1200, No.202), known as the Solicitation of Funds for Charitable Purposes Act, providing for library organizations.

Referred to Committee on STATE GOVERNMENT, March 10, 1999.

No. 870 By Representatives E. Z. TAYLOR, RUBLEY, ROSS, LYNCH, YOUNGBLOOD, CORRIGAN, TIGUE, PRESTON, STABACK, SHANER, ORIE, HERMAN, SCRIMENTI, BELARDI, HARHAI, HERSHEY, BARRAR, BENNINGHOFF, SURRA, BAKER, STERN, SERAFINI, PLATTS, LAUGHLIN, VANCE, SCHRODER, SEYFERT, SEMMEL, S. MILLER, HESS, CURRY, CLYMER, EGOLF, GORDNER, ROHRER, McCALL, SAYLOR, HENNESSEY, LUCYK, FAIRCHILD, WILLIAMS, ALLEN, ARGALL, BARD, B. SMITH and WOJNAROSKI

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, providing for the establishment of a highway litter pick-up program.

Referred to Committee on LOCAL GOVERNMENT, March 10, 1999.

No. 871 By Representatives E. Z. TAYLOR, SCHRODER, VANCE, RUBLEY, HENNESSEY, NAILOR, YOUNGBLOOD, LYNCH, ORIE, MUNDY, STABACK, TIGUE, LAUGHLIN, HERSHEY, PRESTON, RUFFING, SCRIMENTI, MICHLOVIC, ROSS, HARHAI, DeLUCA, EGOLF, TRUE, SEYFERT, PETRARCA, GANNON, S. MILLER, MELIO, CORRIGAN, BARD, SAYLOR, L. I. COHEN and WILLIAMS

An Act amending the act of July 9, 1987 (P.L.220, No.39), known as the Social Workers' Practice Act, adding additional powers of sanction to the board.

Referred to Committee on PROFESSIONAL LICENSURE, March 10, 1999.

No. 872 By Representatives E. Z. TAYLOR, SCHRODER, VANCE, ROSS, HENNESSEY, NAILOR, YOUNGBLOOD, LYNCH, ORIE, MUNDY, STABACK, TIGUE, BENNINGHOFF, LAUGHLIN, HERSHEY, PRESTON, RUFFING, SCRIMENTI, MICHLOVIC, HARHAI, DeLUCA, EGOLF, TRUE, SEYFERT, PETRARCA, GANNON, S. MILLER, MELIO, CORRIGAN, BARD, RUBLEY, SAYLOR, L. I. COHEN and WILLIAMS

An Act amending the act of March 23, 1972 (P.L.136, No.52), known as the Professional Psychologists Practice Act, adding additional powers of sanction to the board.

Referred to Committee on PROFESSIONAL LICENSURE, March 10, 1999.

No. 873 By Representatives JAMES, BUXTON, PRESTON, MANDERINO, WASHINGTON, CAPPABIANCA, STURLA, ROBINSON, FRANKEL, MYERS, JOSEPHS, STABACK, YOUNGBLOOD, BISHOP, DeWEESE, EVANS, KIRKLAND, SCRIMENTI, CARN, TRELLO, WILLIAMS, WALKO, BELFANTI, ROEBUCK, RAMOS, M. COHEN, HORSEY and SURRA

An Act requiring the Attorney General to collect data on traffic stops.

Referred to Committee on JUDICIARY, March 10, 1999.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 61 By Representatives LYNCH, SEYFERT, E. Z. TAYLOR, ORIE, FICHTER, HERSHEY, STABACK, LUCYK and TRELLO

A Resolution directing the Health and Human Services Committee of the House of Representatives to conduct hearings relating to alternative synthetic estrogen treatments and to report its findings and recommendations.

Referred to Committee on RULES, March 10, 1999.

No. 62 By Representatives LYNCH, FORCIER, CLARK, HENNESSEY, LEH, STERN, E. Z. TAYLOR, GIGLIOTTI, BARRAR, SHANER, STABACK, READSHAW, HERSHEY, TIGUE, SAINATO, BELARDI, WRIGHT, BARD, PESCI, ROHRER and STEELMAN

A Concurrent Resolution directing a select committee to study the ramifications of repealing The Local Tax Enabling Act and taxation provisions of local government codes and authorizing local government units to devise their own systems of taxation.

Referred to Committee on RULES, March 10, 1999.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of the two floor leaders, Mr. DeWeese and Mr. Perzel, together with other members of the leadership, Mr. Jerry Sandusky. Among other things, he is the founder of the Second Mile. Paul Zeigler of the Second Mile is also with us, and he heads up the statewide program for at-risk children. Would these guests please rise. They are seated to the left of the Speaker.

**GAME AND FISHERIES
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman, Mr. Bruce Smith, for the purpose of making an announcement.

Mr. B. SMITH. Thank you, Mr. Speaker.

At the break for lunch there will be a meeting of the Game and Fisheries Committee in the rear of the House. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the declaration of the recess, we will return at 1 o'clock, unless an announcement to the contrary is made.

ANNOUNCEMENT BY MR. COHEN

The SPEAKER. Are there any further reports, questions, corrections of the record, majority leader or minority leader?

Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to announce there will be informal discussions in the House Democratic caucus room from now until 1 o'clock.

RECESS

The SPEAKER. Any other reports or comments?

Hearing none, this House will stand in recess until 1 o'clock, unless extended or called back sooner by the Chair.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(J. SCOT CHADWICK) PRESIDING****BILLS REPORTED FROM COMMITTEES,
CONSIDERED FIRST TIME, AND TABLED****HB 320, PN 327**

By Rep. B. SMITH

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the nonpayment of fines and costs and for enforcement of the Fish and Boat Code.

GAME AND FISHERIES.

HB 438, PN 458

By Rep. BUNT

An Act amending the act of February 18, 1769 (1 Sm.L.284, No.594), entitled "An act for regulating, pitching, paving and cleansing, the highways, streets, lanes and alleys; and for regulating, making and amending the water courses and common sewers, within the inhabited and settled parts of the city of Philadelphia; for raising of money to defray the expenses thereof; and for other purposes therein mentioned," repealing provisions relating to wood haulers, stacking of wood and penalties for stealing wood in Philadelphia.

AGRICULTURE AND RURAL AFFAIRS.

HB 439, PN 459

By Rep. BUNT

An Act repealing the act of April 17, 1861 (P.L.324, No.309), entitled "An act to secure to Farmers certain rights in the Markets of the city of Philadelphia."

AGRICULTURE AND RURAL AFFAIRS.

HB 440, PN 460

By Rep. BUNT

An Act repealing the act of March 11, 1853 (P.L.165, No.124), entitled "An act authorizing the incorporation of a company to plank the old Lancaster road from Henderson's store to the Spread Eagle, in Delaware county, entitled 'The Radnor plank road company;' relative to certain election districts; to fees for adjusting beam and patent balances, in the city and county of Philadelphia; and relative to the real estate of William Crawford, of Erie county; and to extending the chancery powers of certain courts to Erie county."

AGRICULTURE AND RURAL AFFAIRS.

HB 441, PN 461

By Rep. BUNT

An Act amending the act of April 12, 1842 (P.L.262, No.91), entitled "A supplement to an act, entitled 'An act authorizing the Governor to incorporate the Tioga Navigation Company,' passed the twenty-six day of February, one thousand eight hundred and twenty-six, and for other purposes," repealing provisions relating to fees for measuring grain in Philadelphia.

AGRICULTURE AND RURAL AFFAIRS.

HB 442, PN 462

By Rep. BUNT

An Act repealing the act of April 26, 1850 (P.L.618, No.364), entitled "An act to vest in Barbara Griffith and Polly Conrad certain supposed escheated personal estate; to incorporate the Delaware and Schuylkill road company; and relative to market stalls in the city of Philadelphia."

AGRICULTURE AND RURAL AFFAIRS.

HB 443, PN 463

By Rep. BUNT

An Act repealing the act of May 2, 1876 (P.L.193, No.174) entitled "An act authorizing lumber dealers, in the county of McKean, to adopt each a mark to be put upon logs and lumber of all kinds, and have the same registered in the office of the prothonotary of said county, and also fixing a penalty for defacing said mark or fraudulently taking possession of any logs or lumber so marked or not."

AGRICULTURE AND RURAL AFFAIRS.

HB 444, PN 464

By Rep. BUNT

An Act amending the act of March 23, 1819 (P.L.150, No.97), entitled "An act prescribing the form of the Bushel, to be used for measuring Lime, in certain counties therein mentioned," repealing provisions relating to appointment of person to mark bushel for measuring of lime.

AGRICULTURE AND RURAL AFFAIRS.

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HBs 438 and 444 be removed from the table and placed on the active calendar.

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

BILLS RECOMMITTED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HBs 438 and 444 be rereferred to the Committee on Appropriations.

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

CALENDAR CONTINUED**BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 181, PN 295**, entitled:

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

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

Mr. VITALI offered the following amendment No. **A0814**:

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

and to promulgate regulations on administrative procedures for grant awards.

Amend Sec. 1, page 1, line 8, by inserting after "Qualification" and Grant Award

Amend Sec. 5, page 3, by inserting between lines 27 and 28

(4) Utilize the following procedures for awarding grants in every grant program which is established, implemented or administered by the department:

(i) At least 120 days prior to the initial date for the acceptance of applications for the grants, the department shall, at a minimum, provide notice of the grant program as follows:

(A) Advertisement in the Pennsylvania Bulletin.
(B) Circulars mailed to municipalities, when potential grant applicants are municipalities.

(C) Posting on the State Government Home Page on the Internet.

(ii) The notice required under subparagraph (i) must include all of the following:

(A) The purpose for which the grants are made.

(B) The source of grant funds.

(C) The name, address and telephone number of the contact person responsible for the administration of the grants.

(D) The total amount of public funds available for the particular grant program.

(E) The initial date and the closing date for the acceptance of applications for the grants.

(iii) The department shall establish filing time periods for applicants competing for a specific pool of grant money.

(iv) All awards shall be made solely on the basis of the merits of the project and the needs of the applicant. The department shall promulgate regulations which clearly delineate merit and need criteria for the awarding of grants.

(v) The following information shall be made available for public inspection and photocopying, at reasonable cost, as soon as practicable:

(A) All submitted grant applications.

(B) Finalized grant contracts.

(C) Logging and summary information compiled by the department.

(vi) All grant applications and award checks shall be dispersed solely by the department and directly to the potential applicants and recipients.

Amend Bill, page 4, lines 7 and 8, by striking out all of said lines and inserting

Section 8. Applicability.

Section 5(4) shall apply to grants made after June 30, 1999.

Section 9. Effective date.

This act shall take effect as follows:

(1) The following provisions shall take effect immediately:

(i) Section 5(4).

(ii) Section 8.

(iii) This section.

(2) The remainder of this act shall take effect in 60 days.

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

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

Mr. VITALI. Thank you, Mr. Speaker.

What amendment 814 would do would be to set up certain administrative procedures for the Department of Community and Economic Development to follow in awarding grants. It is particularly aimed against the Community Revitalization Program, which is a successor to the now defunct WAM (walking-around money) program.

What this would do would be to set up notice requirements so all potential applicants such as municipalities would receive notice of the availability of funds. It would require that awards be based on merit need, unlike the pure political criteria set up now, and it would open up the record so that all grant applications, not just contracts, would be open for public inspection. The hope is that these administrative procedures would clean up this legislative slush fund. Last year's budget had \$45 million in these WAM-like

grants, and many of them were the same parades, monuments, Little League uses, and so forth.

Mr. Speaker, criteria should be set up so our tax dollars are put to their highest and best use. Our tax dollars are better spent on things like reduction in classroom size, reducing property tax for seniors, as opposed to some of the parades and so forth that are funded by this.

AMENDMENT WITHDRAWN

Mr. VITALI. Mr. Speaker, this amendment is a valid amendment, but today is not the day I am going to wage this fight, because I have been asked by the Representative from Montgomery County to withdraw this amendment, and as valid as it might be, I would at this point withdraw amendment 814.

The SPEAKER pro tempore. The gentleman withdraws the amendment. The Chair thanks the gentleman.

The gentleman has a second amendment, which the clerk will read.

The gentleman withdraws that one also? The Chair thanks the gentleman.

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

Mr. GEORGE offered the following amendment No. A0830:

Amend Sec. 5, page 3, line 18, by inserting after "examination"
or who has at least five years experience as a tax
collector

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. Thank you, Mr. Speaker.

Mr. Speaker, this amendment that I am attempting to insert simply states that a tax collector who has been experienced as a tax collector for 5 years would not need to be reexamined. We feel this is fair, and anyone who has been at that task for 5 years certainly by now— Could I yield a moment? I see Mr. Tangretti.

The SPEAKER pro tempore. Does the gentleman wish to confer with the gentleman, Mr. Tangretti?

Mr. GEORGE. May I?

The SPEAKER pro tempore. The House will be at ease momentarily.

Mr. George.

Mr. GEORGE. Mr. Speaker, we would ask that the members accept this as a fair resolution and accept that 5 years would be the normal and acceptable experience for someone in the position as a tax collector. Thank you.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the lady from Montgomery County, Representative Bard.

Ms. BARD. Thank you, Mr. Speaker.

I would like to refer the members of the House to a letter that was received from the president of the State Tax Collectors'

Association. I would quote from this letter. It says, "We need to have HB 181 passed without any amendments!"

"This bill needs to be passed as soon as possible and implemented so that the education and training can be offered to all Tax Collectors!"

"Please try to stave off any efforts to change this bill in any way!!"

Mr. Speaker, this legislation has passed the House of Representatives in two previous sessions. Last session this legislation passed the House by a vote of 189 to 3.

Mr. Speaker, this training is sorely needed across the State. There have been numerous situations where bad apples, so to speak, tax collectors, who have not been properly trained have caused problems. It is only State law that can change that situation. It is only State law that can provide access to this training. It needs to be emphasized, this training is voluntary— let me repeat that— this training is voluntary. This amendment asks for grandfathering for something that is voluntary.

I strongly oppose any amendments to this legislation. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Westmoreland County, Mr. Tangretti.

Mr. TANGRETTI. Mr. Speaker, with all due respect to the gentledady from Montgomery County, without the certificate, without the visitation to the school, the requirements, even though it is voluntary, there is not anybody in this room that does not know what it is like to run an election, and particularly a local election some of us have run in, know that this would be used as a campaign issue.

Now, to say that it is voluntary may be factually correct, but in terms of the real practical politics that we all know about, it is not. And I think that although it is well intentioned, we have to be sure that we are not in any way creating an obstacle for people who want to join and be involved with public service. My concern is that we have had some wonderful, dedicated, significant contributors to our public service who are now going to be put into a position where they are going to have to, quote, "be certified" for a job they have been doing for a long time, and I think that is unfair, and I think we need to have a grandfathering clause to protect those individuals. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Does the gentleman, Mr. Coy, seek recognition? The gentleman is recognized.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I think the legislation is laudable. I support it. I think the amendment that the gentleman, Mr. George, offers makes a good bill better.

Experience is the best teacher. We have a case here where education is being suggested. I think education is important, but I think when the voters of a municipality, of an area, decide in an election who they think can best serve in any individual office, that needs to be the final say.

And while education is important, I think most of us know that in doing our job in the legislature today, we have probably learned more by experience than we would have learned by any course that we would have taken or could have been offered.

So with the thought that experience is the best teacher, I think this amendment makes a good bill better and makes sense. Do not forget, if you pass this bill without this amendment, you are going to have to explain to your locally elected officials why you think

they need a mandatory education. And I know it is voluntary — I know it is voluntary — but I think the point that the gentleman from Westmoreland made about this being used as a campaign issue is very legitimate. And so while it is voluntary, the point is, it is one more requirement that we are trying to pass on. I think the gentleman's amendment makes sense, makes a good bill better, and I support it. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Centre County, Mr. Herman.

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

I have to stand in support of my colleague, Representative Bard, in asking the members to defeat this amendment.

Representative Bard has done yeoman's work in trying to solve a problem not only in her legislative district but all across some areas and in incidences in Pennsylvania where some tax collectors have not been able to manage the taxpayers' funds with the same custodial efforts and fidelity that we would expect.

The previous speakers mix words. They say it is mandatory, then they say it is voluntary, and make no mistake about it, the bill is voluntary. You can take it if you want the educational requirements; you do not have to if you do not want.

But I would like to read into the record a letter that Ellen Bard received from the treasurer of the city of York, Pennsylvania, in which he writes in support of HB 181. It goes on to further say — this is Donald Murphy, the treasurer — that "Tax Collection is no longer a simplistic task of collecting funds and distributing them to the local jurisdiction. With recent legislation involving auditing, collection and rights of the taxpayer, an informed tax collector will be a necessity in order for the proper flow of collection to occur. Having available," and I stress "on a voluntary basis, training that would educate the tax collector, could do nothing except make his or her job easier and make tax collecting more efficient." I would like to emphasize, making tax collecting more efficient for the taxpayers of that local jurisdiction, of which all of us serve those same people in those municipalities.

I think that this amendment, though very worthy of concept — and we discussed this kind of issue which Representative Tangretti brought before the House Local Government Committee when we discussed this bill — that even with the merits of their arguments, the bottom line is that it makes absolutely no sense to grandfather people out of this voluntary requirement since it is voluntary in its conception regardless, and because of that, I have to side with the sponsor of the bill, Representative Bard, and ask defeat of the George amendment. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Schuylkill County, Mr. Argall.

Mr. ARGALL. Thank you, Mr. Speaker.

Mr. Speaker, in the district which I am proud to represent in Schuylkill and northern Berks Counties, as well as in my neighbors', Representative Allen and Representative Lucyk, in the past few years we have seen an unfortunate series of occurrences in many different tax collectors' offices. Several of those were no longer allowed to hold office. At least in one or two or perhaps three occasions people are now doing prison time because of mistakes that were made in the conduct of their office.

Certainly education as well as experience, as has been pointed out earlier, is very important, but I do not think that we should create any loopholes in this legislation that would allow more people to make some perhaps well intentioned but mistakes and serious mistakes nonetheless. This has been a very serious issue all

across parts of Pennsylvania. As I said, in Schuylkill County it has been a very, very significant issue, and it is taking up much of the time of our county treasurer and controller in trying to repair some of the mistakes of the past.

I know that in sitting in on the discussions with Representative Bard and the State Tax Collectors' Association, they went around and around and around on this bill trying to come up with a compromise. This bill, like many that are presented to us, is a compromise, but I ask you that you do not weaken it any further so that the bill would mean almost nothing. This bill has been endorsed, as has been noted earlier, by the State Tax Collectors' Association, and it addresses a very, very significant issue, and so I ask that the bill be kept whole and that we defeat this amendment.

The SPEAKER pro tempore. The Chair recognizes the lady from Cumberland County, Representative Vance.

Mrs. VANCE. Thank you, Mr. Speaker.

I think one of the important things that we need to remember, first of all, is that this is voluntary. Some people seem to be hung up on the word "qualified," and I think if we perhaps had our way, we could have called it certified, but some of the public accountants had a real problem with using the word "certified."

The bottom line of this whole thing is that our job is to protect the taxpayers and not our local tax collectors. Even though they are good people, we need to think about the taxpayers that we have been voted on and elected to represent. Thank you very much.

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman from Centre County said that I had mixed some words, and I hope he did not insist that I was misrepresenting. I think if anything is in error, it is the fact that we do not tell it more like it should be told. Number one, there is a cost to this, and they mentioned York and they mentioned some of the bigger areas, but those of us, it is hard to accept the gentleman from Centre not concerning himself about the cost of this so-called optional idea. The 5 years is optional as well.

I think it is going to be hard to go back home and tell someone who has been a tax collector for 20 or 30 years that, you know, right now somebody feels in Harrisburg that you need more training, and the truth of the matter is that there is going to be a cost and their cost will be more than just the training, the living, and the traveling, and all of that.

And remember, the reason that we said 5 years is by the time that an individual will be in his or her fifth year, they will already have served at least one term. I think that by that time they will have been audited at least twice, and so if there is any reflection on the fact that they do not know what they are doing, it will be brought up.

I think we are making a mountain out of a molehill. It does not mean that much to me. I simply thought we would be following the lady, Ms. Bard, in helping a little bit so that there would not be so much controversy over the intended cost that is going to be built up.

I think that we are wrong to misjudge these tax collectors. They are elected the same as we are. They do not ask us to go to any training. Maybe that is what we ought to do, send legislators down for training every 5 years. The truth of the matter, we are trying to do what we believe those in the rural areas most want us to do, and it is let them do the job that they were elected to do, and if they

want to take an optional, you can do it, as long as someone pays for the schooling.

So, you know, my only concern is that we are concerned about the ultimate cost, about the fact that some of the older tax collectors, Mr. Speaker, do not want to take time off and run down where they are going to hold these seminars.

I think it is just a little too fast too soon. It does not make a lot of difference to Bud George, but I thought by me standing here trying to back these tax collectors across the State, that I hopefully would be reflecting what a lot of you were concerned about, and that is the inconvenience and the cost of a piece of legislation that the lady herself said is only optional. So some will and some will not, and I will let it go at that.

I think we still should support the amendment, Mr. Speaker.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Snyder, who requests a leave for the balance of today's session for the gentleman from Chester County, Mr. FLICK. Without objection, the leave will be granted. The Chair hears no objection.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes the presence in the House of the gentleman from Lancaster County, Mr. Schuler, and removes him from leave and adds him to the master roll.

CONSIDERATION OF HB 181 CONTINUED

The SPEAKER pro tempore. The Chair recognizes, on the amendment, the gentleman from Schuylkill County, Mr. Allen.

Mr. ALLEN. Thank you, Mr. Speaker.

In all due respect to the gentleman from Clearfield County, I believe that due to past experiences that Representative Lucyk, Representative Argall, and I have seen, that it is not necessarily a miniscule amount for training that is important, because when a county like the county of Schuylkill loses over \$700,000 over the past several years because of the improper handling of funds by local tax collectors, that that is not a miniscule amount. Certainly the training costs for the tax collectors can be made up in such a minor fashion in comparison to losing such a large amount like \$700,000, and that is only one example in the State.

Thank you, Mr. Speaker. I do not support the George amendment.

The SPEAKER pro tempore. The gentleman from Allegheny County, Mr. Trello, is recognized on the amendment.

Mr. TRELLO. Mr. Speaker, can I interrogate the prime sponsor of the amendment?

The SPEAKER pro tempore. The gentleman, Mr. George, indicates that he is willing to stand for interrogation. The gentleman may proceed.

Mr. TRELLO. Thank you, Mr. Speaker.

Mr. Speaker, do you know of any other elected official in the State of Pennsylvania, other than magistrates, that is required additional training?

Your mike is not on.

The SPEAKER pro tempore. Would the gentleman, Mr. Trello, repeat the question. The microphones are working now.

Mr. TRELLO. Okay. Mr. Speaker, do you know of any other elected official in the State of Pennsylvania, other than district magistrates, that is required additional training?

Mr. GEORGE. No, Mr. Speaker, I do not know of any other position that has this type of optional mandate.

Mr. TRELLO. Thank you very much.

May I make a few remarks?

The SPEAKER pro tempore. On the amendment.

Mr. TRELLO. Mr. Speaker, as many of you know, I have been around here a long time. Some of my opponents think I have been here too long, but then that is their business.

Mr. Speaker, there is not one tax collector — I do not know about this Pennsylvania Association of Tax Collectors — but I do know that there is not one tax collector in my district that favors this legislation. And I guess the reason for drafting this bill— And I congratulate the lady for her interest in tax collectors that might go astray with some of the taxpayers' money.

Now, I have been around here long enough to know that there have been a handful of legislators that have committed wrongdoings and they had to resign their seat and some of them went to jail, but nobody, nobody ever drafted legislation mandating that legislators should be required additional training. These are elected officials elected by the people. Never underestimate the intelligence of the voters, because I think they are going to elect the right person on each and every occasion, and there happen to be a few occasions.

Now, if the city of York or some other place might think their tax collector might need additional training, then why do they not draft a piece of legislation dealing with their county? I have no problem in my county, and I support the amendment. Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the lady from Montgomery County, Representative Cohen, on the amendment.

Mrs. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, many of us who hold a public trust are mandated to take continuing education. I have been advised that coroners and district justices are mandated. Needless to say, those of us who are attorneys have to take 12 hours of credit every year in order to maintain our license. So I do believe this is voluntary. As I said, many of us that hold a public trust are mandated.

So I fully support Representative Bard's bill and would oppose this amendment, because it is necessary that the public know that we are up to the minute and up to date on all legislation, on all requirements for our profession. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Cambria County, Mr. Yewcic, is recognized on the amendment.

Mr. YEWIC. Thank you, Mr. Speaker.

After listening to the debate and reading the letter from the Pennsylvania State Tax Collectors' Association, it seems that looking at the legislation, that the taxpayers of Pennsylvania are going to spend money through DCED to create a program that will be administered by somebody, probably the Tax Collectors' Association. In other words, the association is going to be the beneficiary of tax money to create a program that they say is voluntary to train the tax collectors. It seems that they are more interested in grabbing money than they are doing a service, because it is redundant. They already offer programs to train

tax collectors just like the School Board Association has programs to train school board directors.

This seems more like a money grab by somebody who wants to get a contract to train tax collectors. No wonder they say within their letter that they do not want any amendments, because they want all the tax collectors they can get to take a test. It seems redundant to me to call something voluntary and yet mandate they have to have a qualification — or not a mandate, but it is almost a mandate because that is the way it is going to happen.

I support the amendment, but I will vote against the bill. Thank you, Mr. Speaker.

The SPEAKER pro tempore. For the second time, the Chair recognizes the lady from Montgomery County, Representative Bard.

Ms. BARD. Thank you, Mr. Speaker.

I would just like to mention that with regard to elected legislators, when we are first elected, the Bipartisan Management Committee does offer a sequence of training, lessons, and courses for us to become acquainted with the duties and responsibilities and laws that have been passed.

Just last year we passed a taxpayer bill of rights. We also, I am very proud to say, passed legislation requiring standardized reporting procedures for tax collectors. This was just within the past year. These are new laws. These are new procedures that taxpayers should have the option of becoming more involved with and knowledgeable about.

Mr. Speaker, this is voluntary training to be paid for by whoever would like to take this course, this voluntary course of education. The cost can be assumed by a municipality, but they can also be assumed by anyone who wants it. We are offering a carrot. We are trying to protect the taxpayers, protecting the citizens of the Commonwealth. It is our responsibility. It is State law that governs this office. Thank you very much.

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

Mr. GORDNER. Thank you, Mr. Speaker.

I have to respond just briefly to a comment made by the previous speaker. She alluded to the fact that as freshman legislators, we can take a course offered by the Bipartisan Management Committee. But there is no requirement to take it, and if we decide not to take it, we can still say that in the next election we are qualified legislators for the post.

The example that you should give in regard to this legislation — and I will use the gentleman's name I am sure with his permission — if we were to do the same thing for legislators, Fred Trello, who has been here over 20 years, let us say Fred does not decide to take the course. Well, when he runs for reelection next year, he could not call himself a qualified State Representative; he could not call himself a qualified legislator. The guy has been here 20 years doing the job day in and day out, but because he does not take a darn course, he cannot call himself a qualified legislator. Are we going to do the same thing with our tax collectors — tax collectors — honorable men and women who have been out there doing this 4, 8, 12, 16, 20, 24 years? If they decide not to take this course, you are telling them that in the next election they cannot call themselves a qualified tax collector. That does not make sense, and I would urge passage of this amendment.

The SPEAKER pro tempore. The Chair is of the opinion that a number of members are straying from the subject matter of the amendment onto the subject matter of the bill and would request

that any other member that seeks recognition please restrain their remarks to the subject of the amendment.

The Chair recognizes the gentleman, Mr. Harhai.

Mr. HARHAI. Thank you, Mr. Speaker.

I would just like to bring this to light. From my personal experience, I realize that the county audits their tax moneys, our school districts audit their tax moneys, and municipalities throughout the Commonwealth audit their tax moneys. I think that being that this is the case, that I would like to have everyone take a very close look and support the George amendment, because that is what he is trying to avoid, is repetition of auditing, as I believe.

Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—106

Adolph	Geist	Markosek	Scrimenti
Battisto	George	Mayernik	Seyfert
Bebko-Jones	Gigliotti	McCall	Shaner
Belardi	Gordner	McGeehan	Solobay
Belfanti	Gruceja	Melio	Staback
Bishop	Gruitza	Michlovic	Stairs
Blaum	Haluska	Micozzie	Steelman
Boyes	Hanna	Myers	Stern
Butkovitz	Harhai	Oliver	Stetler
Buxton	Harhart	Pesci	Sturla
Caltagirone	Hess	Petrarca	Surra
Cappabianca	Horsey	Petrone	Tangretti
Carn	James	Pippy	Thomas
Casorio	Josephs	Pistella	Tigue
Cawley	Kaiser	Preston	Travaglio
Civera	Kelner	Readshaw	Trello
Cohen, M.	LaGrotta	Rieger	Trich
Colafella	Laughlin	Roberts	Van Horne
Corrigan	Lawless	Robinson	Veon
Costa	Lederer	Roebuck	Vitali
Coy	Lescovitz	Rohrer	Walko
DeLuca	Levdansky	Rooney	Washington
Dermody	Lucyk	Ruffing	Wojnaroski
DeWeese	Maitland	Sainato	Yewcic
Donatucci	Major	Santoni	Youngblood
Fairchild	Manderino	Sather	Yudichak
Frankel	Mann		

NAYS—88

Allen	Eachus	Marsico	Semmel
Argall	Egolf	McGill	Serafini
Armstrong	Fargo	McIlhattan	Smith, B.
Baker	Feese	McNaughton	Smith, S. H.
Bard	Fichter	Metcalfe	Snyder
Barley	Fleagle	Miller, R.	Steil
Barrar	Forcier	Miller, S.	Stevenson
Bastian	Freeman	Mundy	Strittmatter
Benninghoff	Gannon	Nailor	Taylor, E. Z.
Birmelin	Gladeck	Nickol	Taylor, J.
Browne	Godshall	O'Brien	True
Bunt	Habay	Orie	Tulli
Chadwick	Hasay	Perzel	Vance
Clark	Hennessey	Phillips	Williams
Clymer	Herman	Platts	Wilt
Cohen, L. I.	Hershey	Raymond	Wogan
Cornell	Hutchinson	Ross	Wright
Curry	Jadlowiec	Rubley	Zimmerman
Dailey	Kenny	Samuelson	Zug
Dally	Krebs	Saylor	

Dempsey	Leh	Schroder	Ryan,
DiGirolamo	Lynch	Schuijer	Speaker
Druce	Maier		

NOT VOTING—1

Kirkland

EXCUSED—7

Daley	Flick	McIlhinney	Reinard
Evans	Masland	Ramos	

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

On the question,

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

Mr. TANGRETTI offered the following amendment No. A0550:

Amend Sec. 5, page 3, line 18, by inserting after "examination" or who has at least 15 years experience as a tax collector

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

Mr. TANGRETTI. Mr. Speaker, I will withdraw that amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

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

Mr. GORDNER offered the following amendment No. A0793:

Amend Title, page 1, line 2, by striking out "qualification" and inserting

certification

Amend Sec. 1, page 1, line 8, by striking out "Qualification" and inserting

Certification

Amend Sec. 3, page 2, line 17, by striking out "qualification" and inserting

certification

Amend Sec. 3, page 2, line 20, by striking out all of said line and inserting

certification.

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

certification

Amend Sec. 4, page 3, line 8, by striking out "qualification" and inserting

certification

Amend Sec. 4, page 3, line 10, by striking out "qualification" and inserting

certification

Amend Sec. 4, page 3, line 11, by striking out "qualification" and inserting

certification

Amend Sec. 4, page 3, line 12, by striking out "qualification" and inserting

certification

Amend Sec. 4, page 3, line 13, by striking out "qualified" and inserting

certified

Amend Sec. 5, page 3, line 16, by striking out "qualified"

Amend Sec. 5, page 3, line 17, by striking out "qualification" and inserting

certification

Amend Sec. 5, page 3, line 20, by striking out "qualified" and inserting

certified

Amend Sec. 5, page 3, line 24, by striking out "qualification" and inserting

certification

Amend Sec. 5, page 3, line 26, by striking out "qualification" and inserting

certification

Amend Sec. 6, page 3, line 30, by striking out "qualified" and inserting

certified

Amend Sec. 7, page 4, lines 5 and 6, by striking out "to obtain qualification." and inserting

obtaining certification.

On the question,

Will the House agree to the amendment?

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

Mr. GORDNER. Thank you, Mr. Speaker.

Most of the problem with this bill, other than the experience issue, deals with the word "qualified," and as mentioned by a previous speaker, if we were to insert the word "certified" for the word "qualified," this bill would be a lot easier to swallow. Right now we are again saying, if this bill becomes law, if you have 4 years' experience — and this is provided that the George amendment stays in — if you have 4 years' experience and you have served a term as tax collector, when you run for reelection that first time, you could still not call yourself a qualified tax collector unless you took and passed the course. What I think would make a lot more sense is if you are taking a course, that you be called certified if you voluntarily take the course and pass it. So what my amendment would do is say that if you take the course and pass it, you can now call yourself a certified tax collector, but if you choose for financial reasons or geography or whatever not to take it and yet you have served a term as tax collector, you could still, if my amendment goes in, call yourself a qualified tax collector.

I would urge your support for this amendment.

The SPEAKER pro tempore. Does the lady, Representative Bard, seek recognition? The lady is recognized.

Ms. BARD. Thank you, Mr. Speaker.

Mr. Speaker, this legislation has been developed over 5 years. Personally, I would love to have the word "certified" in the legislation. Unfortunately, that would kill the bill.

The groups involved in developing this legislation have included not only the Pennsylvania Tax Collectors' Association but also the Certified Public Accountants, also the Department of Community and Economic Development, the Center for Local Government Services, also all of the local government associations and the public accountants.

Mr. Speaker, I ask for a defeat of this amendment. The word "qualified" has been agreed to by all of the parties concerned. Thank you.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Northampton County, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Gordner amendment. I believe the point is well taken. The term "certification" is a far more accurate term than "qualification." As the gentleman, Mr. Gordner, has pointed out, "qualification" could be misused in the course of an election to imply that a person who has not undergone the course of study is not qualified when in fact they may very well be qualified from a number of different standpoints as far as life experiences or experiences on the job.

From the standpoint of clarity, I think "certification" makes much more sense, and I would urge the members of the chamber to please support this amendment.

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

The following roll call was recorded:

YEAS—104

Battisto	George	Mayernik	Solobay
Bebko-Jones	Gigliotti	McCall	Staback
Belardi	Gordner	McGeehan	Stairs
Belfanti	Grucela	Melio	Steelman
Bishop	Gruitza	Michlovic	Stern
Blaum	Haluska	Mundy	Stetler
Butkovitz	Hanna	Myers	Sturla
Buxton	Harhai	Oliver	Surra
Caltagirone	Horsey	Pesci	Tangretti
Cappabianca	James	Petrarca	Thomas
Carn	Josephs	Petrone	Tigue
Casorio	Kaiser	Pistella	Travaglio
Cawley	Keller	Preston	Trello
Cohen, M.	Kirkland	Readshaw	Trich
Colafella	Krebs	Rieger	Vance
Corrigan	LaGrotta	Roberts	Van Horne
Costa	Laughlin	Robinson	Veon
Coy	Lederer	Roebuck	Vitali
Curry	Lescovitz	Rohrer	Walko
DeLuca	Levdansky	Rooney	Washington
Dermody	Lucyk	Ruffing	Williams
DeWeese	Maitland	Sainato	Wojnaroski
Donatucci	Major	Samuelson	Wright
Eachus	Manderino	Santoni	Yewcic
Frankel	Mann	Scrimenti	Youngblood
Freeman	Markosek	Shaner	Yudichak

NAYS—91

Adolph	Druce	Leh	Saylor
Allen	Egolf	Lynch	Schroder
Argall	Fairchild	Maher	Schuler
Armstrong	Fargo	Marsico	Semmel
Baker	Feese	McGill	Serafini
Bard	Fichter	McIlhattan	Seyfert
Barley	Fleagle	McNaughton	Smith, B.
Barrar	Forcier	Metcalfe	Smith, S. H.

Bastian	Gannon	Micozzie	Snyder
Benninghoff	Geist	Miller, R.	Steil
Birmelin	Gladeck	Miller, S.	Stevenson
Boyes	Godshall	Nailor	Strittmatter
Browne	Habay	Nickol	Taylor, E. Z.
Bunt	Harhart	O'Brien	Taylor, J.
Chadwick	Hasay	Orie	True
Civera	Hennessey	Perzel	Tulli
Clark	Herman	Phillips	Wilt
Clymer	Hershey	Pippy	Wogan
Cohen, L. I.	Hess	Platts	Zimmerman
Cornell	Hutchinson	Raymond	Zug
Dailey	Jadlowiec	Ross	
Dally	Kenney	Rublely	Ryan,
Dempsey	Lawless	Sather	Speaker
DiGirolamo			

NOT VOTING—0

EXCUSED—7

Daley	Flick	McIlhinney	Reinard
Evans	Masland	Ramos	

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

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

The SPEAKER pro tempore. Does the gentleman, Mr. Gordner, intend to offer his second amendment? The gentleman withdraws the amendment, and the Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—175

Allen	Fairchild	Mann	Schuler
Argall	Fargo	Markosek	Scrimenti
Armstrong	Feese	Marsico	Semmel
Baker	Fichter	Mayernik	Serafini
Bard	Fleagle	McCall	Smith, B.
Barley	Forcier	McGeehan	Smith, S. H.
Barrar	Frankel	McGill	Snyder
Bastian	Freeman	McIlhattan	Staback
Battisto	Gannon	McNaughton	Stairs
Bebko-Jones	George	Melio	Steelman
Belardi	Gigliotti	Metcalfe	Steil
Belfanti	Gladeck	Michlovic	Stern
Benninghoff	Godshall	Miller, R.	Stetler
Birmelin	Grucela	Miller, S.	Stevenson
Bishop	Habay	Mundy	Strittmatter
Blaum	Haluska	Myers	Sturla
Browne	Hanna	Nailor	Surra
Bunt	Harhai	Nickol	Tangretti

Butkovitz	Harhart	O'Brien	Taylor, E. Z.
Buxton	Hasay	Oliver	Taylor, J.
Caltagirone	Hennessey	Orie	Thomas
Cappabianca	Herman	Perzel	Tigue
Carn	Hershey	Petrarca	Travaglio
Casorio	Horsey	Petrone	Trich
Chadwick	Hutchinson	Phillips	True
Clark	Jadlowiec	Pippy	Tulli
Clymer	James	Pistella	Vance
Cohen, L. I.	Josephs	Platts	Van Horne
Cohen, M.	Kaiser	Preston	Veon
Colafella	Keller	Raymond	Vitali
Cornell	Kenney	Readshaw	Walko
Costa	Krebs	Rieger	Washington
Coy	LaGrotta	Robinson	Williams
Curry	Laughlin	Roebuck	Wilt
Dailey	Lederer	Rooney	Wogan
Dally	Leh	Ross	Wojnaroski
DeLuca	Lescovitz	Ruble	Wright
Dempsey	Levdansky	Ruffing	Youngblood
Dermody	Lucyk	Sainato	Yudichak
DeWeese	Lynch	Samuelson	Zimmerman
DiGirolamo	Maher	Santoni	Zug
Donatucci	Maitland	Sather	
Druce	Major	Saylor	Ryan,
Eachus	Manderino	Schroder	Speaker
Egolf			

NAYS—19

Adolph	Geist	Micozzie	Shaner
Boyes	Gordner	Pesci	Solobay
Cawley	Gruitza	Roberts	Trello
Civera	Hess	Rohrer	Yewcic
Corrigan	Lawless	Seyfert	

NOT VOTING—1

Kirkland

EXCUSED—7

Daley	Flick	McIlhinney	Reinard
Evans	Masland	Ramos	

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.

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Snyder, who requests a leave of absence for the balance of today's session for the gentleman from McKean County, Mr. JADLOWIEC.

Without objection, the leave will be granted. The Chair hears no objection, and the leave is granted.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 285, PN 282**, entitled:

An Act amending 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.

On the question,
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.

The following roll call was recorded:

YEAS—167

Adolph	Egolf	Mann	Semmel
Allen	Fairchild	Markosek	Serafini
Argall	Feese	Marsico	Shaner
Armstrong	Fichter	Mayemik	Smith, B.
Baker	Fleagle	McCall	Snyder
Bard	Frankel	McGeehan	Solobay
Barley	Freeman	McGill	Staback
Barrar	Gannon	McIlhattan	Stairs
Bastian	Geist	McNaughton	Steelman
Battisto	George	Melio	Steil
Bebko-Jones	Gigliotti	Michlovic	Stetler
Belardi	Gladeck	Micozzie	Stevenson
Belfanti	Godshall	Miller, R.	Strittmatter
Birmelin	Gordner	Miller, S.	Sturla
Bishop	Grucela	Mundy	Surra
Blaum	Gruitza	Myers	Tangretti
Bunt	Haluska	O'Brien	Taylor, E. Z.
Butkovitz	Hanna	Oliver	Taylor, J.
Buxton	Harhai	Perzel	Thomas
Caltagirone	Hasay	Pesci	Tigue
Cappabianca	Hennessey	Petrarca	Travaglio
Carn	Herman	Petrone	Trello
Chadwick	Hershey	Phillips	Trich
Civera	Hess	Pistella	True
Clark	Horsey	Preston	Tulli
Clymer	James	Raymond	Van Horne
Cohen, L. I.	Josephs	Readshaw	Veon
Cohen, M.	Kaiser	Rieger	Vitali
Colafella	Keller	Roberts	Walko
Cornell	Kirkland	Robinson	Washington
Corrigan	Krebs	Roebuck	Williams
Costa	LaGrotta	Rooney	Wogan
Coy	Laughlin	Ross	Wojnaroski
Curry	Lawless	Ruble	Wright
Dailey	Lederer	Ruffing	Yewcic
DeLuca	Leh	Sainato	Youngblood
Dempsey	Lescovitz	Samuelson	Yudichak
Dermody	Levdansky	Santoni	Zimmerman
DeWeese	Lucyk	Sather	Zug
DiGirolamo	Maitland	Saylor	
Donatucci	Major	Schroder	Ryan,
Druce	Manderino	Schuler	Speaker
Eachus			

NAYS—27

Benninghoff	Forcier	Metcalfe	Scrimenti
Boyes	Habay	Nailor	Seyfert
Browne	Harhart	Nickol	Smith, S. H.
Casorio	Hutchinson	Orie	Stern
Cawley	Kenney	Pippy	Vance
Dally	Lynch	Platts	Wilt
Fargo	Maher	Rohrer	

NOT VOTING—0

EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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 58, PN 38**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. **GEORGE** offered the following amendment No. **A0037**:

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

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

Amend Bill, page 3, by inserting between lines 20 and 21

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 3, line 21, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

The gentleman withdraws that amendment? The Chair thanks the gentleman.

The Chair understands the gentleman, Mr. George, withdraws all his amendments, and the Chair understands that the lady from Indiana County, Ms. Steelman, withdraws her amendment.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. TANGRETTI offered the following amendment No. A0568:

Amend Title, page 1, line 2, by inserting after "for" contempt of court and for

Amend Bill, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Section 4132 of Title 42 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph to read:

§ 4132. Attachment and summary punishment for contempts.

The power of the several courts of this Commonwealth to issue attachments and to impose summary punishments for contempts of court shall be restricted to the following cases:

(4) When a party to litigation, engaging in a course of conduct or repeatedly committing acts which alarm or seriously annoy an adverse party and which serve no legitimate purpose.

Section 2. Section 5552(b) of Title 42 is amended to read:

Amend Sec. 2, page 3, line 21, 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 Westmoreland County, Mr. Tangretti.

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, this is an amendment that has been passed in this House a number of times and always to meet its death in the Senate, as a lot of amendments do and legislation does, but I think it is worthwhile. Again - and you have heard this before - this particular amendment and the one that accompanies it as a Title 18 amendment deals with civil litigation, particularly property disputes among neighbors, and this particular amendment allows the court another contempt citation ability when in those disputes, if one of those parties goes too far in creating difficulty in trying to settle that dispute, the court has and will have this contempt power to try to bring that situation back to some civility.

I would ask your support for that amendment. Thank you.

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

The following roll call was recorded:

YEAS-192

Table listing names of members who voted YEAS, including Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Bastian, Battisto, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Egolf, Fairchild, Fargo, Feese, Fichter, Fleagle, Forcier, Frankel, Freeman, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Grucela, Gruitza, Habay, Manderino, Mann, Markosek, Marsico, Mayermik, McCall, McGeehan, McGill, McIlhattan, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Schuler, Scrimenti, Semmel, Serafini, Seyfert, Shaner, Smith, B., Smith, S. H., Snyder, Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Strittmatter, Sturla, Surra.

Table listing names of members who voted NAYS, including Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Carn, Casorio, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Cornell, Corrigan, Costa, Coy, Curry, Dailey, Dally, DeLuca, Dempsey, Dermody, DeWeese, DiGirolo, Donatucci, Druce, Eachus, Haluska, Hanna, Harhai, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lucyk, Lynch, Maher, Maitland, Major, Nickol, O'Brien, Oliver, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Pistella, Platts, Preston, Raymond, Readshaw, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Schroder, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tighe, Travaglio, Trello, Trich, True, Tulli, Vance, Van Horne, Veon, Vitali, Walko, Washington, Williams, Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS-2

Orie Stevenson

NOT VOTING-0

EXCUSED-8

Daley Evans, Flick Jadlowiec, Masland McIlhinney, Ramos Reinard

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 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?

On that question, the Chair recognizes the gentleman from Allegheny County, Mr. Mayernik.

Mr. MAYERNIK. Thank you, Mr. Speaker.

HB 58 is a culmination of several years of effort with Attorney General Mike Fisher, then Senator Fisher, to increase the statute of limitations for money laundering from the existing 2 years to 5 years. In many cases, it takes a long time to prosecute money laundering and to ascertain the facts with the right financial institutions. The statute of limitations has been increased in other felonies, in other crimes in this Commonwealth, and presently there are 20 cases pending before the Pennsylvania Supreme Court in this Commonwealth that will be affected by this law.

So it is necessary and essential that we pass this statute-of-limitation increase from 2 years to 5 years. And this bill

also was passed last session unanimously, went to the Senate, and came back on concurrence with some other language. This was nonoffensive. I would ask for an affirmative vote. Thank you, Mr. Speaker.

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.

The following roll call was recorded:

YEAS—194

Adolph	Egolf	Manderino	Schuler
Allen	Fairchild	Mann	Scrimenti
Argall	Fargo	Markosek	Semmel
Armstrong	Feese	Marsico	Serafini
Baker	Fichter	Mayernik	Seyfert
Bard	Fleagle	McCall	Shaner
Barley	Forcier	McGeehan	Smith, B.
Barrar	Frankel	McGill	Smith, S. H.
Bastian	Freeman	McIlhattan	Snyder
Battisto	Gannon	McNaughton	Solobay
Bebko-Jones	Geist	Melio	Staback
Belardi	George	Metcalfe	Stairs
Belfanti	Gigliotti	Michlovic	Steelman
Benninghoff	Gladeck	Micozzie	Steil
Birmelin	Godshall	Miller, R.	Stern
Bishop	Gordner	Miller, S.	Stetler
Blaum	Grucela	Mundy	Stevenson
Boyes	Gruitza	Myers	Strittmatter
Browne	Habay	Nailor	Sturla
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Orie	Taylor, J.
Cappabianca	Hasay	Perzel	Thomas
Carr	Hennessey	Pesci	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trello
Chadwick	Hess	Phillips	Trich
Civera	Horsey	Pippy	True
Clark	Hutchinson	Pistella	Tulli
Clymer	James	Platts	Vance
Cohen, L. I.	Josephs	Preston	Van Horne
Cohen, M.	Kaiser	Raymond	Veon
Colafella	Keller	Readshaw	Vitali
Cornell	Kenney	Rieger	Walko
Corrigan	Kirkland	Roberts	Washington
Costa	Krebs	Robinson	Williams
Coy	LaGrotta	Roebuck	Wilt
Curry	Laughlin	Rohrer	Wogan
Dailey	Lawless	Rooney	Wojnaroski
Daily	Lederer	Ross	Wright
DeLuca	Leh	Rubley	Yewcic
Dempsey	Lescovitz	Ruffing	Youngblood
Dermody	Levdansky	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Donatucci	Maher	Sather	
Druce	Maitland	Saylor	Ryan,
Eachus	Major	Schroder	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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 House proceeded to third consideration of **HB 103, PN 85**, entitled:

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

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

Mr. TANGRETTI offered the following amendment No. **A0559**:

Amend Title, page 1, line 2, by inserting after "providing"
for harassment and stalking and

Amend Sec. 1, page 1, lines 6 and 7, by striking out all of said lines and inserting

Section 1. Sections 2709(c)(1) and 9112 of Title 18 of the Pennsylvania Consolidated Statutes are amended to read:
§ 2709. Harassment and stalking.

- ***
- (c) Grading.—
 - (1) An offense under subsection (a) shall be graded as follows:
 - (i) Except as provided in subparagraph (ii), the offense shall constitute a summary offense.
 - (ii) An offense under subsection (a)(3) if the defendant is or, during the past five years, was engaged in civil litigation with the victim shall constitute a felony of the third degree.
- ***

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

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, as you know, that is the correct pronunciation, so I thank you for that.

The SPEAKER. Which one?

Mr. TANGRETTI. The first one, which we will not get into now.

This is the second part of the piece dealing with the civil disputes that arose out of a problem in my district. It allows for an expansion of the harassment and upgrading of the offense on the harassment statute, and I would ask that we give the court the ability also to have this at their disposal in the event that a party involved in civil litigation gets out of hand.

So I would ask for an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS-186

Adolph	Eachus	Major	Schuler
Allen	Egolf	Mann	Semmel
Argall	Fairchild	Markosek	Serafini
Armstrong	Fargo	Marsico	Seyfert
Baker	Feese	Mayernik	Shaner
Barley	Fichter	McCall	Smith, B.
Barrar	Fleagle	McGeehan	Smith, S. H.
Bastian	Forcier	McGill	Snyder
Battisto	Frankel	McIlhattan	Solobay
Bebko-Jones	Freeman	McNaughton	Staback
Belardi	Gannon	Melio	Stairs
Belfanti	Geist	Metcalfe	Steelman
Benninghoff	George	Michlovic	Steil
Birmelin	Gigliotti	Miller, R.	Stern
Bishop	Gladeck	Miller, S.	Stetler
Blaum	Godshall	Mundy	Stevenson
Boyes	Grucela	Myers	Strittmatter
Browne	Gruitza	Nailor	Sturla
Bunt	Habay	Nickol	Surra
Butkovitz	Haluska	O'Brien	Tangretti
Buxton	Hanna	Oliver	Taylor, E. Z.
Caltagirone	Harhai	Perzel	Taylor, J.
Cappabianca	Harhart	Pesci	Thomas
Carn	Hasay	Petrarca	Tigue
Casorio	Hennessey	Petrone	Travaglio
Cawley	Herman	Phillips	Trello
Chadwick	Hershey	Pippy	Trich
Civera	Hess	Pistella	True
Clark	Horsey	Platts	Tulli
Clymer	Hutchinson	Preston	Vance
Cohen, L. I.	James	Raymond	Van Horne
Cohen, M.	Josephs	Readshaw	Veon
Colafella	Kaiser	Rieger	Walko
Cornell	Keller	Roberts	Washington
Corrigan	Kenney	Robinson	Williams
Costa	Kirkland	Roebuck	Wilt
Coy	Krebs	Rohrer	Wogan
Curry	LaGrotta	Rooney	Wojnaroski
Dailey	Laughlin	Ross	Wright
Daily	Lawless	Rublely	Yewcic
DeLuca	Lederer	Ruffing	Youngblood
Dempsey	Leh	Sainato	Yudichak
Dermody	Lescovitz	Samuelson	Zimmerman
DeWeese	Levdansky	Santoni	Zug
DiGirolamo	Lucy	Sather	
Donatucci	Lynch	Saylor	Ryan,
Druce	Maher	Schroder	Speaker

NAYS-7

Bard	Maitland	Orie	Vitali
Gordner	Manderino	Scrimenti	

NOT VOTING-1

Micozzie

EXCUSED-8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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?

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

The following roll call was recorded:

YEAS-194

Adolph	Egolf	Manderino	Schuler
Allen	Fairchild	Mann	Scrimenti
Argall	Fargo	Markosek	Semmel
Armstrong	Feese	Marsico	Serafini
Baker	Fichter	Mayernik	Seyfert
Bard	Fleagle	McCall	Shaner
Barley	Forcier	McGeehan	Smith, B.
Barrar	Frankel	McGill	Smith, S. H.
Bastian	Freeman	McIlhattan	Snyder
Battisto	Gannon	McNaughton	Solobay
Bebko-Jones	Geist	Melio	Staback
Belardi	George	Metcalfe	Stairs
Belfanti	Gigliotti	Michlovic	Steelman
Benninghoff	Gladeck	Micozzie	Steil
Birmelin	Godshall	Miller, R.	Stern
Bishop	Gordner	Miller, S.	Stetler
Blaum	Grucela	Mundy	Stevenson
Boyes	Gruitza	Myers	Strittmatter
Browne	Habay	Nailor	Sturla
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Orie	Taylor, J.
Cappabianca	Hasay	Perzel	Thomas
Carn	Hennessey	Pesci	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trello
Chadwick	Hess	Phillips	Trich
Civera	Horsey	Pippy	True
Clark	Hutchinson	Pistella	Tulli
Clymer	James	Platts	Vance
Cohen, L. I.	Josephs	Preston	Van Horne
Cohen, M.	Kaiser	Raymond	Veon
Colafella	Keller	Readshaw	Vitali
Cornell	Kenney	Rieger	Walko
Corrigan	Kirkland	Roberts	Washington
Costa	Krebs	Robinson	Williams
Coy	LaGrotta	Roebuck	Wilt
Curry	Laughlin	Rohrer	Wogan
Dailey	Lawless	Rooney	Wojnaroski
Daily	Lederer	Ross	Wright
DeLuca	Leh	Rublely	Yewcic
Dempsey	Lescovitz	Ruffing	Youngblood
Dermody	Levdansky	Sainato	Yudichak
DeWeese	Lucy	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Donatucci	Maher	Sather	
Druce	Maitland	Saylor	Ryan,
Eachus	Major	Schroder	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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 115, PN 96**, entitled:

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

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

Mr. **JAMES** offered the following amendment No. **A0064**:

Amend Sec. 1 (Sec. 2164), page 1, line 15, by striking out "captain" and inserting

lieutenant

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

AMENDMENT WITHDRAWN

The **SPEAKER**. The Chair is unable to locate the gentleman, Mr. James. Is someone else offering his amendment? The amendment will be withdrawn.

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

Mr. **O'BRIEN** offered the following amendment No. **A0827**:

Amend Title, page 1, line 2, by inserting after "for"
municipal police education and training and for

Amend Bill, page 1, lines 6 through 8, by striking out all of said lines and inserting

Section 1. The definitions of "police department" and "police officer" in section 2162 of Title 53 of the Pennsylvania Consolidated Statutes are amended to read:

§ 2162. Definitions.

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Police department." Any of the following:

(1) A public agency of a political subdivision having general police powers and charged with making arrests in connection with the enforcement of the criminal or traffic laws. This paragraph includes the sheriff's office in a county of the second class.

(2) A campus police or university police department, as used in section 2416 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, certified by the Office of Attorney General as a criminal justice agency under the definition of "criminal justice agency" in 18 Pa.C.S. § 9102 (relating to definitions). This paragraph does not include a campus police or university police department of the State System of Higher Education and its member institutions.

(3) A railroad or street railway police department formed with officers commissioned under 22 Pa.C.S. Ch. 33 (relating to railroad and street railway police) or any prior statute providing for such commissioning.

"Police officer." Any full-time or part-time employee of a city, borough, town, township, railroad or street railway police, campus police or university police or county police department assigned to criminal or traffic law enforcement duties; any deputy sheriff of a county of the second class; and, for the purpose of training only, security officers of a first class city housing authority. The term excludes persons employed to check parking meters or to perform only administrative duties and auxiliary and fire police.

Section 2. Section 2164(10) of Title 53 is amended and the section is amended by adding a paragraph to read:

Amend Bill, page 2, by inserting between lines 17 and 18

Section 3. Section 2168 of Title 53 is amended by adding a subsection to read:

§ 2168. Automatic certification.

(d) Railroad and street railway police.—Any railroad and street railway police officer who, as of the effective date of this subsection, has successfully completed a basic training course similar to that required under this chapter shall, after review by the commission, be certified as having met the basic requirements of this chapter. Any railroad and street railway police officer who, as of the effective date of this subsection, has not successfully completed a basic training course similar to that required under this chapter which qualifies the police officer for certification shall be able to perform the duties of a railroad and street railway police officer until certified by the commission, but no longer than one year from the effective date of this subsection.

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

4

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

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

Mr. **O'BRIEN**. Mr. Speaker, this amendment very simply puts the railroad and street railway police, otherwise known as SEPTA (Southeastern Pennsylvania Transportation Authority) police, under the Pennsylvania Municipal Police Officers' Education and Training Act.

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—194

Adolph	Egolf	Manderino	Schuler
Allen	Fairchild	Mann	Scrimenti
Argall	Fargo	Markosek	Semmel
Armstrong	Feese	Marsico	Serafini
Baker	Fichter	Mayernik	Seyfert
Bard	Fleagle	McCall	Shaner
Barley	Forcier	McGeehan	Smith, B.
Barrar	Frankel	McGill	Smith, S. H.
Bastian	Freeman	McIlhattan	Snyder
Battisto	Gannon	McNaughton	Solobay
Bebko-Jones	Geist	Melio	Staback
Belardi	George	Metcalfe	Stairs
Belfanti	Gigliotti	Michlovic	Steelman
Benninghoff	Gladeck	Micozzie	Steil
Birmelin	Godshall	Miller, R.	Stern
Bishop	Gordner	Miller, S.	Stetler
Blaum	Grucela	Mundy	Stevenson
Boyes	Gruitza	Myers	Strittmatter
Browne	Habay	Nailor	Sturla
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti

Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Orie	Taylor, J.
Cappabianca	Hasay	Perzel	Thomas
Carn	Hennessey	Pesci	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trello
Chadwick	Hess	Phillips	Trich
Civera	Horsey	Pippy	True
Clark	Hutchinson	Pistella	Tulli
Clymer	James	Platts	Vance
Cohen, L. I.	Josephs	Preston	Van Home
Cohen, M.	Kaiser	Raymond	Veon
Colafella	Keller	Readshaw	Vitali
Cornell	Kenney	Rieger	Walko
Corrigan	Kirkland	Roberts	Washington
Costa	Krebs	Robinson	Williams
Coy	LaGrotta	Roebuck	Wilt
Curry	Laughlin	Rohrer	Wogan
Dailey	Lawless	Rooney	Wojnaroski
Dally	Lederer	Ross	Wright
DeLuca	Leh	Rublely	Yewcic
Dempsey	Lescovitz	Ruffing	Youngblood
Dermody	Levdansky	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Donatucci	Maher	Sather	
Druce	Maitland	Saylor	Ryan,
Eachus	Major	Schroder	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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

On the question,

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Blaum, who offers the amendment previously labeled as the James amendment, being 064.

Mr. BLAUM offered the following amendment No. A0064:

Amend Sec. 1 (Sec. 2164), page 1, line 15, by striking out "captain" and inserting

lieutenant

On the question,

Will the House agree to the amendment?

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

Mr. BLAUM. Thank you, Mr. Speaker.

What this amendment does — a technical amendment, which is agreed to by the chairman of Judiciary — reducing the training to the level of lieutenant and above rather than captain and above.

I ask the members for an affirmative vote.

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

The following roll call was recorded:

YEAS-194

Adolph	Egolf	Manderino	Schuler
Allen	Fairchild	Mann	Scrimenti
Argall	Fargo	Markosek	Semmel
Armstrong	Feese	Marsico	Serafini
Baker	Fichter	Mayemik	Seyfert
Bard	Feagle	McCall	Shaner
Barley	Forcier	McGeehan	Smith, B.
Barar	Frankel	McGil	Smith, S. H.
Bastian	Freeman	McIlhattan	Snyder
Battisto	Gannon	McNaughton	Solobay
Bebko-Jones	Geist	Melio	Staback
Belardi	George	Metcalfe	Stairs
Belfanti	Gigliotti	Michlovic	Steelman
Benninghoff	Gladeck	Micozzie	Steil
Birmelin	Godshall	Miller, R.	Stem
Bishop	Gordner	Miller, S.	Stetler
Blaum	Grucela	Mundy	Stevenson
Boyes	Gruitza	Myers	Strittmatter
Browne	Habay	Nailor	Sturla
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Orie	Taylor, J.
Cappabianca	Hasay	Perzel	Thomas
Carn	Hennessey	Pesci	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trello
Chadwick	Hess	Phillips	Trich
Civera	Horsey	Pippy	True
Clark	Hutchinson	Pistella	Tulli
Clymer	James	Platts	Vance
Cohen, L. I.	Josephs	Preston	Van Home
Cohen, M.	Kaiser	Raymond	Veon
Colafella	Keller	Readshaw	Vitali
Cornell	Kenney	Rieger	Walko
Corrigan	Kirkland	Roberts	Washington
Costa	Krebs	Robinson	Williams
Coy	LaGrotta	Roebuck	Wilt
Curry	Laughlin	Rohrer	Wogan
Dailey	Lawless	Rooney	Wojnaroski
Dally	Lederer	Ross	Wright
DeLuca	Leh	Rublely	Yewcic
Dempsey	Lescovitz	Ruffing	Youngblood
Dermody	Levdansky	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Donatucci	Maher	Sather	
Druce	Maitland	Saylor	Ryan,
Eachus	Major	Schroder	Speaker

NAYS-0

NOT VOTING-0

EXCUSED-8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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

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

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

The following roll call was recorded:

YEAS—190

Adolph	Fairchild	Manderino	Schuler
Armstrong	Fargo	Mann	Scrimenti
Baker	Feese	Markosek	Semmel
Bard	Fichter	Marsico	Serafini
Barley	Fleagle	Mayernik	Seyfert
Barrar	Forcier	McCall	Shaner
Bastian	Frankel	McGeehan	Smith, B.
Battisto	Freeman	McGill	Smith, S. H.
Bebko-Jones	Gannon	McIlhattan	Snyder
Belardi	Geist	McNaughton	Solobay
Belfanti	George	Melio	Staback
Benninghoff	Gigliotti	Metcalfe	Stairs
Birmelin	Gladeck	Michlovic	Steelman
Bishop	Godshall	Micozzie	Steil
Blaum	Gordner	Miller, R.	Stern
Boyes	Grucela	Miller, S.	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Habay	Myers	Strittmatter
Butkovitz	Haluska	Nailor	Sturla
Buxton	Hanna	Nickol	Surra
Caltagirone	Harhai	O'Brien	Tangretti
Cappabianca	Harhart	Oliver	Taylor, E. Z.
Carn	Hasay	Orie	Taylor, J.
Casorio	Hennessey	Perzel	Thomas
Cawley	Herman	Pesci	Travaglio
Chadwick	Hershey	Petrarca	Treilo
Civera	Hess	Petrone	Trich
Clark	Horsey	Phillips	True
Clymer	Hutchinson	Pippy	Tulli
Cohen, L. I.	James	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Home
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Raymond	Vitali
Corrigan	Kenney	Readshaw	Walko
Costa	Kirkland	Rieger	Washington
Coy	Krebs	Robinson	Williams
Curry	LaGrotta	Roebuck	Wilt
Dailey	Laughlin	Rohrer	Wogan
Dally	Lawless	Rooney	Wojnaroski
DeLuca	Lederer	Ross	Wright
Dempsey	Leh	Rubley	Yewcic
Dermody	Lescovitz	Ruffing	Youngblood
DeWeese	Levdansky	Sainato	Yudichak
DiGirolamo	Lucyk	Samuelson	Zimmerman
Donatucci	Lynch	Santoni	Zug
Druce	Maher	Sather	
Eachus	Maitland	Saylor	Ryan,
Egolf	Major	Schroder	Speaker

NAYS—2

Roberts Tigue

NOT VOTING—2

Allen Argall

EXCUSED—8

Daley Flick Masland Ramos
 Evans Jadlowiec McIlhinney Reinard

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 116, PN 98**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting use of buildings designed, adapted or modified to hinder or suppress law enforcement entry for certain purposes; and imposing a penalty.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
 The question is, shall the bill pass finally?

The Chair recognizes the gentleman, Mr. Caltagirone, on the question of final passage on HB 116.
 Mr. CALTAGIRONE. Thank you, Mr. Speaker.
 I will make this brief.

The illegal sales of drugs is a serious threat to the well-being of our communities across Pennsylvania, and in some of our communities, particularly Reading and Philadelphia, it has presented a real hazard to the police who have been entering these buildings. What this would do, this piece of legislation, it would make it a felony of the third degree so that this offense then would be graded as such and persons that would fortify buildings or rooms for the purpose of modifying or suppressing entry by law enforcement personnel would make it a separate and particular violation.

I would appreciate your affirmative vote. Thank you, Mr. Speaker.
 The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
 Shall the bill pass finally?
 The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—193

Adolph	Egolf	Manderino	Schuler
Allen	Fairchild	Mann	Scrimenti
Argall	Fargo	Markosek	Semmel
Armstrong	Feese	Marsico	Serafini
Baker	Fichter	Mayernik	Seyfert
Bard	Fleagle	McCall	Shaner

Barley	Forcier	McGeehan	Smith, B.
Barrar	Frankel	McGill	Smith, S. H.
Bastian	Freeman	McIlhattan	Snyder
Battisto	Gannon	McNaughton	Solobay
Bebko-Jones	Geist	Melio	Staback
Belardi	George	Metcalfe	Stairs
Belfanti	Gigliotti	Michlovic	Steelman
Benninghoff	Gladeck	Micozzie	Steil
Birmelin	Godshall	Miller, R.	Stern
Bishop	Gordner	Miller, S.	Stetler
Blaum	Grucela	Mundy	Stevenson
Boyes	Gruitza	Myers	Strittmatter
Browne	Habay	Nailor	Sturla
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Orie	Taylor, J.
Cappabianca	Hasay	Perzel	Thomas
Carn	Hennessey	Pesci	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trello
Chadwick	Hess	Phillips	Trich
Civera	Horsey	Pippy	True
Clark	Hutchinson	Pistella	Tulli
Clymer	James	Platts	Vance
Cohen, L. I.	Josephs	Preston	Van Horne
Cohen, M.	Kaiser	Raymond	Veon
Colafella	Keller	Readshaw	Vitali
Cornell	Kenney	Rieger	Walko
Corrigan	Kirkland	Roberts	Washington
Costa	Krebs	Robinson	Williams
Coy	LaGrotta	Roebuck	Wilt
Curry	Laughlin	Rohrer	Wogan
Dailey	Lawless	Rooney	Wright
Dally	Lederer	Ross	Yewcic
DeLuca	Leh	Rublely	Youngblood
Dempsey	Lescovitz	Ruffing	Yudichak
Dermody	Levdansky	Sainato	Zimmerman
DeWeese	Lucyk	Samuelson	Zug
DiGirolamo	Lynch	Santoni	
Donatucci	Maher	Sather	Ryan,
Druce	Maitland	Saylor	Speaker
Eachus	Major	Schroder	

NAYS-0

NOT VOTING-1

Wojnaroski

EXCUSED-8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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 217, PN 208**, entitled:

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

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.

The following roll call was recorded:

YEAS-194

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

NAYS-0

NOT VOTING-0

EXCUSED-8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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 237, PN 234**, entitled:

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

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.

The following roll call was recorded:

YEAS—193

Adolph	Egolf	Manderino	Schuler
Allen	Fairchild	Mann	Scrimenti
Argall	Fargo	Markosek	Semmel
Armstrong	Feese	Marsico	Serafini
Baker	Fichter	Mayemik	Seyfert
Bard	Fleagle	McCall	Shaner
Barley	Forcier	McGeehan	Smith, B.
Barrar	Frankel	McGill	Smith, S. H.
Bastian	Freeman	McIlhattan	Snyder
Battisto	Gannon	McNaughton	Solobay
Bebko-Jones	Geist	Melio	Staback
Belardi	George	Metcalfe	Stairs
Belfanti	Gigliotti	Michlovic	Steelman
Benninghoff	Gladeck	Micozzie	Steil
Birmelin	Godshall	Miller, R.	Stern
Bishop	Gordner	Miller, S.	Stetler
Blaum	Grucela	Mundy	Stevenson
Boyes	Gruitza	Myers	Strittmatter
Browne	Habay	Nailor	Sturla
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Orie	Taylor, J.
Cappabianca	Hasay	Perzel	Thomas
Carn	Hennessey	Pesci	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trello
Chadwick	Hess	Phillips	Trich
Civera	Horsey	Pippy	True
Clark	Hutchinson	Pistella	Tulli
Clymer	James	Platts	Vance
Cohen, L. I.	Josephs	Preston	Van Horne
Cohen, M.	Kaiser	Raymond	Veon
Colafella	Keller	Readshaw	Walko
Cornell	Kenney	Rieger	Washington
Corrigan	Kirkland	Roberts	Williams
Costa	Krebs	Robinson	Wilt
Coy	LaGrotta	Roebuck	Wogan
Curry	Laughlin	Rohrer	Wojnaroski
Dailey	Lawless	Rooney	Wright
Dally	Lederer	Ross	Yewcic
DeLuca	Leh	Rublely	Youngblood
Dempsey	Lescovitz	Ruffing	Yudichak
Dermody	Levdansky	Sainato	Zimmerman

DeWeese	Lucyk	Samuelson	Zug
DiGirolo	Lynch	Santoni	
Donatucci	Maher	Sather	Ryan,
Druce	Maitland	Saylor	Speaker
Eachus	Major	Schroder	

NAYS—1

Vitali

NOT VOTING—0

EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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 124, PN 134**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, making the appearance in public while under the influence of a controlled substance an offense.

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

Mr. GANNON offered the following amendment No. **A0479**:

Amend Title, page 1, line 3, by striking out "a controlled substance" and inserting

drugs

Amend Sec. 1 (Sec. 5505), page 1, line 11, by striking out "controlled substance" and inserting

drugs

Amend Sec. 1 (Sec. 5505), page 1, lines 13 through 16, by striking out "a" in line 13, all of lines 14 and 15, "Device and Cosmetic Act." in line 16 and inserting

drugs, except those taken pursuant to the lawful order of a practitioner

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

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, this makes some technical changes to the bill. It is to make certain that prescription drugs are not part of the criminal offense of being under the influence of drugs.

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

The following roll call was recorded:

YEAS—192

Adolph	Fairchild	Mann	Schuler
Allen	Fargo	Markosek	Scrimenti
Argall	Feese	Marsico	Semmel
Armstrong	Fichter	Mayemik	Serafini
Baker	Fleagle	McCall	Seyfert
Bard	Forcier	McGeehan	Shaner
Barley	Frankel	McGill	Smith, B.
Barrar	Freeman	McIlhattan	Smith, S. H.
Bastian	Gannon	McNaughton	Snyder
Battisto	Geist	Melio	Solobay
Bebko-Jones	George	Metcalfe	Staback
Belardi	Gigliotti	Michlovic	Stairs
Belfanti	Gladeck	Micozzie	Steelman
Benninghoff	Godshall	Miller, R.	Steil
Bimelin	Gordner	Miller, S.	Stern
Bishop	Grucela	Mundy	Stetler
Blaum	Gruitza	Myers	Stevenson
Boyes	Habay	Nailor	Strittmatter
Browne	Haluska	Nickol	Sturla
Bunt	Hanna	O'Brien	Surra
Butkovitz	Harhai	Oliver	Tangretti
Buxton	Harhart	Orie	Taylor, E. Z.
Caltagirone	Hasay	Perzel	Taylor, J.
Cappabianca	Hennessey	Pesci	Thomas
Cam	Hernan	Petrarca	Tigue
Casorio	Hershey	Petrone	Travaglio
Cawley	Hess	Phillips	Trello
Chadwick	Horsey	Pippy	Trich
Civera	Hutchinson	Pistella	True
Clark	James	Platts	Tulli
Clymer	Josephs	Preston	Vance
Cohen, L. I.	Kaiser	Raymond	Van Horne
Cohen, M.	Keller	Readshaw	Vitali
Colafella	Kenney	Rieger	Walko
Cornell	Kirkland	Roberts	Washington
Corrigan	Krebs	Robinson	Williams
Costa	LaGrotta	Roebuck	Wilt
Coy	Laughlin	Rohrer	Wogan
Curry	Lawless	Rooney	Wojnaroski
Dailey	Lederer	Ross	Wright
Dally	Leh	Rubley	Yewcic
DeLuca	Lescovitz	Ruffing	Youngblood
Dempsey	Levdansky	Sainato	Yudichak
Dermody	Lucyk	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Donatucci	Maher	Sather	
Druce	Maitland	Saylor	Ryan,
Eachus	Major	Schroder	Speaker
Egolf	Manderino		

NAYS—0

NOT VOTING—2

DeWeese	Veon
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EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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

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

Mr. GEORGE offered the following amendment No. A0046:

Amend Title, page 1, line 5, by removing the period after "substances" and inserting

; and prohibiting automatic teller machine fees.

Amend Bill, page 2, by inserting between lines 1 and 2

Section 2. Title 18 is amended by adding a section to read:

§ 5518. Prohibiting automatic teller machine fees.

—(a) Offense.—An operator, owner or renter of an automatic teller machine may not charge a fee of more than \$1 to the user whether or not the transaction involves an account held by the operator, owner or renter of the automatic teller machine.

(b) Grading.—A violation of subsection (a) constitutes a summary offense, punishable by a fine of \$10 or the amount of the fee charged, whichever is less.

Amend Sec. 2, page 2, line 9, by striking out "2" and inserting

3

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

AMENDMENT WITHDRAWN

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

Mr. GEORGE. Mr. Speaker, if you will, sir. Mr. Speaker? I think we are taking up the wrong amendment. I had agreed to withdraw the amendment I think that you have read, Mr. Speaker. I think the amendment that I would like to offer is A0252, sir.

The SPEAKER. The gentleman, Mr. George, withdraws the amendment just read and resubmits a new amendment, which the clerk will now read.

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

Mr. GEORGE offered the following amendment No. A0252:

Amend Title, page 1, line 5, by inserting after "offense" ; providing for automobile emissions testing; and imposing a penalty

Amend Bill, page 2, by inserting between lines 1 and 2

Section 2. Title 18 is amended by adding a section to read:

§ 7330. Automobile emissions testing.

(a) Offense defined.—A person commits a summary offense if he performs an automobile emissions test and:

- (1) charges more than \$5 for the sticker and related fees;
- (2) charges more than one hour of normal labor time for the test; or

(3) fails to publicly post the hourly rate for the test in the automotive station or repair shop in which the test is performed.

(b) Penalty.—A person convicted under this section shall be sentenced to pay a fine of \$300.

Amend Sec. 2, page 2, line 9, by striking out "2" and inserting

3

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

The SPEAKER. On the question of the adoption of the George amendment A0252, the gentleman is recognized.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to advise my colleagues that over the past couple of years we have been inundated with calls from certain areas where testing of the automobile emissions is into focus, and some of the prices that have been gouged from these individuals that are forced to take their automobiles to one of these inspection sites have been outrageous, and I think we are obligated to do something about it.

Now, as I read this amendment, I think you will find that we are not trying to harness an upstanding business entity. We are simply trying to allow, as we mostly attempt to do, into allowing the supply-and-demand concept to come into play. So what we are saying is that it is an offense, Mr. Speaker, and a person commits a summary offense if he or she performs an automobile emissions test and charges more than the \$5 for the sticker and related fees, and also, he would be in violation if he charges more than 1 hour of normal labor time for the test or if in fact he fails to publicly post the hourly rate for the test in the automotive station or repair shop in which the test is performed. And then generally speaking what we are saying is, if you want to go there, if you want to pay more money than the guy down the street, Mr. Speaker, that is your business, but we have an obligation to say enough is enough. People are being gouged. We want it displayed conspicuously what that individual charges by the hour. We want to insist that the sticker itself, that a charge of so much be made and that is all. The Department of Transportation does that with a safety inspection sticker, and we want to say that only an hour can be charged for in the performance of that test.

If in fact this amendment is accepted, and I hope it is, we will have done an ombudsman duty for those counties and those of your constituents in those counties in regard to holding down the price and alleviating the gouging that is taking place. I ask that we accept this amendment.

GERMANENESS QUESTIONED

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

Mr. GEIST. Thank you, Mr. Speaker.

If you please, I had no idea that this amendment was coming, and after listening to it, I would actually question its germaneness to this bill and would ask so in a motion form.

The SPEAKER. The question of germaneness is a question that is determined by the House itself. The gentleman, Mr. Geist, raises the question of whether or not amendment A0252 is germane.

On the question,

Will the House sustain the germaneness of the amendment?

The SPEAKER. On that question, under House rule 17, it is determined by the House.

The Chair at this time recognizes the gentleman, Mr. Geist, on the question of germaneness.

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

I think it is very clear and very evident that this amendment is not germane, and I would ask for a vote so.

The SPEAKER. On the question of germaneness, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I may not have the expertise of the chairman on Transportation, but I am old enough to know that if you steal it is a crime, if you misrepresent it is a crime, and if you willingly pursue an item where you are taking money out of a person's pocket due to misrepresentation it is a crime, and that is what this amendment says. If any of the following is followed, it is a crime. So therefore, I believe it is germane.

The SPEAKER. The gentleman, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment in its present form is very troubling in that it imposes a criminal penalty on a program that is imposed on the drivers of this Commonwealth and the garages of this Commonwealth by this very General Assembly. I worked in the automobile business years ago in a garage, and I know that you can do a pretty good job for a customer and they are going to be disgruntled, and the way this amendment is drafted, Mr. Speaker, if you have a disgruntled customer, even though you have done a good job, he could go to the district attorney and have criminal charges filed against you.

I do not think this is to be taken lightly. I do not think this type of amendment belongs in a Crimes Code bill, and I would agree with Representative Geist that this amendment is not germane. It belongs in another title.

Mr. GEIST. Mr. Speaker?

The SPEAKER. The Chair thanks the gentleman.

Mr. Geist, for the second time.

Mr. GEIST. Thank you, Mr. Speaker.

What I would ask is that we have been working on this in committee with Representative Melio and others. I believe that the amendment itself is flawed. I would ask that rather than doing the germane vote, that Representative George would withdraw the amendment and let Representative Battisto and me and the members of our committee, the other Representatives who are working on this issue, do it in committee where it belongs rather than on the floor of the House as a committee of the whole.

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

Mr. SURRA. Thank you, Mr. Speaker.

Briefly, if you argue about germaneness, Mr. Speaker, he intends to make overcharging a crime, which does fit under Title 18, which is the Crimes Code. And, Mr. Speaker, as far as a flawed amendment, we already do similar type things in Pennsylvania. Inspection stations are only allowed to charge \$2 for an inspection sticker, and then they have to post the price for the inspection. There is no difference in that. Automobile dealers have to charge a certain fee to transfer a title or to issue a new title, and we set those by law, Mr. Speaker.

So this is not anything new, and this is not a flawed amendment.

The SPEAKER. Mr. George, do you seek recognition?

Mr. GEORGE. If I may, Mr. Speaker.

Mr. Speaker, I do not have the talent that the gentleman, Mr. Gannon, has in that I am not learned in the law. Sometimes I look up in the air and I am grateful that I am not learned in the law. And I can assure you that I am not near as smart as my colleague from Blair County, but I do not apologize for that because he just got lucky. But I want to say this: It is against the law to overcharge for State vehicle inspections. I happen to be a mechanic; I know that, and it is a law to misrepresent and not put the price that you are about to charge on the door of that inspection office. And if

you are caught doing that and misrepresenting or putting a part on that should not have been put on and, for some reason, are carelessly throwing that part away when the State Police come in and check it, you are in violation and can lose not only your driver's license but your inspection station.

Now, let me say this: I am not going to withdraw the amendment. If they want to beat it, Mr. Speaker, that is what we are here for. So far I am about 2,000 to nothing, but that does not make any difference, because I am going to tell you this: If you beat that, there will be about 100 people in the Philadelphia, Montgomery, Chester areas that will sing your praises, but if we do not beat this amendment, there will be 150,000 say prayers for you tonight, because that is how you get prayers — you save it out of their pocket.

I say if you want to beat it on the germaneness, go ahead and do it, but I am going to tell you what. I am asking everyone in this room that hears me, let us do something responsibly. Let us not wait until next month till the gentleman brings out a bill; let us do it now.

The SPEAKER. On the question, Mr. Gannon for the second time.

Mr. GANNON. Thank you, Mr. Speaker.

The prior speaker, Representative George, and another speaker pointed out, rightfully so, that there is a limitation on the charge for an inspection sticker, but they made my point for me. That is in the Motor Vehicle Code; that is not in the Crimes Code, and my point about this amendment is it does not belong in the Crimes Code. It would be better placed in a Motor Vehicle Code bill, and that is why I feel and I believe and I am asking the members to vote that it is not germane.

And it should be dealt with in the Transportation Committee as the SLAPP suit (strategic lawsuit against public participation) issue was dealt with in the Judiciary Committee.

The SPEAKER. The Chair thanks the gentleman.

On the question of germaneness, those believing the amendment to be germane will vote in the affirmative; those believing it not germane shall vote in the negative.

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

The following roll call was recorded:

YEAS—92

Bebko-Jones	Freeman	Markosek	Santoni
Belfanti	George	Mayemik	Scrimenti
Bishop	Gigliotti	McCall	Shaner
Blaum	Grucela	McGeehan	Solobay
Butkovitz	Gruitza	Melio	Staback
Buxton	Haluska	Michlovic	Steelman
Caltagirone	Hanna	Mundy	Sturla
Cappabianca	Harhai	Myers	Surra
Carn	Horsey	Oliver	Tangretti
Casorio	James	Pesci	Thomas
Cawley	Josephs	Petrarca	Tigue
Cohen, M.	Kaiser	Petrone	Travaglio
Coiafella	Keller	Pistella	Trello
Corrigan	Kirkland	Preston	Trich
Costa	LaGrotta	Readshaw	Van Horne
Coy	Laughlin	Rieger	Veon
Curry	Lawless	Roberts	Vitali
DeLuca	Lederer	Robinson	Walko
Dermody	Lescovitz	Roebuck	Washington
DeWeese	Levdansky	Rooney	Wojnaroski
Donatucci	Lucyk	Ruffing	Yewcic

Eachus Frankel	Manderino Mann	Sainato Samuelson	Youngblood Yudichak
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NAYS—101

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

NOT VOTING—1

Belardi

EXCUSED—8

Daley Evans	Flick Jadlowiec	Masland McIlhinney	Ramos Reinard
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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 as amended?
Bill as amended was agreed to.

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

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

The following roll call was recorded:

YEAS—194

Adolph	Egolf	Manderino	Schuler
Allen	Fairchild	Mann	Scrimenti
Argall	Fargo	Markosek	Semmel
Armstrong	Feese	Marsico	Serafini
Baker	Fichter	Mayermik	Seyfert

Bard	Fleagle	McCall	Shaner
Barley	Forcier	McGeehan	Smith, B.
Barrar	Frankel	McGill	Smith, S. H.
Bastian	Freeman	McIlhattan	Snyder
Battisto	Gannon	McNaughton	Solobay
Bebko-Jones	Geist	Melio	Staback
Belardi	George	Metcalfe	Stairs
Belfanti	Gigliotti	Michlovic	Steelman
Benninghoff	Gladeck	Micozzie	Steil
Birmelin	Godshall	Miller, R.	Stern
Bishop	Gordner	Miller, S.	Stetler
Blaum	Gruccela	Mundy	Stevenson
Boyes	Gruitza	Myers	Strittmatter
Browne	Habay	Nailor	Sturla
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Orie	Taylor, J.
Cappabianca	Hasay	Perzel	Thomas
Cam	Hennessey	Pesci	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trello
Chadwick	Hess	Phillips	Trich
Civera	Horsey	Pippy	True
Clark	Hutchinson	Pistella	Tulli
Clymer	James	Platts	Vance
Cohen, L. I.	Josephs	Preston	Van Horne
Cohen, M.	Kaiser	Raymond	Veon
Colafella	Keller	Readshaw	Vitali
Cornell	Kenney	Rieger	Walko
Corrigan	Kirkland	Roberts	Washington
Costa	Krebs	Robinson	Williams
Coy	LaGrotta	Roebuck	Wilt
Curry	Laughlin	Rohrer	Wogan
Dailey	Lawless	Rooney	Wojnaroski
Dally	Lederer	Ross	Wright
DeLuca	Leh	Rublely	Yewcic
Dempsey	Lescovitz	Ruffing	Youngblood
Dermody	Levdanskyy	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Donatucci	Maher	Sather	
Druce	Maitland	Saylor	Ryan,
Eachus	Major	Schroder	Speaker

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 117, PN 293**, entitled:

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, providing for instruction on persons with disabilities and for authority of housing police in second class cities.

On the question,

Will the House agree to the bill on third consideration?

Mr. **O'BRIEN** offered the following amendment No. **A0549**:

Amend Title, page, line 2, by inserting after "Statutes," further providing for municipal police education and training; and

Amend Bill, page 1, lines 7 and 8, by striking out all of said lines and inserting

Section 1. The definitions of "police department" and "police officer" in section 2162 of Title 53 of the Pennsylvania Consolidated Statutes are amended to read:

§ 2162. Definitions.

The following words and phrases when used in this subchapter shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Police department." Any of the following:

(1) A public agency of a political subdivision having general police powers and charged with making arrests in connection with the enforcement of the criminal or traffic laws. This paragraph includes the sheriff's office in a county of the second class.

(2) A campus police or university police department, as used in section 2416 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, certified by the Office of Attorney General as a criminal justice agency under the definition of "criminal justice agency" in 18 Pa.C.S. § 9102 (relating to definitions). This paragraph does not include a campus police or university police department of the State System of Higher Education and its member institutions.

(3) A railroad or street railway police department formed with officers commissioned under 22 Pa.C.S. Ch. 33 (relating to railroad and street railway police), or any prior statute providing for such commissioning.

"Police officer." Any full-time or part-time employee of a city, borough, town, township, railroad or street railway police, campus police or university police or county police department assigned to criminal or traffic law enforcement duties; any deputy sheriff of a county of the second class; and, for the purpose of training only, security officers of a first class city housing authority. The term excludes persons employed to check parking meters or to perform only administrative duties and auxiliary and fire police.

Section 2. Section 2168 of Title 53 is amended by adding a subsection to read:

§ 2168. Automatic certification.

(d) Railroad and street railway police.—Any railroad and street railway police officer who, as of the effective date of this subsection, has successfully completed a basic training course similar to that required under this chapter shall, after review by the commission, be certified as having met the basic requirements of this chapter. Any railroad and street railway police officer who, as of the effective date of this subsection, has not successfully completed a basic training course similar to that required under this chapter which qualifies the police officer for certification shall be able to perform the duties of a railroad and street railway police officer

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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.

VOTE CORRECTIONS

The **SPEAKER**. The gentleman, Mr. DeWeese, and the gentleman, Mr. Veon, ask that the record reflect that their switches did not work with respect to amendment A0479. If they had been, they would have voted in the affirmative.

until certified by the commission, but no longer than one year from the effective date of this subsection.

Section 3. Title 53 is amended by adding sections to read:
Amend Sec. 2, page 3, line 28, by striking out "2" and inserting
4

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

The following roll call was recorded:

YEAS—194

Adolph	Egolf	Manderino	Schuler
Allen	Fairchild	Mann	Scrimenti
Argall	Fargo	Markosek	Semmel
Armstrong	Feese	Marsico	Serafini
Baker	Fichter	Mayernik	Seyfert
Bard	Fleagle	McCall	Shaner
Barley	Forcier	McGeehan	Smith, B.
Barrar	Frankel	McGill	Smith, S. H.
Bastian	Freeman	McIlhattan	Snyder
Battisto	Gannon	McNaughton	Solobay
Bebko-Jones	Geist	Melio	Staback
Belardi	George	Metcalfe	Stairs
Belfanti	Gigliotti	Michlovic	Steelman
Benninghoff	Gladeck	Micozzie	Steil
Birmelin	Godshall	Miller, R.	Stern
Bishop	Gordner	Miller, S.	Stetler
Blaum	Grucela	Mundy	Stevenson
Boyes	Gruitza	Myers	Strittmatter
Browne	Habay	Nailor	Sturla
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Orie	Taylor, J.
Cappabianca	Hasay	Perzel	Thomas
Carn	Hennessey	Pesci	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trelo
Chadwick	Hess	Phillips	Trich
Civera	Horshey	Pippy	True
Clark	Hutchinson	Pistella	Tulli
Clymer	James	Platts	Vance
Cohen, L. I.	Josephs	Preston	Van Horne
Cohen, M.	Kaiser	Raymond	Veon
Colafella	Keller	Readshaw	Vitali
Cornell	Kenney	Rieger	Waiko
Corrigan	Kirkland	Roberts	Washington
Costa	Krebs	Robinson	Williams
Coy	LaGrotta	Roebuck	Wilt
Curry	Laughlin	Rohrer	Wogan
Dailey	Lawless	Rooney	Wojnaroski
Dally	Lederer	Ross	Wright
DeLuca	Leh	Rubley	Yewcic
Dempsey	Lescovitz	Ruffing	Youngblood
Dermody	Levdansky	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Donatucci	Maher	Sather	
Druce	Maitland	Saylor	Ryan,
Eachus	Major	Schroder	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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

The following roll call was recorded:

YEAS—194

Adolph	Egolf	Manderino	Schuler
Allen	Fairchild	Mann	Scrimenti
Argall	Fargo	Markosek	Semmel
Armstrong	Feese	Marsico	Serafini
Baker	Fichter	Mayernik	Seyfert
Bard	Fleagle	McCall	Shaner
Barley	Forcier	McGeehan	Smith, B.
Barrar	Frankel	McGill	Smith, S. H.
Bastian	Freeman	McIlhattan	Snyder
Battisto	Gannon	McNaughton	Solobay
Bebko-Jones	Geist	Melio	Staback
Belardi	George	Metcalfe	Stairs
Belfanti	Gigliotti	Michlovic	Steelman
Benninghoff	Gladeck	Micozzie	Steil
Birmelin	Godshall	Miller, R.	Stern
Bishop	Gordner	Miller, S.	Stetler
Blaum	Grucela	Mundy	Stevenson
Boyes	Gruitza	Myers	Strittmatter
Browne	Habay	Nailor	Sturla
Bunt	Haluska	Nickol	Surra
Butkovitz	Hanna	O'Brien	Tangretti
Buxton	Harhai	Oliver	Taylor, E. Z.
Caltagirone	Harhart	Orie	Taylor, J.
Cappabianca	Hasay	Perzel	Thomas
Carn	Hennessey	Pesci	Tigue
Casorio	Herman	Petrarca	Travaglio
Cawley	Hershey	Petrone	Trelo
Chadwick	Hess	Phillips	Trich
Civera	Horshey	Pippy	True
Clark	Hutchinson	Pistella	Tulli
Clymer	James	Platts	Vance
Cohen, L. I.	Josephs	Preston	Van Horne
Cohen, M.	Kaiser	Raymond	Veon
Colafella	Keller	Readshaw	Vitali
Cornell	Kenney	Rieger	Waiko
Corrigan	Kirkland	Roberts	Washington
Costa	Krebs	Robinson	Williams
Coy	LaGrotta	Roebuck	Wilt
Curry	Laughlin	Rohrer	Wogan
Dailey	Lawless	Rooney	Wojnaroski
Dally	Lederer	Ross	Wright
DeLuca	Leh	Rubley	Yewcic
Dempsey	Lescovitz	Ruffing	Youngblood
Dermody	Levdansky	Sainato	Yudichak
DeWeese	Lucyk	Samuelson	Zimmerman
DiGirolamo	Lynch	Santoni	Zug
Donatucci	Maher	Sather	
Druce	Maitland	Saylor	Ryan,
Eachus	Major	Schroder	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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 123, PN 795**, entitled:

An Act establishing a loan program to install safety devices and improve safety at convenience stores; providing for additional duties of the Attorney General; establishing the Convenience Store Protection Fund; and making an appropriation.

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

Mr. **GANNON** offered the following amendment No. **A0798**:

Amend Sec. 2, page 1, line 15, by inserting after "sells"
all of the following items:

Amend Sec. 3, page 2, line 8, by inserting after "\$15,000"
for each convenience store

Amend Sec. 3, page 2, line 11, by striking out "3%" and inserting
7% per annum

Amend Sec. 7, page 4, line 4, by inserting after "to" where it
appears the second time

make loans, to pay the expenses of the
Attorney General relating to the program and to
otherwise

Amend Bill, page 4, by inserting between lines 5 and 6
Section 8. Enforcement.

The Attorney General shall have the power and duty to bring and
maintain actions in any court of competent jurisdiction to enforce any
provision of this act.

Amend Sec. 8, page 4, line 6, by striking out "8" and inserting
9

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

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

Mr. **GANNON**. Thank you, Mr. Speaker.

Mr. Speaker, this amendment changes the percentage on the
loans from 3 to 7 percent and also grants the Attorney General
powers to collect on those loans that may go into default, and I
would ask for a "yes" vote.

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

The following roll call was recorded:

YEAS—194

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

NAYS—0

NOT VOTING—0

EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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

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

Mr. **GEORGE** offered the following amendment No. **A0777**:

Amend Sec. 4, page 2, by inserting between lines 24 and 25

(4) An assurance that each owner who operates, owns or rents
an automatic teller machine on the store premises:

(i) Shall install 24-hour imaging surveillance, such as installation of a time lapse video device, of the automatic teller machine.

(ii) Shall conduct ongoing maintenance, including prompt replacement of video or film cassettes, of the automatic teller machine imaging surveillance system.

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Thank you, Mr. Speaker.

Here I go again.

Mr. Speaker, I believe this amendment is agreed to. I do not see the judicial chairman running across there with a ball bat.

This bill pertains to being able to get a loan to start a convenience store, and before everybody gets all excited when I say ATM (automatic teller machine), it does not tell you, Mr. Speaker, how much we want them to charge you when you pull your big bucks out. But what it does say is if you are going to get money and you are going to use it for the purpose of opening up this convenience store, and then in turn if you are going to put an ATM machine in, they are going to ask you to put a device in there for security reasons, whether it be an imaging or whatever, 24 hours a day, so those unsuspecting people that once in a while get hit on the back of the head and do not feel secure, as I know an individual here in town, whenever he applied to get money out of an ATM machine and someone stuck something in his back, he got up off the ground thinking, oh, boy, I will get that guy, and they found out there was no film in the camera. So what we are saying is, it will be an offense if in fact they do not allude to a good safeguard, and we are asking that you support this amendment.

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

Mr. Gannon is recognized on the question.

Mr. GANNON. Mr. Speaker, thank you.

I would only wish that I had just a small fraction of the shrewdness of Representative George. But he is correct; this amendment is agreed to, and I would ask for a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

On the question, Mr. Gordner, are you seeking recognition? The gentleman, Mr. Gordner, is recognized.

Mr. GORDNER. Thank you, Mr. Speaker.

Could I interrogate the maker of the amendment, please?

The SPEAKER. At your own risk. Mr. George, will you consent to be interrogated by the gentleman, Mr. Gordner? He does not think so.

On the question of the adoption of the amendment, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

I will express my concern then.

I would be in support of this amendment if it would only involve ATM machines that are on the outside of a store. In my district, as I imagine in other districts, we have several convenience stores, mom-and-pop type stores, that have their ATM machines inside the premises. As a matter of fact, I stopped at one this morning; I had to pick up a newspaper on the way to Harrisburg. They have an ATM machine inside the premises. From what I understand, this would require not only videotaping of those ATM machines outside of the store, but it would require the videotaping of ATM machines inside the store even if it is right

next to the checkout counter, and I would raise that as a concern in regard to this amendment.

Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—147

Adolph	Frankel	Marsico	Semmel
Barley	Freeman	Mayemik	Serafini
Barrar	Gannon	McCall	Shaner
Battisto	Geist	McGeehan	Smith, B.
Bebko-Jones	George	McGill	Smith, S. H.
Belardi	Gigliotti	McIlhatten	Snyder
Belfanti	Gladeck	McNaughton	Solobay
Bishop	Grucela	Melio	Staback
Blaum	Gruitza	Michlovic	Stairs
Browne	Haiuska	Micozzie	Steelman
Butkovitz	Hanna	Miller, R.	Stetler
Buxton	Harhai	Mundy	Strittmatter
Caltagirone	Harhart	Myers	Sturla
Cappabianca	Hasay	O'Brien	Surra
Carn	Hennessey	Oliver	Tangretti
Casorio	Herman	Perzel	Taylor, J.
Cawley	Hershey	Pesci	Thomas
Chadwick	Horsey	Petrone	Travaglio
Civera	Hutchinson	Phillips	Trelo
Cohen, L. I.	James	Pippy	Trich
Cohen, M.	Josephs	Pistella	Tulli
Colafella	Kaiser	Preston	Van Home
Cornell	Keller	Raymond	Veon
Corrigan	Kenney	Rieger	Vitali
Costa	Kirkland	Roberts	Walko
Coy	Krebs	Roebuck	Washington
Curry	LaGrotta	Rohrer	Williams
Dailey	Laughlin	Rooney	Wogan
DeLuca	Lawless	Rubley	Wojnaroski
Dempsey	Lederer	Ruffing	Wright
Dermody	Lescovitz	Sainato	Yewcic
DeWeese	Levdansky	Samuelson	Youngblood
DiGiroilamo	Lucyk	Santoni	Yudichak
Donatucci	Maitland	Sather	Zug
Eachus	Manderino	Schroder	
Feece	Mann	Schuler	Ryan,
Fichter	Markosek	Scrimenti	Speaker
Fleagle			

NAYS—45

Allen	Dally	Lynch	Ross
Argall	Druce	Maher	Saylor
Armstrong	Egolf	Major	Seyfert
Baker	Fairchild	Metcalfe	Steil
Bard	Fargo	Miller, S.	Stern
Bastian	Forcier	Nailor	Stevenson
Benninghoff	Godshall	Nickol	Taylor, E. Z.
Birmelin	Gordner	Orie	Tigue
Boyes	Habay	Petrarca	True
Bunt	Hess	Platts	Vance
Clark	Leh	Readshaw	Wilt
Clymer			

NOT VOTING—2

Robinson Zimmerman

EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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

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

Ms. JOSEPHS offered the following amendment No. A0792:

Amend Sec. 4, page 2, by inserting between lines 24 and 25
(4) An assurance that all tobacco products are inaccessible to customers without assistance from store employees.

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 lady.

Ms. JOSEPHS. Thank you, Mr. Speaker.

Like the previous amendment, this simply imposes upon those folks who are going to take this money in order to improve their security systems a simple requirement. That requirement is that they set up their displays in such a way that minors and other customers cannot reach cigarettes unless a clerk assists that person. I think we know that we have trouble enforcing our already existing statutes against retail establishments which allow minors easy access to tobacco products, typically cigarettes. In this case, we are simply asking private businesses which are recipients of the State's largesse to make sure that their cigarette displays are out of the hands of children, out of the reach of children, before they take our money.

I think it is an amendment very much like the one that we just passed, and I ask for the support of people on both sides of the aisle. Thank you, Mr. Speaker.

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is opposed to by the retailers and the convenience store owners. It would place a tremendous and costly burden on them. It also would have a negative effect when it comes to promotions, because frequently promotions are run to the adult audience, and this would also impact on those promotions on a legal product that is legal in the Commonwealth of Pennsylvania.

I would ask for a "no" vote on this amendment.

The SPEAKER. On the question, the Chair recognizes the lady, Ms. Josephs, for the second time.

Ms. JOSEPHS. Thank you, Mr. Speaker.

Many products are legal, but we keep them out of the reach of children, like spray paint, cans of spray paint. Certainly packs of cigarettes are more dangerous to the people who are too young to be smoking and who are picking them up.

Mr. Speaker, you are looking at a person who started to smoke when she was 13 and has quit and has not smoked — it stunted my growth indeed — and I have not smoked now — I do not want to tell you all my age unless you go and look it up — but I have not smoked now for about 30 years. But I do understand how addicting this substance is for teenagers and children, and it is extraordinarily important for us, I believe to the extent that we can, to keep these products out of the hands of children and teenagers.

If these stores are going to take our money, they ought to do something good for our citizens, which is to keep this stuff away from their children. And if they are running tobacco promotions and this gets in the way, well, I feel really terrible about that. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady and recognizes the gentleman, Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

I agree with the lady in her intent in what she is trying to do through this amendment. I am going to vote "no" on the amendment, however. But let me tell you why I agree with her. Having done some legislative work in the area of pornography in recent years, I know that we have certain restrictions in Pennsylvania dealing with what would be considered adult magazines. We have some specific restrictions as to where they can be and what level they can be in the store and access to minors and all those other things, and pornography is a legal product; so is tobacco. So the argument that it is a legal product I do not think is necessarily a valid one here.

So while I think that she is on to the right thing, I think her amendment perhaps does not really address the issue specifically enough. I think to just make it inaccessible in essence is saying to the shop owner, well, you have got to put it under lock and key, because that is the only real way you would be inaccessible.

I would agree with her intent. I do not think the amendment goes far enough. I offer my cooperation with her to work on this issue at a later time so that we can do it similar to the way that we have dealt with pornography and adult magazines in Pennsylvania as to their access to minors. That will address the problem, but it will also be, I think, something that the store owners can live with.

So at a later time, hopefully we can address this, but I think for now we ought to vote "no" on this particular amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Armstrong, on the question.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the gentlelady's amendment. I think she is to be commended, especially in light of all the work that has been done by the various States to try to limit the access of tobacco to young people. I remember the days when the only way you could get a pack of cigarettes was to be able to ask the clerk to give you a certain pack, which was behind the register.

So I ask you to rise in support of the legislation, and hopefully we can do something more along these lines to continue to restrict and to curb the access of tobacco into our young people's hands. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question, those in favor of the Josephs amendment will vote "aye"; opposed— Mr. Gannon, on the question? Mr. Gannon, are you seeking recognition?

Mr. GANNON. Yes, Mr. Speaker. Thank you.

Mr. Speaker, this is one of those situations where a well-intended amendment can lead to a very bad result.

The purpose of this bill is to encourage small convenience stores to provide safety and security, not only for their customers but for the workers behind the counter, which is usually a family and a family member. We have had a number of tragedies in Pennsylvania, and even here in Harrisburg, where store owners have been killed, shot in the head, dead on the spot, and families

have been ruined because the store owner would not hand over the cash in the register or perhaps a pack of cigarettes that he had behind the counter.

So this amendment could lead to a terrible result inasmuch as I think that many store owners who would be eligible for this program would say, look, the sale of cigarettes to adults is an important part of my business, and I want to make it convenient for them to come into my store and purchase a legal product to somebody who can legally make that purchase. And do not forget, these store owners have to get proof of age from every customer who purchases a pack of cigarettes that looks like they are not 27 or 28 years old. So that requirement is already imposed on every store owner in the Commonwealth of Pennsylvania, and now we are saying you have to put these cigarettes under lock and key, and if somebody comes into your store brandishing a gun, you could die because you do not have a pack of cigarettes handy.

Now, Mr. Speaker, you think it is funny, but a lot of people have died for less. When somebody is committing a robbery to go out and buy smack cocaine or heroin or ecstasy on the streets, they do not care how they get that money; they want it right then and there, and if taking your cigarettes and selling them is the way they are going to do it, do not get in their way.

Now, Mr. Speaker, I can see where many store owners would forgo obtaining this loan with this requirement, and we would not have a chance to provide the additional security that we are trying to encourage them to give to their customers, to themselves, and their families.

As I said, this is well intended, but it is going to lead to a bad result. This is an issue that can be addressed in other legislation. We have already heard Representative Birmelin offer that opportunity to the maker. We do have the tobacco settlement legislation in the Judiciary Committee. The maker of this amendment is a member of the Judiciary Committee. The tobacco settlement is the subject that deals with this issue. We can certainly talk about it and work on this issue then. This is not the time; this is not the place.

I ask for a "no" vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Elk, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

And I am encouraged and buoyed by the fact that we are going to work on this issue, but the fact remains, Mr. Speaker, if you think about it, whether you smoke or not, when you go into a convenience store, cigarettes are right out front, and they are right out front for a reason. That is because the vast majority of those cigarettes are stolen. It is not for the convenience of the adult; it is because children steal those cigarettes, Mr. Speaker, and then after a few weeks or months we have lifetime customers. In fact, Mr. Speaker, convenience stores are reimbursed by the tobacco industry for the cigarettes that are stolen out of those front-end displays. So the intent is clear, Mr. Speaker. Those cigarettes are put out there to be stolen by young people, and that is why the stores are reimbursed. All right.

I think the lady has a good amendment, and I encourage your vote. Thank you.

The SPEAKER. It is a good thing this is the last bill.

Mr. Trich.

Mr. TRICH. Thank you, Mr. Speaker.

I am almost fearful to follow that. My comments are actually in response to our distinguished chairman, Representative Gannon, who had mentioned his concerns about this bill. I would indicate that the gentlelady's amendment makes a good bill a better bill, and for those mom-and-pop organizations who want to take advantage of this State program, we are merely asking them to conform to one more requirement, and I think it is an admirable requirement. If in fact we as a legislative branch want to cut down on underage smoking, this is one way that we can do that, and I think that those same mom-and-pops that are concerned about their own safety and their own well-being are also concerned about the safety and the well-being of the young people of their communities. I think they will be more than happy to comply with this.

So I stand in support of this legislation. Let us not be hypocritical. If we are looking out for the safety of the owners of that facility, let us also make sure that we look out for the safety of the young people who would be devastated by the advance sales of additional smoking devices to them. I would support this amendment and would ask my colleagues to do the same.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman, Mr. Sainato.

Mr. SAINATO. Mr. Speaker, I rise to oppose this amendment. I was not going to get up and speak, but from some of the comments that I have heard, I think I need to do that.

I agree with the gentleman on the other side. This is a private business. We are trying to help safety; we are trying to help convenience stores. When we are talking about a legal product that is in a store that adults are able to buy, when we start trying to restrict this product from legal adults who are of age, I think it is wrong. I think we are losing track of what this bill is supposed to do, and that is to provide safety for the people who work in these stores and to provide safety for customers who go in these stores.

So I commend the maker of the amendment. I think there are other opportunities to discuss this issue fully through the committee process, but I think that when we start telling private businesses how to run their stores, I think we have a problem with that. Where do we end? Where do we stop?

So I urge my colleagues to vote against this 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—78

Armstrong	Eachus	Melio	Scrimenti
Battisto	Fleagle	Michlovic	Stelman
Bebko-Jones	Frankel	Miller, S.	Stetler
Belardi	Freeman	Mundy	Strittmatter
Belfanti	George	Myers	Surla
Bishop	Haluska	Oliver	Surra
Blaum	Horsey	Pesci	Tangretti
Butkovitz	James	Petrarca	Taylor, J.
Cam	Josephs	Petrone	Thomas
Casorio	Keller	Pistella	Trich
Cawley	Kirkland	Platts	True
Clark	Laughlin	Preston	Veon
Cohen, M.	Lederer	Rieger	Vitali
Colafella	Lescovitz	Robinson	Walko

Costa	Levdansky	Roebuck	Washington
Curry	Lucyk	Rooney	Williams
DeLuca	Maitland	Rubley	Youngblood
Demody	Manderino	Ruffing	Yudichak
DeWeese	Mann	Samuelson	Zimmerman
Donatucci	McGeehan		

NAYS—113

Adolph	Fichter	Markosek	Serafini
Allen	Forcier	Marsico	Seyfert
Argall	Gannon	Mayernik	Shaner
Baker	Geist	McCall	Smith, B.
Bard	Gigliotti	McGill	Smith, S. H.
Barley	Gladeck	McIlhattan	Snyder
Barrar	Godshall	McNaughton	Solobay
Bastian	Gordner	Metcalfe	Staback
Birmelin	Grucela	Micozzie	Stairs
Boyes	Gruitza	Miller, R.	Steil
Browne	Habay	Nailor	Stern
Bunt	Hanna	Nickol	Stevenson
Buxton	Harhai	O'Brien	Taylor, E. Z.
Caltagirone	Harhart	Orie	Tigue
Cappabianca	Hasay	Perzel	Travaglio
Chadwick	Hennessey	Phillips	Trello
Civera	Herman	Pippy	Tulli
Clymer	Hershey	Raymond	Vance
Cohen, L. I.	Hess	Readshaw	Van Horne
Corrigan	Hutchinson	Roberts	Wilt
Coy	Kaiser	Rohrer	Wogan
Dailey	Kenney	Ross	Wojnarowski
Dally	Krebs	Sainato	Wright
Dempsey	LaGrotta	Santoni	Yewcic
DiGirolamo	Lawless	Sather	Zug
Egolf	Leh	Saylor	
Fairchild	Lynch	Schroder	Ryan,
Fargo	Maher	Schuler	Speaker
Feese	Major	Semmel	

NOT VOTING—3

Benninghoff	Cornell	Druce
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EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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

On the question recurring,

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

The SPEAKER. The Chair recognizes the gentleman, Mr. Tangretti, in connection with this bill.

Mr. TANGRETTI. Thank you, Mr. Speaker.

Mr. Speaker, I had an amendment filed—I have an amendment filed—to this bill, and I wanted to make a point that we are spending an inordinate amount of time and effort trying to deal with loans for convenience stores to be able to protect themselves against the criminals, and yet we have on a number of occasions considered the same thing for our police departments and it has not become law yet.

I was going to offer—I have offered; I am going to withdraw it—my 2-percent loan program for the police departments that would

help them, those people who are on the front lines every day that we need to help. We need to provide the kind of equipment and support that this State has neglected to do over the years, and I would hope that at some point that we have the same kind of serious concern for those individuals as we do for the convenience store people.

So nevertheless, because of some other reasons, I withdraw the amendment, Mr. Speaker. I thank you very much.

The SPEAKER. The Chair thanks the gentleman.

Does the lady, Ms. Mundy, desire recognition?

Ms. MUNDY. Thank you, Mr. Speaker.

I am pleased to see that at least we have raised the interest rate on the low-interest—

The SPEAKER. Will the lady, Ms. Mundy, yield until I put the bill on final passage.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The Chair recognizes the lady, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I am going to vote against this bill, and I just want to take a minute of your time to tell you why.

As I said earlier, I am pleased that at least we have raised the interest rate to 7 percent, but from my point of view and really in conjunction with what Representative Tangretti said, we have a lot of needs in this Commonwealth. We have just taken away the affordability for child care for thousands of people across this Commonwealth, low-income working people. We have needs with our police and fire departments. We have a variety of needs in the Commonwealth that need to be met, and here we are about to create a low-interest loan program for a private, for-profit enterprise, and I understand that you can have as many as five convenience stores to qualify for this loan program. Why do not these convenience stores, heaven forbid, take their own profits and invest them in security for their own employees and their own customers? What other small business people are we now going to subsidize? There are literally hundreds of small mom-and-pop businesses who probably need some kind of security if they are open in the evening. With all the needs of this Commonwealth, what does this bill say about our priorities?

I am going to vote "no." I hope that others will join me. We really do need to take care of the top-priority needs before we invest in subsidies for private, for-profit companies. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Delaware, Mr. Vitali. Mr. VITALI. Thank you, Mr. Speaker.

Will the author of the bill stand for brief interrogation?

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

Mr. VITALI. Thank you, Mr. Speaker.

I think when I came up to this place, I had an idea of what government should or should not be doing, and when I read this

bill and think this is a loan program for convenience stores, it just gives me pause for thought, and I guess my question to Mr. Gannon, and I am feeling some of the same things that Representative Mundy is feeling, and the question really is, why are we doing this? So my question is, could you just help me with this bill and some of the policy reasons? Why are we doing this? Why are we setting up this additional bureaucracy? Why are we getting involved in the private sector like this? Why are we setting up this fund? Tell me some of the policy reasons why it is good to do this.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, we have a constitutional obligation to provide for the public safety, and that is what this bill does.

Mr. VITALI. Mr. Speaker, is this based on certain statistical evidence — certain crime statistics, certain incidents which have occurred? Just help me with a little background as to why we are choosing this narrow area of low-interest loans to convenience stores. If I could just have a little more information to go on here.

Mr. GANNON. This is based on the dead convenience store owners and employees that are strewn across this Commonwealth because the store was robbed and they were brutally attacked and in many instances murdered, and the view is that with some additional security and additional surveillance and some help from us, these tragedies can be prevented.

These convenience stores, as you probably know, work on very, very close margins. We are not talking about the retail chains — the Wawas, the 7-Elevens. This only focuses on the very small mom-and-pop convenience store. That is why the title of the bill includes the term “mom-and-pop.” We are targeting those stores.

And there are tragedies that have even occurred here in Harrisburg and in Delaware County where store owners have been brutally murdered, and hopefully, with some additional security, with some help from us, these tragedies can be averted in the future.

Mr. VITALI. Mr. Speaker, I am aware that convenience stores are a common target for armed robberies. I would suspect much of that has to do with the fact that they are open at all hours of the night. I would also note that there are security devices, cameras and so forth, in convenience stores that I have been in. But is there any evidence of the increased occurrence of robberies in stores that do not have these devices and evidence as to how this would curb them, perhaps other States and their experience? Anything concrete we could have here to work with this issue.

Mr. GANNON. Mr. Speaker, the bill speaks for itself. Now, you are asking for statistics and surveys and polls and whatever. I do know that in all the stores that I am aware of where there was a robbery with a brutal murder, there were not any surveillance cameras, there were not any of the devices that we have set out in this bill that a store owner can put in place with the money that we are going to loan to them; I do know that. I could only speculate that perhaps if a video camera had been there or some of the other devices and procedures that we have in this bill, if they were in place, that these tragedies would have been averted, and I would suggest that that would be the case, because I do not think a robber is going to be inclined to go into a store that is well lighted, visible from the street, and where there is a surveillance camera. He is going to look for some other target that is a lot easier. And that is the whole purpose of this bill, to prevent these from happening, to tell folks that have a bad intention and are somehow motivated to rob these small stores that they do not do it or go elsewhere.

Mr. VITALI. Thank you, Mr. Speaker.

That concludes my interrogation. I would like to speak briefly on the bill.

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

Mr. VITALI. Thank you, Mr. Speaker.

I would like to congratulate and laud the Representative from Delaware County for his excellent intentions in pushing this bill forward and attempting in good faith to deal with a very legitimate and serious problem.

I, however, intend to vote against the bill, because I have just not heard enough to convince me that we, as a General Assembly and as a State, ought to really be entering into that area of loans to convenience stores. I do not think that is really one of the core functions of government, and nothing I have really heard really changes my opinion in that regard. So despite the laudable intentions of this bill, I urge a “no” vote.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Representative’s legislation.

Several years ago in my district, we had a rather tragic incident at a convenience store where a father of a family who was working a second job to try and support his family, a convenience store operator, was shot in the head and killed instantly when a group of youths went in to rob the store. In the interviews after that tragedy, the one youth related that they had actually, the group of youths had driven around that night looking for a convenience store that did not have a video camera, and they found a convenience store that did not have a video camera and in fact went in and then shot the operator.

So I think Representative Gannon’s bill will go a long way to help that. I guess I would hope that at some point in time we would go back and check to see whether in fact we are having an impact on getting more video cameras into convenience stores, because there was still, in Representative Gannon’s legislation, nothing that requires the convenience store to have that video camera there. I agree that it would be incumbent upon us, if we were making that requirement, to provide the low-interest loan. I would hope that just the fact that the low-interest loan is there, these stores will voluntarily go and get those video cameras, but I would hope that in a few years we revisit this and check and see whether in fact convenience stores are putting those video cameras in, and if they are not, in fact mandate that if they are going to be open during certain hours of the evening where there are not other people around, that we would require that they have a video camera and we will in fact provide a low-interest loan for them.

I know that there was — I do not have it with me here on the floor today — but I know that there has been some evidence with regard to the availability of video cameras in Florida, and that has in fact cut the murder rates of convenience store operators in that State.

So this issue, I know, has been dealt with by Representative Gannon, and I think Representative McGeehan had some legislation involved with some of this at one point in time, and so I would urge members to at least give this a chance in the hopes that we can prevent someone’s death that is simply trying to make a living by working in a convenience store in those late, third-shift hours. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The lady, Ms. Josephs, is recognized.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I rise to oppose this bill — sorry if it does not have my amendment in it; it would have made it much better — but this is the reason why, and I am following a little bit what a previous speaker said before me in terms of priorities in this State.

If our priority is to reduce crime and particularly juvenile crime — and I would suspect that a lot of these problems with convenience stores concern kids who are looking for trouble and end up doing that and hurting somebody or killing somebody in a convenience store — I would suggest that the best way to deal with that is as one of the former speakers mentioned, which is to make sure that children after school have someplace to go, after-school care for kids and programs for teenagers. Child care in general is something that we somehow cannot find the money to adequately support, although we have an enormous State budget, which is growing by leaps and bounds, and we had one last year and the year before. Most juveniles, most kids, commit crimes and become victims of crimes in the hours between 3 p.m. and 6, and then there is another long period of time which is a dangerous time for juvenile crimes, between 6 and 9. If we have these young people in programs, in day-care kinds of settings, we are protecting our convenience stores.

I think that this is not appropriate in terms— Two million dollars for private businesses, even if they be small, is not appropriate in terms of the functions that we should be supporting first as a government, and I think there are other functions that would make them safe, that approach the problem a little bit differently than this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

Mr. Casorio.

Mr. CASORIO. Thank you, Mr. Speaker. I will be brief.

I just wanted to raise a couple of concerns and ask the membership for a “no” vote on this bill.

If we are truly concerned about the safety of the citizens — and I believe that is one of the primary reasons we are here — I would echo my colleague from Westmoreland County’s sentiments about the 2-percent police loan. You know, we have cameras in banks. That does not deter robbery there. I am concerned if we are this determined to put video surveillance and cameras in convenience stores, that maybe we should look at Pennsylvania’s State stores, still one of the safest places for individuals to shop as opposed to private liquor outlets. Maybe we should do that there — it is a State entity — instead of delving into the private line, Mr. Speaker.

So I would just say, this is probably a bad precedent to set. I do not believe there is great impetus or concern from residents in my district in western Pennsylvania to push for this, and I would ask for a negative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady from Luzerne, Ms. Mundy.

Ms. MUNDY. Thank you, Mr. Speaker.

I want to address the issue of the mom-and-pop, because that is how we do a lot of things around here; we feel sorry for mom-and-pop. But once again I have to raise the issue, if this was really mom-and-pop legislation, why is it that you can get this low-interest loan if you own up to five convenience stores, up to \$700,000 per store gross sales per year? That is \$3.5 million in gross sales, and we are going to give you a low-interest loan to buy

security so that you do what you should be doing already, providing security for your employees and your patrons.

This is corporate welfare in many, many senses. There are other priorities that we could use this \$2 million for. I would hope that every convenience store owner would provide security for their employees and for their patrons. I cannot figure out why we need to spend \$2 million to do that. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the lady from Montgomery, Ms. Williams.

Ms. WILLIAMS. I would like to interrogate the maker of the bill, please.

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

Ms. WILLIAMS. We have been talking about convenience stores and convenience stores being mom-and-pop, and in the bill, it has a listing of what a convenience store is. It is line 15 on the first page, going over to line 1 on the second page. There are a number of items that a convenience store has to be, including it has to sell gasoline. So we are really not talking about the corner store in our neighborhood that might be in trouble. We are talking about a gasoline store, a gasoline station, that has a minimart.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, the bill was changed. It now reads that “A retail store that sells all of the following...,” so a store that sold just gasoline— Oh, well, gasoline is usually sold by large chains.

(Additional remarks by Mr. Gannon at this point were voluntarily stricken from the record.)

The SPEAKER. Has the lady completed her interrogation?

Ms. WILLIAMS. No. My question is that if a store does not sell gasoline, would they be eligible for this?

Mr. GANNON. Oh, yes. I am sorry, Mr. Speaker.

Ms. WILLIAMS. That was my question.

Mr. GANNON. If they do not sell gasoline, would they be eligible? Absolutely.

Ms. WILLIAMS. Even though the definition of “convenience store” says—

Mr. GANNON. It is just inclusive as to what products they would sell, but they do not have to sell gasoline to be eligible.

Ms. WILLIAMS. I am not sure that is how that reads, sir.

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.

The following roll call was recorded:

YEAS—123

Adolph	DiGirolamo	Lederer	Saylor
Allen	Donatucci	Levdansky	Schroder
Argall	Druce	Lucyk	Schuler
Armstrong	Fairchild	Maitland	Scrimenti
Bard	Feese	Major	Semmel
Barley	Fichter	Mann	Serafini
Barrar	Fleagle	Marsico	Smith, B.
Bebko-Jones	Forcier	McGeehan	Snyder
Belardi	Freeman	McIlhattan	Solobay
Belfanti	Gannon	McNaughton	Staback
Benninghoff	Geist	Micozzie	Stairs
Bishop	Gigliotti	Myers	Steelman
Blaum	Gladeck	O’Brien	Stetler
Browne	Gordner	Oliver	Stevenson

Bunt	Gruitza	Orie	Strittmatter
Butkovitz	Habay	Perzel	Sturla
Buxton	Hanna	Petrone	Taylor, E. Z.
Caltagirone	Harhart	Phillips	Taylor, J.
Cappabianca	Hasay	Pippy	Thomas
Cawley	Hennessey	Preston	Trello
Chadwick	Herman	Raymond	Trich
Civera	Hershey	Rieger	True
Clark	Hess	Roberts	Tulli
Cohen, L. I.	Horsey	Robinson	Walko
Cohen, M.	Hutchinson	Roebuck	Washington
Cornell	James	Ross	Wogan
Corrigan	Kaiser	Rubley	Wojnaroski
Costa	Keller	Ruffing	Zimmerman
Dailey	Kenney	Sainato	
Dally	LaGrotta	Samuelson	Ryan.
DeLuca	Laughlin	Sather	Speaker
DeWeese			

NAYS—70

Baker	Godshall	Michlovic	Steil
Bastian	Grucela	Miller, R.	Stern
Battisto	Haluska	Miller, S.	Surra
Birmelin	Harhai	Mundy	Tangretti
Boyes	Josephs	Nailor	Tigue
Carn	Krebs	Nickol	Travaglio
Casorio	Lawless	Pesci	Vance
Clymer	Leh	Petrarca	Van Horne
Colafella	Lescovitz	Pistella	Veon
Coy	Lynch	Platts	Vitali
Curry	Maher	Readshaw	Williams
Dempsey	Manderino	Rohrer	Wilt
Dermody	Markosek	Rooney	Wright
Eachus	Mayernik	Santoni	Yewcic
Egolf	McCall	Seyfert	Youngblood
Fargo	McGill	Shaner	Yudichak
Frankel	Melio	Smith, S. H.	Zug
George	Metcalfe		

NOT VOTING—1

Kirkland

EXCUSED—8

Daley	Flick	Masland	Ramos
Evans	Jadlowiec	McIlhinney	Reinard

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

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. I will remind the members of the House that next Tuesday we are having the biennial photograph of the members, so I am sure you will all want to look your best. Remember, Tuesday morning.

There are no further votes.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Wojnaroski.

Mr. WOJNAROSKI. Correction of the record, Mr. Speaker.

The SPEAKER. The gentleman is in order.

Mr. WOJNAROSKI. On HB 116 I would appreciate being recorded as voting in the affirmative.

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

Ms. Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

For a correction of the record.

On HB 237, PN 234, I inadvertently voted "yes." I intended to vote "no" and wish the record to reflect so. Thank you.

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

STATE GOVERNMENT
COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Clymer.

Mr. CLYMER. Mr. Speaker, a reminder that the State Government Committee is meeting immediately in room 39 in the East Wing.

The SPEAKER. The Chair thanks the gentleman.

Further announcements? Further corrections to the record?

STATEMENT BY DEMOCRATIC LEADER

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

Joe DiMaggio died this week, Mr. Speaker, and it reminded me of Casey Stengel's observation about DiMaggio at the height of his career. When DiMaggio walked onto the field, he was asked by a New York sports reporter, "How do you compare DiMaggio and the rest of the guys in the league?" And Stengel said, "Compared to DiMaggio, they're all plumbers." Now, Stengel did not have anything against plumbers, and God knows, we all need plumbers more than we need big-league ballplayers, but DiMaggio set the stage, Mr. Speaker. He was unique. He was singular. And it reminds me of some of our activity this week, Mr. Speaker. The metaphor is somewhat attenuated, but you know I have a profound proclivity for the extenuated metaphor. And what we did this week on property tax supersedes all of our other endeavors relative to the reduction of taxes. Yesterday's focus was for us, as a Democratic Caucus, a property tax reduction day. Compared to that, everything else was secondary.

I am reminded of the Republican Party, Mr. Speaker. In 1860, when Abraham Lincoln was elected President of the United States, national newspapers said that the Republican Party at that moment may as well have nailed their colors on the mast — no flags flying, no flags that could be brought down, but nailed, nailed their colors on the mast. The Republican Party of 1860 nationally took a stand against slavery for the Union. I would hope that the Republican Party in Pennsylvania, from Governor Ridge to our colleagues in the State Senate and especially our leaders here in the chamber, would nail the colors to the mast, would be unswerving, unalloyed, undiluted in their commitment to carry the banner forward for property tax reduction; property tax reduction.

My final observation, Mr. Speaker, also comes from Lincoln. In the spring of 1865, Lincoln sent a letter to General Grant. It was only a couple of sentences. It went something like this, Mr. Speaker: Dear General Grant, General Sheridan tells me that if the matter be pressed, the South will surrender...let the matter be pressed.

You folks who dominate the GOP can help us on the Democratic side and help Pennsylvania in general if we reduce property taxes in this State. Nail the colors to the mast, Mr. Speaker; let the matter be pressed.

REQUEST TO STRIKE REMARKS

The SPEAKER. The gentleman, Mr. Gannon.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, in the debate on the prior bill, HB 123, I made some inappropriate remarks, and I would like them to be stricken from the record.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MAJORITY LEADER

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

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, I felt it was only fair to set the record straight that the minority leader was in charge here for 12 years and we never saw one property tax cut while his party was in charge for 12 years. Yesterday, in a bipartisan spirit of cooperation, everyone in this House unanimously voted for the proposal brought up by the gentleman.

Mr. Speaker, the other side did not vote for the inheritance tax, which really affects a lot of people in the Commonwealth of Pennsylvania. Not only does it affect people; it affects people to move outside the Commonwealth of Pennsylvania to be able to beat that tax, but the other side of the aisle saw fit to vote against that.

So, Mr. Speaker, it is very disingenuous that for the 12 years that he had control and he could have done anything he wanted in this chamber, we never saw anything except a \$3-billion tax increase in the Commonwealth of Pennsylvania, so— Plus, yesterday, Mr. Speaker, the income tax was voted to go up by the members of the other side of the aisle. So it gets a little old hearing all this nonsense, Mr. Speaker.

The SPEAKER. The Chair thanks both the gentlemen.

Mr. DeWeese.

Mr. DeWEESE. It might get just a little bit older momentarily, Mr. Speaker. Thank you.

I hope that his cofile of cohorts will remember that during those years when we were in charge, we did not have one, two, three, four, five, six, seven hundred million dollars in surpluses. That is a stupendous differential.

When George Bush's national economy went down the crapper in the early nineties, we had to raise revenues around here — with your help, sir; thank you. Speaker Ryan was in the front phalanx of that effort, along with several other intrepid Republican leaders, to help us raise the revenue to run the State. But anyway, that is all history. Today we are blessed. The Bill Clinton economy, the General Assembly of Pennsylvania, whether it is Ridge or Perzel or some of us — all of us have been fortunate.

But we have a chance now, better than any time in the 23 years I have been privileged to serve, to reduce property taxes in the State, and my polite, respectful admonition would be to our colleagues in the Senate and to Governor Ridge himself that with our surpluses being at their dizzying apex, now, now is the time, notwithstanding our history, now is the time for us to reduce property taxes. And I thought when given the opportunity by the Chair to make some observations about the week's endeavors, that I would try to refocus and transfix our collective perspective upon the eminently pregnant opportunity of reducing property taxes. Thank you.

Mr. PERZEL. Mr. Speaker?

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, this is my 21st year of being in the General Assembly, and I do not ever remember voting to increase property taxes. I do not remember doing that. Maybe some of the other members here were doing that in my absence. Maybe I missed a day or two on the floor when we were increasing property taxes. But I thought that was done at the local level, Mr. Speaker.

But I did want to remind the gentleman that the increases in the budget under Governor Casey were substantially higher than what we have done under Governor Ridge, so the Republican Party has managed this Commonwealth much better than the Democrat Party did, and that accounts for the surpluses that we have, Mr. Speaker. Thank you.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 18, PN 937 (Amended)

By Rep. STAIRS

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for possession of weapons in schools and for safe-schools definitions and reporting.

EDUCATION.

HB 88, PN 932 (Amended)

By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for possession of firearms or other dangerous weapons in court facility.

JUDICIARY.

HB 132, PN 116

By Rep. GANNON

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

JUDICIARY.

HB 284, PN 933 (Amended)

By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for penalties for trafficking drugs to minors.

JUDICIARY.

HB 362, PN 934 (Amended)

By Rep. GANNON

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

JUDICIARY.

HB 403, PN 416

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 the duties of the commission and for technical and financial assistance to law enforcement agencies.

JUDICIARY.

HB 456, PN 476

By Rep. STAIRS

An Act establishing the Safe and Secure Schools Program to assist school districts and area vocational-technical schools in the purchase of equipment, provision of special services and in the development of programs to enhance school safety; providing for duties of the Department of Education; and making appropriations.

EDUCATION.

HB 552, PN 935 (Amended)

By Rep. GANNON

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for civil immunity for antidrug and town-watch volunteers.

JUDICIARY.

HB 599, PN 625

By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for false identification to law enforcement authorities.

JUDICIARY.

HB 609, PN 637

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 632, PN 665

By Rep. GANNON

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for institutional vandalism; defining the offense of vandalism; providing for graffiti removal and abatement, for community service and for work release; further providing for the revocation or suspension of operating privilege; and providing penalties.

JUDICIARY.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 120, PN 102**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that HB 120 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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 table:

HB 88;

HB 132; and

HB 284.

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 88;

HB 132; and

HB 284.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

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

Hearing none, the Chair recognizes the gentleman from Luzerne, Mr. Yudichak.

Mr. YUDICHAK. Mr. Speaker, I move that this House do now adjourn until Monday, March 15, 1999, at 1 p.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:12 p.m., e.s.t., the House adjourned.