

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MAY 5, 1999

SESSION OF 1999

183D OF THE GENERAL ASSEMBLY

No. 30

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. TROY HOWELL, Chaplain of the House of Representatives and pastor of Chestnut Grove United Methodist Church, Dillsburg, Pennsylvania, offered the following prayer:

Creator God, You who reign over all the earth, we thank You for the blessings You have showered upon us; for the privilege of being Your voice for justice and Your hands to work it in this world; for the gift of intellect, the power of reason, and the freedom to be openly engaged in those gifts.

In the midst of the tasks, O God, of this chamber, we ask for Your guidance, for Your direction.

For our kindred in this nation who this day suffer, whether from natural disaster or by the hands of others, we ask Your peace, Your presence, even as we ask this for ourselves; by Your grace. 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, May 4, 1999, will be postponed until printed. The Chair hears no objection.

For the information of the members, the Democrat leadership has requested the House stand at ease until— Mr. Cohen, it is my understanding that you are requesting that the House not convene officially for business until noon. That being the case, I am suggesting to the two leaders or their representatives that we recess until 1 o'clock. That way, we can have lunch behind us before we come up, and then we will work the balance of the day.

Are there any announcements prior to declaring the House to be in recess?

GUESTS INTRODUCED

The SPEAKER. There are some guests here that I am not so sure will wait around.

Here today as the guests of Representative Sandra Major, we have guest pages Angela, Michelle, and Bethany Yohe. Would these guests please rise. They are accompanied by their mother, Jan Yohe, and Mrs. Jean Mulligan, who are seated to the left of the Speaker.

Also today as the guests of Representative Patricia Vance are guest pages Alex Brandler and Ashlen Calik. Would these guests please rise. They are students at East Pennsboro Middle School.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS
NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurring in by the House of Representatives to **HB 980, PN 1502**, and has appointed Senators TILGHMAN, LOEPER and STAPLETON a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. BARLEY presented the Report of the Committee of Conference on **HB 980, PN 1703**.

EDUCATION COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Stairs, requests recognition.

Mr. STAIRS. Thank you, Mr. Speaker.

It is a busy day, and there is a lot going on, but I have an inquiry for you and maybe an announcement, upon hearing what you may tell me.

We want to have an Education meeting, and I am just asking you what is the most appropriate time to do that today. It may be now, since we are going to be off till 1. Maybe you might want to advise me if it is a good idea to make an announcement now to do that or maybe later on today.

The SPEAKER. I think the safest time is somewhere between now and 1 o'clock. The Democrat members of your committee, however, are for the most part in caucus, so if you are going to call

one, I would think that between 12 and 1 would be the best time. That way, the Democrat members would be out of caucus.

Mr. STAIRS. I appreciate your wisdom, Mr. Speaker, and I will announce that off the floor now, we will have a committee meeting at 12 o'clock in room 60. It was scheduled a bit earlier, but 12 o'clock in room 60. Thank you, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen, would you see to it that the Democrat members are advised of this.

Mr. COHEN. Mr. Speaker, as you suggest, I will confirm that there is a Democratic caucus now, upon the recess.

The SPEAKER. Mr. Cohen, would you announce to the Democrat Caucus the Education Committee meeting. Thank you.

Any further announcements? Any further business?

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a group known as the Garnet Sages of Swarthmore College. My understanding of this group is that they represent individuals who are celebrating at least their 50th reunion from Swarthmore College. Welcome to Harrisburg. We are very happy to have you here with us.

RECESS

The SPEAKER. Is there any further business?

Hearing none, this House will stand in recess to the call of the Chair, which will be at 1 o'clock as it presently stands.

AFTER RECESS

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

ADDITIONS AND DELETIONS OF SPONSORS

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

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

CALENDAR

BILLS ON SECOND CONSIDERATION

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

SB 484, PN 499; SB 485, PN 500; SB 486, PN 501; SB 492, PN 517; SB 730, PN 917; SB 733, PN 796; SB 734, PN 797; SB 735, PN 918; SB 736, PN 800; SB 737, PN 801; SB 738, PN 861; SB 739, PN 802; SB 740, PN 919; SB 741, PN 803; SB 742, PN 804; SB 743, PN 805; SB 744, PN 806; SB 745, PN 821; SB 746, PN 807; SB 747, PN 808; SB 748, PN 809;

SB 749, PN 810; SB 750, PN 920; SB 751, PN 812; SB 752, PN 813; SB 753, PN 862; SB 754, PN 814; SB 755, PN 815; SB 756, PN 816; SB 757, PN 817; SB 758, PN 822; SB 759, PN 823; SB 760, PN 824; SB 761, PN 825; SB 762, PN 826; and SB 763, PN 827.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip, who advises that there is no request for a leave of absence for any of the Republican Caucus members.

The minority whip requests a leave of absence for the gentleman from Philadelphia, Mr. EVANS, for today's session. Without objection, leave is granted. The Chair hears no objection.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—200

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

Donatucci	Maher	Samuelson	
Druce	Maitland	Santoni	Ryan,
Eachus	Major	Sather	Speaker
Egolf	Manderino		

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Evans	Travaglio
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GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Jim Lynch, Marianne Nordli, who is the vice president of the Jaycee Junior Chamber International, here from Norway, and Joe Hunker, the district director for the Harrisburg Jaycees, together with Joe Nuhfer, who is a constituent from Warren County and the State president of the Pennsylvania Jaycees. Would these guests please rise.

RESOLUTIONS PURSUANT TO RULE 35

Mrs. TAYLOR called up **HR 163, PN 1666**, entitled:

A Resolution designating the week of May 6 through 12, 1999, as "Nurses Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

Adolph	Fairchild	Mann	Saylor
Allen	Fargo	Markosek	Schroder
Argall	Feese	Marsico	Schuler
Armstrong	Fichter	Masland	Scrimenti
Baker	Fleagle	Mayernik	Semmel
Bard	Flick	McCall	Serafini
Barley	Forcier	McGeehan	Seyfert
Barrar	Frankel	McGill	Shaner
Bastian	Freeman	McIlhattan	Smith, B.
Battisto	Gannon	McIlhinney	Smith, S. H.
Bebko-Jones	Geist	McNaughton	Snyder
Belardi	George	Melio	Solobay
Belfanti	Gigliotti	Metcalfe	Staback
Benninghoff	Gladeck	Michlovic	Stairs
Birmelin	Godshall	Micozzie	Steelman
Bishop	Gordner	Miller, R.	Steil
Blaum	Grucela	Miller, S.	Stern
Boyes	Gruitza	Mundy	Stetler
Browne	Habay	Myers	Stevenson
Bunt	Haluska	Nailor	Strittmatter
Butkovitz	Hanna	Nickol	Sturla
Buxton	Harhai	O'Brien	Surra
Caltagirone	Harhart	Oliver	Tangretti
Cappabianca	Hasay	Orie	Taylor, E. Z.
Cam	Hennessey	Perzel	Taylor, J.
Casorio	Herman	Pesci	Thomas
Cawley	Hershey	Petrarca	Tigue
Chadwick	Hess	Petrone	Trelio
Civera	Horsey	Phillips	Trich

Clark	Hutchinson	Pippy	True
Clymer	Jadlowiec	Pistella	Tulli
Cohen, L. I.	James	Platts	Vance
Cohen, M.	Josephs	Preston	Van Home
Colafella	Kaiser	Ramos	Veon
Cornell	Keller	Raymond	Vitali
Corrigan	Kenney	Readshaw	Walko
Costa	Kirkland	Reinard	Washington
Coy	Krebs	Rieger	Williams
Curry	LaGrotta	Roberts	Wilt
Dailey	Laughlin	Robinson	Wogan
Daley	Lawless	Roebuck	Wojnaroski
Dally	Lederer	Rohrer	Wright
DeLuca	Leh	Rooney	Yewcic
Dempsey	Lescovitz	Ross	Youngblood
Dermody	Levdansky	Rubley	Yudichak
DeWeese	Lucyk	Ruffing	Zimmerman
DiGirolamo	Lynch	Sainato	Zug
Donatucci	Maher	Samuelson	
Druce	Maitland	Santoni	Ryan,
Eachus	Major	Sather	Speaker
Egolf	Manderino		

NAYS—0

NOT VOTING—0

EXCUSED—2

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

Mr. DEMPSEY called up **HR 166, PN 1668**, entitled:

A Resolution designating May 8, 1999, as "Food Drive Day" in Pennsylvania; and commending the National Association of Letter Carriers.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS-0

NOT VOTING-0

EXCUSED-2

Evans Travaglio

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

Mr. SEMMEL called up **HR 168, PN 1670**, entitled:

A Resolution celebrating the week of May 9 through 15, 1999, as "Pennsylvania One Call Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS-199

Adolph	Fairchild	Manderino	Sather
Allen	Fargo	Mann	Saylor
Argall	Feeze	Markosek	Schroder
Armstrong	Fichter	Marsico	Schuler
Baker	Fleagle	Masland	Scrimenti
Bard	Flick	Mayemik	Semmel
Barley	Forcier	McCall	Serafini
Barrar	Frankel	McGeehan	Seyfert
Bastian	Freeman	McGill	Shaner
Battisto	Gannon	McIlhatten	Smith, B.
Bebko-Jones	Geist	McIlhinney	Smith, S. H.
Belardi	George	McNaughton	Snyder
Belfanti	Gigliotti	Melio	Solobay
Benninghoff	Gladeck	Metcalfe	Staback
Birmelin	Godshall	Michlovic	Stairs
Bishop	Gordner	Micozzie	Steelman
Blaum	Grucela	Miller, R.	Steil
Boyes	Gruitzza	Miller, S.	Stem

Browne	Habay	Mundy	Stetler
Bunt	Haluska	Myers	Stevenson
Butkovitz	Hanna	Nailor	Strittmatter
Buxton	Harhai	Nickol	Sturla
Caltagirone	Harhart	O'Brien	Surra
Cappabianca	Hasay	Oliver	Taylor, E. Z.
Carn	Hennessey	Orie	Taylor, J.
Casorio	Herman	Perzel	Thomas
Cawley	Hershey	Pesci	Tigue
Chadwick	Hess	Petrarca	Trello
Civera	Horsey	Petrone	Trich
Clark	Hutchinson	Phillips	True
Clymer	Jadlowiec	Pippy	Tulli
Cohen, L. I.	James	Pistella	Vance
Cohen, M.	Josephs	Platts	Van Horne
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Washington
Coy	Krebs	Reinard	Williams
Curry	LaGrotta	Rieger	Wilt
Dailey	Laughlin	Roberts	Wogan
Daley	Lawless	Robinson	Wojnaroski
Dally	Lederer	Roebuck	Wright
DeLuca	Leh	Rohrer	Yewcic
Dempsey	Lescovitz	Rooney	Youngblood
Dermody	Levdansky	Ross	Yudichak
DeWeese	Lucyk	Rubley	Zimmerman
DiGirolamo	Lynch	Ruffing	Zug
Donatucci	Maher	Sainato	
Druce	Maitland	Samuelson	Ryan,
Eachus	Major	Santoni	Speaker
Egolf			

NAYS-0

NOT VOTING-1

Tangretti

EXCUSED-2

Evans Travaglio

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

VOTE CORRECTION

The SPEAKER. The Chair recognizes the gentleman, Mr. Tangretti, who asks that his remarks be placed in the record to the effect that if his machine had not malfunctioned, he would have voted in the affirmative.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1443 By Representatives **CLYMER, TRELLO, ARGALL, BENNINGHOFF, BUNT, CIVERA, M. COHEN, COLAFELLA, DeWEESE, FAIRCHILD, GEIST, HARHAI, HERSHEY, LEDERER, MAITLAND, R. MILLER, S. MILLER, PESCI, RAMOS, RUBLEY, SEYFERT, TANGRETTI, E. Z. TAYLOR, WOJNAROSKI, YOUNGBLOOD and ZUG**

An Act amending the act of July 9, 1959 (P.L.510, No.137), known as the Pennsylvania Public Lands Act, expanding the scope of the act; further providing for a short title, for definitions, for administration, for warrant and patent applications, for application procedure, for administrative procedure, for application for patents, for appraisals, for

expenses, for abandonment of applications and for issuance of patents; making editorial changes; and making repeals.

Referred to Committee on STATE GOVERNMENT, May 5, 1999.

No. 1444 By Representatives CLYMER, BATTISTO, BELFANTI, BENNINGHOFF, CIVERA, CLARK, M. COHEN, COLAFELLA, CORRIGAN, FAIRCHILD, FRANKEL, GEIST, HENNESSEY, JOSEPHS, LaGROTTA, LEDERER, LYNCH, MELIO, R. MILLER, S. MILLER, MYERS, RAMOS, READSHAW, ROEBUCK, ROONEY, RUBLEY, SATHER, SERAFINI, SEYFERT, STEELMAN, E. Z. TAYLOR, TIGUE, WALKO, WOJNAROSKI, YOUNGBLOOD and ZUG

An Act regulating the purchase and sale of visual works of art produced in multiples; and providing for the disclosure to prospective art purchasers of information relating to works of art, for warranties, remedies and enforcement and for certain civil and criminal penalties.

Referred to Committee on CONSUMER AFFAIRS, May 5, 1999.

No. 1446 By Representatives LESCOVITZ, CORRIGAN, GRUCELA, BELARDI, SURRA, PESCI, E. Z. TAYLOR, ROONEY, SOLOBAY, McCALL, TRAVAGLIO, CIVERA, GEIST, RUFFING, MELIO, M. COHEN, BELFANTI, HARHAI, BATTISTO and COSTA

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, requiring minors who commit certain offenses on school property to be tried as adults.

Referred to Committee on JUDICIARY, May 5, 1999.

No. 1447 By Representative ROSS

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Newlin Township, certain property situate in Newlin Township, Chester County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, May 5, 1999.

No. 1448 By Representatives WALKO, DERMODY, LAUGHLIN, SOLOBAY, WOJNAROSKI, ROBINSON, GIGLIOTTI, M. COHEN, SHANER and HARHAI

An Act amending the act of May 22, 1935 (P.L.233, No.99), referred to as the Second Class City Policemen Relief Law, further providing for pension payments to spouses.

Referred to Committee on URBAN AFFAIRS, May 5, 1999.

No. 1449 By Representatives BARD, FICHTER, J. TAYLOR, WALKO, ORIE, BAKER, BELFANTI, CALTAGIRONE, M. COHEN, DAILEY, FARGO, FLICK, FORCIER, GEIST, GEORGE, HARHAI, HASAY, HERMAN, KENNEY, LAUGHLIN, McNAUGHTON, PETRONE, READSHAW, SCHULER, SERAFINI, SOLOBAY, TRAVAGLIO, TRUE, VAN HORNE, WILLIAMS and WILT

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, providing for compensation for certain injuries suffered by off-duty law enforcement officers.

Referred to Committee on LABOR RELATIONS, May 5, 1999.

No. 1450 By Representatives MAYERNIK, L. I. COHEN, KAISER, READSHAW, FEESE, STEVENSON, HENNESSEY, WOGAN, BARRAR, ORIE, DALLY, SCHULER, JOSEPHS, WILLIAMS, CORRIGAN, VAN HORNE, GIGLIOTTI, FARGO, SOLOBAY, MICHLOVIC, BELARDI, HARHAI, CIVERA and BENNINGHOFF

An Act amending Titles 18 (Crimes and Offenses) and 75 (Vehicles) of the Pennsylvania Consolidated Statutes, authorizing police officers to record certain oral communications; providing for authority to purchase surveillance devices; and providing for windshield obstructions and wipers.

Referred to Committee on JUDICIARY, May 5, 1999.

No. 1451 By Representatives GRUCELA, DeWEESE, VEON, M. COHEN, COY, BELARDI, LESCOVITZ, EVANS, COSTA, FRANKEL, FREEMAN, MANN, RUFFING, SAMUELSON, SOLOBAY, YUDICHAK, BATTISTO, BEBKO-JONES, BELFANTI, BISHOP, BLAUM, BUXTON, CALTAGIRONE, CAPPABIANCA, CARN, CASORIO, CAWLEY, COLAFELLA, CORRIGAN, CURRY, DALEY, DeLUCA, DERMODY, DONATUCCI, EACHUS, GEORGE, GIGLIOTTI, GORDNER, GRUITZA, HALUSKA, HANNA, HARHAI, HORSEY, JAMES, JOSEPHS, KIRKLAND, LaGROTTA, LAUGHLIN, LEVDANSKY, LUCYK, MANDERINO, MARKOSEK, McCALL, MELIO, MICHLOVIC, MUNDY, MYERS, OLIVER, PESCI, PETRARCA, PETRONE, PISTELLA, PRESTON, RAMOS, READSHAW, RIEGER, ROBERTS, ROBINSON, ROEBUCK, ROONEY, SAINATO, SANTONI, SCRIMENTI, SHANER, STABACK, STEELMAN, STETLER, STURLA, SURRA, TANGRETTI, THOMAS, TIGUE, TRAVAGLIO, TRELLO, TRICH, VAN HORNE, VITALI, WALKO, WASHINGTON, WILLIAMS, WOJNAROSKI, YEWIC and YOUNGBLOOD

An Act providing for the establishment of the School Real Property Tax Reduction Fund in the Treasury Department to be used for reducing school district real property taxes; and imposing powers and duties on the Department of Education.

Referred to Committee on APPROPRIATIONS, May 5, 1999.

SENATE BILLS FOR CONCURRENCE

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

SB 497, PN 553

Referred to Committee on LOCAL GOVERNMENT, May 5, 1999.

SB 504, PN 1019

Referred to Committee on TRANSPORTATION, May 5, 1999.

SB 832, PN 1020

Referred to Committee on TRANSPORTATION, May 5, 1999.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. KENNEY called up **HR 172, PN 1706**, entitled:

A Resolution relating to the tragedy at Columbine High School in Littleton, Colorado, on April 20, 1999.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

- | | | | |
|--------|-----------|---------|---------|
| Druce | Maitland | Santoni | Ryan, |
| Eachus | Major | Sather | Speaker |
| Egolf | Manderino | | |

NAYS—0

NOT VOTING—0

EXCUSED—2

- | | |
|-------|-----------|
| Evans | Travaglio |
|-------|-----------|

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

SENATE MESSAGE

**REPORT OF COMMITTEE OF CONFERENCE
ADOPTED BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **HB 980, PN 1703**.

SUPPLEMENTAL CALENDAR B

**REPORT OF
COMMITTEE OF CONFERENCE**

Mr. BARLEY called up for consideration the following Report of the Committee of Conference on **HB 980, PN 1703**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1999, to June 30, 2000, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1999; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Ben Franklin/IRC Partnership Fund, the Tuition Payment Fund, the Banking Department Fund and the Firearm Records Check Fund to the Executive Department; and to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 1999, to June 30, 2000; and to provide appropriations from the Motor License Fund for the fiscal year July 1, 1999, to June 30, 2000, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 1999, to June 30, 2000, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 1999; and to provide for the additional appropriation of Federal and State funds for the Executive Department of the Commonwealth for the fiscal year July 1, 1998, to June 30, 1999, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1998.

On the question,
Will the House adopt the report of the committee of conference?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Gigliotti. For what purpose does the gentleman rise?

Mr. GIGLIOTTI. Mr. Speaker, I would like to make a motion. The motion is to suspend rule 21.

The SPEAKER. For the purpose of considering this conference committee report?

Mr. GIGLIOTTI. Yes, sir.

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

The following roll call was recorded:

YEAS—180

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

NAYS—20

Coy	Hutchinson	Manderino	Stelman
Curry	Josephs	McCall	Stiel
Creeman	Krebs	Mundy	Sturla
George	Levdansky	Platts	Tigue
Gordner	Maitland	Samuelson	Vitali

NOT VOTING—0

EXCUSED—2

Evans Travaglio

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

On the question recurring,
Will the House adopt the report of the committee of conference?

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

Mr. STAIRS. Thank you, Mr. Speaker.

I certainly want to make a motion, and if I am out of order, you can correct me, but the motion I want to make at this time is, I would like to move to recommit HB 980 to the conference committee.

The SPEAKER. It is the opinion of the Chair that you may not make such a motion in that the Senate has acted on it; the conferees have disbanded.

Mr. STAIRS. At the appropriate time, when there is discussion on the bill, I would like to talk on the bill in front of us at this time.

The SPEAKER. This is appropriate. You may begin.

Mr. STAIRS. Since my options are somewhat limited – not somewhat; I guess totally limited – I would like to make a few brief remarks regarding the legislation.

The SPEAKER. *The gentleman is in order.*

Mr. STAIRS. I certainly will concur that there are many good items and many good subject matters addressed in this bill, and I certainly applaud the conference committee for their hard work and diligence, but there are a few concerns that I specifically want to address, and possibly some other members may want to also concur with my feelings.

The primary issue is that of special education. This is an issue that I do not feel the conference committee gave sufficient attention to in two areas particularly: one, lack of funding, and two, distribution of a new formula to determine how the money is spent in our school districts.

The first issue, lack of funding, earlier this year I sponsored a bill, and to my surprise, we had over 130 cosponsors, which is unusual around here to get that many people to agree on any issue. The bill would allocate \$150 million of new moneys. Now, being a realist, I did not expect to get \$150 million of new money for special ed, although I was certainly doing a very vigorous attempt with my colleagues to up that ante to be something that we can take home and we can be proud of, because certainly special education costs are driving property taxes, and one reason we have very much a big issue in this State of property taxes, excess property taxes, is special ed. Other factors enter into that, I understand, but special ed, I feel, is one of the reasons, because the local governments, that being the school districts, are having to fund this, the lion's share of funding this, and the State is not meeting its commitment. So my intent was to increase State moneys, to put less burden on our local districts. As the budget process unfolded, the Governor did appropriate \$33.9, \$34 million of new moneys to this end, which I applaud. Later on, about a month ago, this chamber allocated approximately \$20 million,

which we passed unanimously, to add to that, to bring it to \$53 million approximately.

In my thinking, I thought, at the minimum, this amount of money would be there; this would be a starting point, anticipating maybe \$60 million, maybe \$70 million, or maybe more millions being added to meet this very, very pressing problem. Unfortunately, as I saw the printouts and as we all did as we went to caucus, we are talking \$40 million. \$42 million, \$43 million of new money, and I really honestly, sincerely feel and I hope my cosponsors of the legislation that signed on with me feel that this is drastically inadequate, and I feel that it is very difficult to go back to our local districts and tell our school districts what we did here today. So I am throwing this question out, asking other members to support me in this great injustice of inadequately funding special ed.

And you know, we have a problem with distressed districts, financially distressed districts as well as academically distressed districts, and one reason why we drive these districts to be distressed districts is because we are not funding this one item, among other items, but this one particular item.

So as we vote on this today — and I do suspect the votes are there to pass this — we draw attention to this, and I want to alert my colleagues, as the clock is ticking down and I am into the 30-second range, my last statement would be that I ask my colleagues, we are doing a lot of good things in this budget, but the job is undone, the job is seriously undone, and I want to alert you to this, and as we tick down to my last seconds, certainly, is anybody out there listening to us and hearing what we are doing today, because a problem is going greatly unanswered, and I plead to my fellow members, which I very seldom do, to help, as I am kind of down to zero seconds, please help our school districts. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Colafella. The gentleman will yield for a moment.

Just to remind the members, there is a 5-minute limitation and a one-time-only argument on this bill under the rules of the House, with the exception of the majority leader and minority leader, who have the usual privilege of the floor at their pleasure. The one change of interpretation that I discussed with both the majority and minority leaders is that if they should desire, they may delegate their time and privilege to the Appropriations Committee chairmen, because it happens to be a budget bill.

PARLIAMENTARY INQUIRY

The SPEAKER. Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, if I ask for a parliamentary procedure or to appeal a decision that was made by Representative Stairs, does that count as one time speaking on the bill?

The SPEAKER. Mr. Colafella, reading from Mason's Manual, section 230, "When an Appeal Is in Order," "The proper method of taking exception to a ruling of a presiding officer is by appeal. All questions of order are decided by the presiding officer, subject to appeal...." and going down to the next paragraph — so, so far you are all right — "An appeal from a decision of the presiding officer must be made promptly. It is too late to appeal after debate or other business has intervened." In this case, I believe that has happened.

Mr. COLAFELLA. Mr. Speaker, I was trying to get your attention. I was screaming over there.

The SPEAKER. You know I do not purposely ignore you. I have you on a list, and I—

Mr. COLAFELLA. Well, Mr. Speaker, I want to make the same motion.

The SPEAKER. May I go one step further.

Mr. COLAFELLA. Sure.

The SPEAKER. It is my opinion — and of course, this is just an opinion — the conference committee has disbanded, so even if recommitted, it is recommitted to limbo somewhere, because there is no conference committee that can meet on it.

Mr. COLAFELLA. Well, Mr. Speaker, can we not establish another conference committee? I mean, it is only May, and the budget does not have to be passed until June 30.

The SPEAKER. Let me go a step further in my decision. According to Jefferson's Manual, page 259 — I do not see the number quickly — "A motion to refer to a standing committee...or to lay on the table is not entertained in the House...; and a conference report may not be sent to Committee of the Whole on suggestion that it contains matter ordinarily requiring consideration in that committee.... It is in order on motion to recommit a conference report if the other body, by action on the report, have not discharged their managers...."

It is the information of the House that the managers have been discharged by the Senate. Accordingly, it is not in order to even move that this be recommitted to the conferees.

Mr. COLAFELLA. What does Mason's say?

The SPEAKER. I read that the first time.

Mr. COLAFELLA. Okay. Thank you, Mr. Speaker.

Mr. Speaker, can I make a motion to table the conference report?

The SPEAKER. Let me look that up.

It is the opinion of the Chair that you may do that.

MOTION TO TABLE

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I make a motion—

The SPEAKER. The gentleman will yield.

Members, please. There is a motion about to be made by the gentleman, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I make a motion to table HB 980.

On the question,

Will the House agree to the motion?

Mr. COLAFELLA. Am I allowed to state the reasons, sir?

The SPEAKER. Yes.

Mr. COLAFELLA. I think it is evident to all of us in the House that we had 127 sponsors of doing—

The SPEAKER. The gentleman will yield for one moment.

The motion to table is not debatable. We have, through custom and usage, allowed the majority and minority leaders to debate or to yield. If the gentleman, Mr. DeWeese, yields to you, we have no problem.

The gentleman, Mr. DeWeese, yields. The gentleman may continue.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I make a motion to table HB 980, and I do that because school districts in my area and people in my area have told me that special education funding is killing our school districts. They are in deep trouble. They need our help. We have had hearings on this issue. We have 127 sponsors on Jess Stairs' bill—

The SPEAKER. The gentleman will yield.

Would the gentleman come to the rostrum for a moment.

(Conference held at Speaker's podium.)

MOTION WITHDRAWN

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

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, with our discussion, I am taking this motion off the table, to table.

MOTION TO PLACE BILL ON POSTPONED CALENDAR

Mr. COLAFELLA. But I am making a motion to delay HB 980 till Tuesday, May 11.

The SPEAKER. The question before the House is the motion of the gentleman to postpone consideration of the Conference Committee Report on HB 980, PN 1703, until Tuesday, May 11.

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

The SPEAKER. On that question, the gentleman, Mr. Barley. Mr. BARLEY. Thank you, Mr. Speaker.

Mr. Speaker, I oppose the motion to delay.

The budget that is before us is a document that all members had an opportunity to participate in the crafting of. We have given consideration to thousands and thousands of line items. Many of those line items include requests that the members of this body have made.

The budget today is a good budget. It is a budget that builds a stronger Pennsylvania, provides greater opportunities for the working families of Pennsylvania. We are prepared to do the people's business today, and I think we should move forward and pass this budget today, without any additional delay, and again, I oppose the gentleman's motion to postpone.

The SPEAKER. The gentleman, Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I ask for postponement of HB 980 so that we can have ample time to review this particular piece of legislation, which is over 100 pages, which we just received about an hour and a half ago. I think Tuesday, May 11, would give us enough time to review this particular budget. It would give us time for our people back home also to know what we are going to be voting on, for a change.

For that reason I ask for a positive vote to postpone HB 980 till Tuesday, May 11, so that we can really debate this bill intelligently. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of postponement, those in favor of postponing the consideration of this conference committee report until Tuesday, May 11, will vote "aye"; those opposed to postponement will vote "no."

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

The following roll call was recorded:

YEAS—95

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

NAYS—105

Adolph	Druce	Maitland	Schuler
Allen	Egolf	Major	Semmel
Argall	Fairchild	Markosek	Serafini
Armstrong	Fargo	Marsico	Seyfert
Baker	Feese	Masland	Smith, B.
Bard	Fichter	Mayernik	Smith, S. H.
Barley	Fleagle	McGill	Snyder
Barrar	Flick	McIlhattan	Steil
Bastian	Forcier	McIlhinney	Stern
Benninghoff	Gannon	McNaughton	Stevenson
Birmelin	Geist	Micozzie	Strittmatter
Boyes	Gigliotti	Miller, R.	Sturla
Browne	Gladeck	Miller, S.	Taylor, E. Z.
Bunt	Godshall	Nailor	Taylor, J.
Chadwick	Habay	Nickol	True
Civera	Harhart	O'Brien	Tulli
Clark	Hasay	Orie	Vance
Clymer	Hennessey	Perzel	Veon
Cohen, L. I.	Herman	Phillips	Wilt
Cornell	Hershey	Pippy	Wogan
Corrigan	Hess	Raymond	Wright
Daily	Hutchinson	Reinard	Zimmerman
Dally	Jadlowiec	Ross	Zug
Dempsey	Kaiser	Rubley	
DeWeese	Kenney	Sather	Ryan,
DiGirolamo	Lynch	Saylor	Speaker
Donatucci	Maher	Schroder	

NOT VOTING—0

EXCUSED—2

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

On the question recurring,

Will the House adopt the report of the committee of conference?

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

Mr. VITALI. Thank you, Mr. Speaker.

In the Ridge administration, WAMs (walking-around moneys) are history. Mr. Speaker, that was the campaign promise Governor Ridge made in 1994 in promising the voters what he would do to get elected. Mr. Speaker, in each successive budget, those words and that promise has rung more and more hollow. Mr. Speaker, in the 1995-1996 budget, the Community Revitalization Program, which is just a substitute for the WAMs, was \$3.6 million. Mr. Speaker, now that figure has bloated up to \$84.6 million, Mr. Speaker.

Mr. Speaker, rank-and-file members love this appropriation because they get to play Santa Claus in their district and there is very little accountability. But, Mr. Speaker, their constituents should not love this program because their tax dollars are being spent on things like parades and statues and Little League team uniforms instead of things like reducing class sizes and putting computers in classrooms and AIDS (acquired immune deficiency syndrome) protection and important life-or-death things — things that affect the future, things that affect our children, things that really matter to people instead of moneys that are going to help us hold on to our jobs, Mr. Speaker.

Mr. Speaker, the conference committee and the Senate, Mr. Speaker, stripped out language in this bill that would have provided accountability for this Community Revitalization Program. They stripped out basic language that would have required merely that awards be given on a merit-need basis. Why was that language stripped out, Mr. Speaker? It was stripped out clearly because that is not how moneys are being given. Mr. Speaker, language was also stripped out that would allow Pennsylvanians just to look at all the applications that were submitted for this money, and the reason that was stripped out is because this program cannot stand the light of day. The Community Revitalization Program is a sham. It is based on political pull, political muscle. It buys votes for things like the stadiums, things that people in this State did not want us to support.

Mr. Speaker, this program, rather than be ended as Governor Ridge promised it would, continues to expand exponentially, and the Governor, who has a line-item veto, if he wants to keep his word to the citizens of Pennsylvania, will exercise this veto should this conference committee report pass. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from York, Mr. Platts.

Mr. PLATTS. Thank you, Mr. Speaker.

Previous speakers have said that this is a good budget, and I cannot disagree; it is. I commend the leadership of the House, Senate, and Governor on many of the aspects of the budget. The tax cuts that we are going to vote next week that are part of this package of the budget proposal, the increases in funding for the safe-schools initiative, the increases in funding or the additional

funds for our schools in many categories, I think, are positive steps. But as was mentioned earlier, the one area that this House took a very solid vote on that is not addressed in here appropriately is the special ed funding. We need \$150 million to achieve the State's 50-percent guarantee — something that was overwhelmingly supported by cosponsorship on the bill, I think 130 cosponsors, and overwhelmingly by this chamber when we voted the budget several weeks ago. The money is in the budget; we are just putting it in the wrong categories. We can get to \$105 million for special ed, over two-thirds of the way to our goal, simply by one shift of a line item.

There is \$63 million in this budget for vouchers. I am not here to argue whether vouchers are good or bad, but I will argue that they will never be funded in this fiscal year. If we voted them today, they will be tied up in court for years to come. Those funds will not be expended in this fiscal year. That \$63 million, which can be out there helping children, special-needs children, helping our taxpayers and our school districts, can be put to use instead of simply set aside, which is what is going to happen, the way we are pursuing this budget.

Let us reconsider this issue; let us put that \$63 million. Let us debate the issue of vouchers. I think it is an appropriate debate to have. We can discuss the public policy of it, and if we embrace that policy, we can then fund it. But until we do that debate, let us not waste that \$63 million. Let us put it to use for those special-needs children out there, get over two-thirds of the way to our goal of funding special ed. It is the right thing to do, and because of that issue, this is a good budget but it is not a great budget. I think we have a chance to pass a great budget for all Pennsylvanians and especially for those disabled, those special-needs children out there, whom we can help much more than we are.

For that reason and mainly that reason, because there are many good things in this budget, but for that reason alone, I will be a "no" vote, and I ask others to consider being a "no" vote as well. Thank you, Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. Cohen. Waives off.

The gentleman from Washington, Mr. Daley. Waives off.

The lady, Mrs. Harhart.

Mrs. HARHART. Thank you, Mr. Speaker.

I also commend the conference committee on all the hard work that they have done on this budget.

Last month when the budget was before the chamber on final passage, the House unanimously approved my amendment to add \$40 million for school security grants. I am pleased to report that the funding for the grants is still in the budget, although the safe-schools line item is now \$22 million in State funding for matching grants. While I wish we could fund the program at a \$40-million level, this is still a \$21-million increase over what we are currently spending for school security.

With the funding, we will be able to work in partnership with schools across the State to address their individual security and violence prevention needs. This is a very important, appropriate expenditure of tax dollars that will yield tremendous benefits in the form of safer schools and safer communities.

All of you in the House recently supported HB 456, which enacts the Safe and Secure Schools grant program, and for that, I thank you all for your support.

Now I urge you to support the funding for this program in the 1999-2000 budget. Please vote "yes" on HB 980. Thank you.

The SPEAKER. The gentleman, Mr. Gordner.

Mr. GORDNER. Thank you, Mr. Speaker.

I rise in opposition to HB 980 for several reasons.

As mentioned, this budget does contain funding for a school voucher program in the amount of \$63 million. As a previous speaker said, those \$63 million could be used in a lot of different ways. As he mentioned, those moneys will absolutely never see the light of day this year, even if legislation is passed. So how might they be used?

First of all, in this budget, there is no State funding for the Head Start Program. If we want to do something to help our young kids and have them get a good start in school, Head Start is a proven program, and it deserves to have State moneys. This budget contains no State moneys for the Head Start Program.

This budget contains no increase in funding for our School Lunch Program. There has been a bill introduced that would have offered a 5-cent increase in this program. This program has not seen any State increase in over 10 years. It is proven that it is important nutritionally for a student to have a good breakfast and a good lunch, and I sincerely thought that there would at least be a 2-cent increase in the moneys going to schools for the School Lunch Program. Unfortunately, this budget contains no increase for the 10th or 11th year in a row.

In last year's budget, there was a program for community colleges, to allow them to implement workforce development programs. If we talk to our workers and talk to our businesses, they are saying how important it is to get workers the appropriate skills they need. Representative Yudichak had offered an amendment to restore this program, so again there would be \$3 million in it for workforce development moneys for our community colleges. That did not stay in this final version of the budget.

As mentioned previously — and I will not continue with it — there is a serious need for additional special education moneys.

I also want to point out that the loan forgiveness program for child-care workers has been eliminated. Often these folks that go into child care are making \$14,000, \$15,000, \$16,000 a year with a college degree. The Child Care Loan Forgiveness Program was a great program that could help assist these folks in the first couple of years after graduation with child care. Unfortunately, the Governor and the conference committee folks have decided to eliminate this valuable program for our child-care workers.

Again there is no funding for HEMAP. HEMAP is the Homeowners' Emergency Mortgage Assistance Program. It is a program specifically for those individuals that because of a temporary illness or a temporary setback puts them in a position where they cannot continue to pay the mortgage payments. This program will look at a case and say, okay, they have a temporary problem; in short order, they will get back to working; we are going to help them out temporarily with their mortgages in order that they might be able to keep their home. There is no funding for this program in the budget.

Over the last few years, we have successfully implemented a program for our senior centers. Our senior centers are great resources in our communities, especially in our rural settings. They allow seniors to gather and enjoy each other's company and get involved in activities. But too often they have been in need of moneys for their building and other equipment. Previously there had been \$4 million for this line item in the budget, and

unfortunately, even though we have a huge surplus, this program has been cut by 50 percent for this year.

For these and a whole variety of other reasons, when we are going to have over \$700 million in surpluses at the end of this fiscal year along with lapses of probably another \$200 million or \$300 million, it seems like all of these things that I mentioned, we could have addressed in this budget, and because of those reasons, I will urge a "no" vote. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Trello.

Mr. TRELLO. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. TRELLO. Would it be possible to amend the suspension-of-the-rules motion to allow amendments to the Conference Committee Report 980?

The SPEAKER. No; the answer is no. Quickly, under section 770, I believe it is, of Mason's, a conference committee report cannot be amended.

Mr. TRELLO. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. TRELLO. Mr. Speaker, I rise—

The SPEAKER. On the question.

Mr. TRELLO. On the question, Mr. Speaker, I rise for all the reasons of the previous speaker, who took my complete speech that I was going to make dealing with this budget, of the lack of funding for a number of areas, but the one that I am mostly concerned about is the one for the mental health and mental retardation community facility areas.

I do not know about any of you, but I received over 500 or 600 letters dealing with employees and parents of the mentally retarded and handicapped, indicating that the people that work there are working for a wage that is below the poverty level, and the—
Mr. Speaker, could we have some order in here?

The SPEAKER. The gentleman will yield.

Conferences on the floor, please.

Mr. Trello.

Mr. TRELLO. Mr. Speaker, I know that many of the members are conferring about items in the budget, and I can appreciate that, and I do not mind that you cannot hear me, but it becomes a problem when I cannot hear myself.

But in regards to the MH/MR funding for the employees, the COLA (cost-of-living adjustment) for the employees, I have about 12 facilities in my district that deal with mental health and mental retardation. The average wage there is \$7.20 an hour. The problem is that the men and women that work in these facilities learn to love and respect the children with these deficiencies, and although they cannot make a living wage there, they find it very, very difficult to leave because of the love and affection that is generated over the years working with these children, and there is no money in this budget that would allow an increase that would equal the amount that State workers get in these facilities.

Now, I think we all wonder why the good Lord created children with disabilities of this type, mental health and mental retardation, but I think the reason is, the good Lord is testing us, the men and women in this chamber, in government, to see if we have the courage to do the right thing to take care of them. This budget does not do the right thing. We cannot allow men and women with degrees in this particular field to work in those fields for \$7.20 an

hour, while men and women that work in the State facilities are starting out at \$10.80 an hour to \$12.40 an hour. I think it is wrong, 100 percent wrong. And for every dollar that we spend towards rehabilitating these mental health and retardation children in these facilities, the return has been proven that we get \$4 back.

For those reasons and the other reasons that my good friend, Mr. Gordner, mentioned, I am going to have to vote "no," and I would ask my colleagues to either suspend the rules to stop this till next week or vote "no" today. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Colafella, on final passage.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose HB 980. This is a disastrous budget for public education. I do not know how we could vote for this budget today and be glad that we did when we go home today. Let me tell you why it is a bad vote.

In 1998 and 1999, for basic education, we gave a 3.5-percent increase. Guess what it is this year? 3 percent.

For special education — where our superintendents, our people back home are crying to us, do something about special education; regular parents are thinking about suing schools because they are using regular moneys for special education — last year we gave 7.3 percent. Guess what it is this year? 6.1 percent.

Community colleges. Boy, we talk about how great these community colleges are, how we need them in our district. Last year we gave them a 6.2-percent increase. Guess what it is this year? 3 percent.

The State System of Higher Education. We all have these State-owned universities near us, and boy, we talk about what a great job Slippery Rock is doing, Shippensburg is doing, and so on. Last year they got a 3.2-percent increase. Guess what it is this year? 3 percent. When those people call you and cry about high tuition rates and you vote for this budget today, you might want to tell them you voted for this budget, which means a smaller percentage than last year.

Let us take our State-related universities — Penn State, Pitt, Temple, and Lincoln — and you say, boy, you guys are great institutions. Penn State is a great school, one of the best in the country. Last year Penn State got a 3.2-percent increase. Guess what it is getting this year? 2.8 percent.

Now, you tell me how you could feel good about voting for this budget when over 50 percent of this budget is spent on education. When property taxes go up this year because of special education and our basic education increase, when tuition rates go up this year, and when property taxes go up this year, blame yourself for voting for the budget; blame the Governor, who proposed this budget; and have the guts today to vote against this budget. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster County, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, the 1999-2000 General Fund budget from the conference committee report presents a plan that will spend about \$19 billion in State tax dollars. That is about a billion dollars more than we spent in last year's budget. And if you look through this budget, I mean, I can find some projects in my district that look very nice, some funding increases that look very nice, but overall,

if we are going to spend a billion more dollars, this budget just does not cut it.

As was pointed out earlier, the voucher funding in this bill amounts to \$63 million. This is money that even if we had a voucher proposal in this State, we probably could not spend this year.

On special education, it has been pointed out that there is about a 7-percent increase, \$8 million above the Governor's proposal. Now, I must admit, when I looked at the breakdown for school districts, I must give some credit to the conferees for the formula that they used to drive this paltry increase out anyway. My school district gets about an 18-percent increase in special education funds. I looked at this and said, this is great; the formula is working. The only problem is that it is only \$43 million extra that we are putting into this formula. If we took that \$63 million that is proposed for vouchers and put it into special ed, my school district would be getting something more like a 36-percent increase instead of an 18-percent increase. That is real money.

There is no increase in funding for school lunches in this budget. There is no funding for Head Start, as was pointed out earlier. And at a time when we know that there is a shortage of regulated day-care settings in this State, we have removed the money for loan forgiveness for child-care workers. There is nothing in this budget that reduces the copay or restores eligibility for child-care slots in the State of Pennsylvania. Even funding for senior centers has gone down in this budget.

Mr. Speaker, if we have the kind of money that we have to spend in this budget, we can do one of two things: We can either appropriately fund programs, or we can set aside some of this money to cut local property taxes. We have done neither in this budget, and I would encourage a "no" vote. Send it back to conference. Let us get something worked out that will work for everyone in Pennsylvania and help the citizens of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Belfanti, on the question of the adoption or rejection of the conference committee report.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, I arrived in Harrisburg earlier this week fully expecting to vote in favor of the 1999-year-2000 General Fund budget, and I was happy to be able to vote for the last couple of budgets. Even though there were, in my opinion, errors and omissions, I still felt that the budgets were better passed than maybe what a new conference committee would have come up with.

However, this year, Mr. Speaker. I need to rise and oppose this final passage on the conference committee report of the budget, and I will not enumerate all of the reasons that were given previously by the gentleman, Mr. Sturla, and the gentleman, Mr. Gordner, but I would like to at least stick to one particular category which is of interest to me, and those are Pennsylvania workers, particularly Pennsylvania workers who are working at low-end jobs.

Mr. Speaker, this year's budget has been driven from about \$18 billion to \$19 billion, \$1 billion in new spending, and in most instances, I believe the surplus is being rather well spent, but the people at the low end of the job spectrum in this State are the ones who will be most hurt by adopting this budget. The people in minimum-wage jobs and service-sector employees will be worse off next year with this added billion dollars than they were last year.

Tens of thousands of people who were forced off of welfare over the past decade — and most of those votes were votes I put up to put those people back into the workforce, and I voted for most of those — but, Mr. Speaker, for those people who are struggling in the workforce, where mom and dad are both working at low-end jobs, to eliminate the Head Start Program for these workers, to eliminate entirely the State funding of the WIC (women, infants, and children) program, which is one of the things that the Federal government and the State government have always partnered in to provide diapers and formula and other child-care and prenatal-care products to those people who are in the lower end of the workforce, to eliminate State WIC funding while the Federal government is at the same time reducing WIC funding, I think is abominable. If the Federal government is reducing funds in certain categories, it is our obligation in times of surplus to try to pick up where the ball was dropped.

To fail to reduce the new copay on child support in a year of a billion dollars in new spending, to fail to restore child support to the thousands of low-paid workers who were deemed ineligible last year through new child support guidelines — thousands of people who are at the lowest end of our workforce were removed from subsidized child care, and these people who are working at poverty-level and low-level jobs can now turn over about 50 percent of their take-home pay to babysitters or to nonsubsidized day-care centers — what favor have we done to these people whom we have removed from welfare when they go out and after taxes they come home and most pay half of their take-home pay to a babysitter or a nonsubsidized day-care center? It is just incredible to me.

And finally, Mr. Speaker, in the area of workforce development, that new grand scheme which we all are in agreement of, where people can get retrained from garment sector, garment worker sector jobs, and manufacturing jobs into new high-tech jobs, those people were supposed to receive that training in our community colleges and in our State System of Higher Education universities and in other workforce development, and to eliminate funds for workforce development in our community colleges in this budget, Mr. Speaker, does nothing to help me put up a “yes” vote.

So, Mr. Speaker, for the reasons enumerated by the gentlemen, Messrs. Gordner and Trello, and those which I added, I am voting “no” on this budget even though I believe that it is not that bad of a budget; it has just run askew when it has come to Pennsylvania’s poorest workers. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Ms. MUNDY. Thank you, Mr. Speaker.

A budget is a list of priorities. Our priority here on the Democratic side has been property tax relief for the average Pennsylvania working family. There is no property tax relief in this budget even though we have millions in surplus again this year.

Another priority on this side of the aisle has been restoring subsidies for child care, as the previous speaker mentioned. The Ridge administration’s changes to the subsidized child-care regulations, and you, Republicans, who all voted against considering an amendment to restore those cuts in the budget, have put Pennsylvania working women— And these parents who rely on these subsidies are mostly women, mostly single heads of households, many of whom work for minimum wage, but they have always worked; they have always done what we asked them to, and

this is probably the only help they have ever received in their day-to-day struggles.

Where are our priorities if we cannot care for Pennsylvania’s children? In Luzerne County alone in the last month or two since the new child-care regs took effect, five teenage moms have dropped out of school because they cannot afford child care. Women are leaving their children home alone because they cannot afford to quit work and they do not want to go on welfare. Where are our priorities if we allow this to happen? And we do not even need to spend State tax dollars to do this; we could have spent available, unspent Federal dollars to do this, and nobody on your side of the aisle cared enough to make that a priority in this budget.

To add insult to injury, CyberStart, providing Internet access to people who can afford day care, Internet access in day-care centers for kids who cannot even read yet, that is still in the budget; that is still a priority of ours, where teenage moms have to drop out of school and where women have to make a decision about whether they quit work to go back on welfare so they can afford food on the table, so they can take care of their children and not have to leave them home alone. How can these be our priorities?

So in addition to that, we have tuition vouchers still in the budget, money we know full well we are not going to be able to spend this year. Why not allocate some of that for some priorities like property tax relief, like child care for low-income working families?

But your priorities are very different from mine, and for that reason I cannot vote for this. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The gentleman, Mr. Surra, from Elk County.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I am sure I will be well under my 5-minute time allotment.

I rise to oppose the conference committee report, and it is because this budget is woefully lacking, Mr. Speaker, in its support of basic education, special education, and higher education. You have to wonder where the priorities are with the administration. I think it is a telling sign when the majority and the minority chairmen of the Education Committee in the House of Representatives stand up and are very, very disappointed in the conference report.

You know, we voted to increase special education funding. The difference between the conference committee report and what this House voted for is \$55 million, Mr. Speaker — \$55 million. That is no doubt going to raise the property taxes in many of the districts that we all represent. The biggest complaint that I get is property taxes, specifically property taxes that fund education.

Now, the House voted to put \$100 million to reduce property taxes in the Grucela amendment. That is nowhere to be seen in the conference report, Mr. Speaker, and with the lack of funding that we are giving basic education, special education, our local districts are going to be forced once again to raise property taxes. There are a billion new dollars in spending in this budget. It is just a matter of commitment, and our commitment in this conference report, in my opinion, is wrong.

The cuts in the women, infants, and children program, the WIC program, well, it seems like we might want to look at putting computers in day-care centers, Mr. Speaker, but we do not care if they have food to eat or not.

Because of those reasons and specifically because a vote for this conference report is going to raise the property taxes of most

working Pennsylvanians — it is going to cause school districts to raise their property taxes — I am going to vote against it, and I would urge that you do also, and let us get back to work and put some of our priorities where they are most needed. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guests of Representative Belardi, Mayor Jim Connors of the city of Scranton, together here with members of his staff.

In addition, as the guest of the gentleman, Mr. Belardi, is Mary Jean Moran Naughton, who is the daughter of a former member of this House, Cy Moran, and he served here in the sixties. Would the guests please rise. They are to the left of the Speaker.

CONSIDERATION OF HB 980 CONTINUED

The SPEAKER. The lady from Berks, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

I was very pleased to see that the conferees added additional funding for the Agriculture Conservation Easement Program, boosting that program's allocation to \$43 million. However, I was concerned about the fact that while doing that, they have earmarked a half a million dollars for the Department of Agriculture to use for the promotion of land trusts, private land trusts, in Pennsylvania. My concern is this, that we already have a backlog and a waiting list for farms who are interested in getting involved in the State and the county programs, and to take a half a million dollars away from the purchase of agricultural easements and put it into promoting private land trusts, I feel is not a wise use of these dollars.

My other concern is for the program in how we are going to allocate these funds for this fiscal year in that the counties have already had to submit to the State Agricultural Land Preservation Board their calendar year 1999 funds. They had to submit that by the end of January with the thought in mind at that time that there would be roughly \$22 million in this year's budget. Since we have almost doubled that with the \$43 million, I would like to strongly encourage the Department of Agriculture to reopen the county allocations so that they can be credited for additional moneys in order to increase the State-county matches and hopefully then further allow them to do the important role of preserving our State's number one industry, agricultural land.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Delaware, Mr. Micozzie, on the question of the adoption or rejection of the conference report.

Mr. MICOZZIE. Mr. Speaker, I rise to support the Conference Report on HB 980.

I feel there are a lot of good items in the bill. The only reason why I am rising is to again voice my concerns about special education. During our budget deliberations, I did voice my concerns.

In Delaware County I represent four districts along the Philadelphia border. Special education is increasing the taxes all

along those four districts. Coupled with that— Mr. Speaker, could I have some quiet?

The SPEAKER. Sergeant at Arms, break up the various conferences, please. Conferences on the side aisle, please. The conference in the middle aisle, please break up.

Mr. Micozzie.

Mr. MICOZZIE. Just one of my school districts has proposed a \$1.6-million increase in taxes. Much to do of it is because of special education. That problem coupled, coupled with the reassessment that we are going to go through next year, there has to be some more relief in the special education funding. HB 16 would have gone a long way to accomplish that. I did observe and looked at the budget, and in that budget, there are increases for special education over last year.

I ask the leadership, both in the House of Representatives and the Senate, as time goes on, something has to be done with the funding of not only special education but basic education, because my residents, my constituency, can no longer afford the amount of money increases of those four school districts, and I thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. DeWeese. Will the gentleman yield.

Mr. Thomas, do you desire recognition?

The gentleman, Mr. DeWeese, yields to the gentleman, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the conference committee report, and I rise in opposition for the following reasons: Mr. Speaker, events across the United States have made it very clear that as legislative bodies, one of the things that we need to give a lot of attention to, and that is to children and families. This conference committee report represents a real assault on providing additional support for rebuilding children and families, and, Mr. Speaker, we find that in a number of cases. We find that in the absence of any State dollars for the reduction of class size. We know that in places like Philadelphia County, you cannot effectively provide a quality education when you have 30 to 35, sometimes 38 children sitting in one class.

Secondly, Mr. Speaker, we find that there is no increase in the budget for school lunches. There are too many kids every day that have to go back and forth to school without breakfast and without early morning support services, and a cut in school lunches will represent a serious problem in that area.

Mr. Speaker, we also find that there is no State funding for the WIC program, which provides resources for women, infants, and children. This runs directly to children and families in the absence of support for that.

Mr. Speaker, we also find that there is no increase for county behavioral services. If there ever was an area that we need to provide strong support for, it is for behavioral services. There are a lot of families out there across Pennsylvania that are having problems, Mr. Speaker, that need immediate and affirmative intervention. In the absence of greater support for behavioral services, that intervention would never happen. And so, Mr. Speaker, we could end up witnessing more tragedies like the tragedy in Colorado and in Pennsylvania and in other places. Behavioral services needs additional support from this legislative body.

Mr. Speaker, the Governor was extremely creative when he came up with the senior citizens assistance program, the program

that helps address capital needs of senior citizen centers and of senior citizen developments. Mr. Speaker, we have a problem that is about to explode in the Commonwealth of Pennsylvania. We have many senior citizen developments that were constructed under the HUD (Department of Housing and Urban Development) 202 Program, and those developments allowed for a certain amount, a cap, on rental, rental responsibilities on behalf of the elderly. Well, Mr. Speaker, we have in Pennsylvania thousands of developments where the section 8 subsidy is running out, where the development is deteriorating, and the senior citizen capital assistance program was able to help in dealing with some of those capital needs, and a cut in this program of \$2 million is really going to threaten, threaten the stability of some of those developments that were looking forward to this program.

There is no State funding for Head Start. Mr. Speaker, if we do not deal with some of these problems on the front end, then we are going to end up having to deal with them on the back end. And so we can ill afford to have a conference committee report that provides no State funding for Head Start.

There is no funding for community colleges workforce development. We acknowledge that with welfare reform, that people need to be able to make that transition to long-term, meaningful jobs, and we know that when we start talking about that transition, that there are thousands of people across Pennsylvania that need help — help with training, help with preemployment skills — and so we will look into our community colleges to provide that workforce development apparatus to help people make the transition. And to provide or put forth a budget and ask that we vote on a conference committee report that does not provide any additional workforce development dollars for our community colleges is real bad.

Loan forgiveness for child-care workers has been eliminated. How do we expect to deal with the rising population of children that need to be cared for as a result of welfare reform if we provide no incentives for people providing child-care services? The loan forgiveness program represented a bridge of opportunity for people who wanted to go into that area.

And, Mr. Speaker, the HEMAP program, a program that is designed to help families in trouble.

My time is up, and, Mr. Speaker, I rest my case by asking that my colleagues on both sides of the aisle vote “no” on this conference report and send a message to the conferees that this report needs to be done over.

Thank you.

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

I am going to vote in the affirmative for the conference report, but I wanted to make a couple of observations, and preeminent among them will be the fact that if the Democratic side of the aisle were in the majority, we would have used the budget mechanism and this opportunity today to address the spiraling escalation of property taxes in the Commonwealth.

As I have said many times and it is never more appropriate than at a budget setting, the most pernicious financial malady affecting my constituency and most all rural constituencies, if not others, but especially 15 or 20 Republican legislators from the northern tier and in more rural parts of the State, is the fact that property taxes are going up and up and up and up and up.

Since Nagasaki and Hiroshima, we have never had a series of budget surpluses like we have had in recent years, and in the last

year of the Casey administration and in the first 4 years of the Ridge administration, what we have done with that revenue stream has reduced corporate taxes. Many of us have aided in that effort, but the Democrats in Pennsylvania and the Assembly on both sides of this building, in the House and the Senate, were focused laser-like in this budget season on the diminution of property taxes. We realized that our colleagues did not embrace our specific proposal, but we said again and again that if our mechanism was inadequate or not well crafted, we welcomed their effort, because with what we consider to be by June 30 a \$700-million surplus this year alone plus \$300 million in lapses, the Ridge administration, the Commonwealth's government, will have \$1 billion — \$1 billion — that we could have addressed property taxes with. Now, that would have, of course, mandated that we restrain other impulses to spend money, but if we had worked collegially, this budget could have at least been the start, the commencement, of \$100 million, \$200 million, \$300 million, \$400 million in property tax reductions.

I am a little disappointed that we did not do, if not more than a little bit, I am rather disappointed that Head Start was not addressed in this document, that class sizes in our schools were not addressed in this budget document. Education in our public schools would be healthily fortified by a reduction in class size, and the revenue available would have made that possible.

School lunches have been maltreated by this budget, and we have done nothing in this budget, vis-a-vis the Todd Eachus amendment the other day, we have done nothing to reduce the copay or the deductible when it comes time for some of our less well off senior citizens to pay for their prescription drugs.

If you are afflicted with a disability and use a wheelchair in Pennsylvania, the shared-ride legislation that Senator Rhoades and some of us have worked on historically has not been addressed in this legislation. We are not doing enough for folks with disabilities in this State. It is all a difference in priorities, and if we had been in the majority, our priorities, as has been said by Ms. Mundy and many others, Mr. Thomas most recently, would have been different.

Mine reclamation. It is a big problem in the northeastern part of the State and in the coalfields of southwestern Pennsylvania where I come from, and naturally we would have liked more attention on mine reclamation.

But, Mr. Speaker, I do commend the committee on conference. The restoration of sewage treatment money; for farmland preservation money; for funding for institutional assistance grants, the IAGs, for our small private colleges in the State, they will be treated fairly. We are heading in the right direction on special education, but as Chairman Colafella said, we have got a long, long way to go. But as we on our side of the aisle over the last several months have advocated more money for higher ed, it has been appropriately attended to in most sections of this budget document, and we would like to think that we have had something to do with more money for farmland preservation and more money for special ed and more money for higher ed, and no one should probably complain about the amount of focus in economic development funds in this budget.

It is a mixed bag. All these kinds of efforts are, inherently. The size of the document is encyclopedic. There are good things in the budget and there are things that should be much better.

I think that the prevailing party has given less than scrupulous regard to the middle class, because I think property tax reduction

is the paramount issue in our State for the middle class. And if we are ever privileged to wield the gavel and prevail in this chamber once again, Mr. Speaker, property tax reductions will be our prime focus.

Thank you for your time, and I thank the conference committee for its involvement today.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

As many of you know here today, there are more people at work in Pennsylvania than ever before. It is because of the good government that we have had over the past few years and it is also due to the strong, new economy that we have all enjoyed and been part of.

Today, with this budget, we build an even better Pennsylvania for the new century. With this budget, we invest in our children, in our families, and in our seniors. Today we continue to build a future for our children with more for education. We build a better tomorrow for all Pennsylvanians with 6 straight years of tax cuts.

In this budget there is more money for basic education, for special education. Special education alone enjoys a \$42-million increase, which is a 6-percent increase over the previous year at a time when the rate of inflation is 1.9 percent. That is a 300-percent increase over the rate of inflation.

Higher education is receiving a very generous increase in this budget as well. So we continue to make quality education the top budget priority of our State. Nearly 45 percent of our State budget is committed, is dedicated, to public education.

There is more in this budget for our State Police; there is more to maintain our prisons and our neighborhood programs like Weed and Seed, Communities that Care, and the other effective programs throughout Pennsylvania. We remember that the fundamental job of government is to keep law-abiding citizens safe, and this budget provides for that. We have made great progress in our fight against crime, and today we are not letting up.

With this budget, we give Pennsylvania the largest tax reduction package in State history. The people of Pennsylvania will enjoy the largest tax reduction package in the history of this Commonwealth — a \$400-million tax reduction. We are cutting taxes for working families, for seniors, for the disabled, and for consumers, a well-balanced approach to tax reduction.

Today we continue to build a very healthy, new economy that delivers more and more jobs for our families. In this budget that we are about to adopt today, we spend the money that we need but not more than we need. We allow our new economy to grow, and we are allowing it to grow more rapidly as government grows more slowly. We understand that is basic economics.

I would like to commend all the members for their cooperation, for the time and the work that they have put into the budget process, because the result is a timely budget, a budget that puts our families, our children first in this State as we strive to build a better Pennsylvania for everyone.

And today I add that for those who want to see a government that works for the people, one place to look is to look at Pennsylvania.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, this is a budget that every member of this House of Representatives can be proud of. This is a budget that will put

a positive impact on the lives of millions of people, our constituents, in the Commonwealth of Pennsylvania. This is a budget that reflects our responsibility to Pennsylvania's taxpayers.

Prudent, controlled spending means we are cutting taxes for the sixth year in a row, Mr. Speaker, but by the time this budget process is complete — you all heard Representative Barley — we will be cutting taxes by \$400 million, Mr. Speaker. That is a record; that is an achievement for the history books.

More importantly, this budget is about helping the people of Pennsylvania, helping nearly, in this budget, half a million senior citizens through expanding the property tax and rent rebate program. We are helping nearly 2 million Pennsylvania families through cutting their natural gas tax that they pay. We are helping working families by increasing the exemption from the State income tax from \$25,000 to \$26,000. We are helping the small family-owned businesses by decreasing the capital stock and franchise tax and reducing the minimum payment that they have to pay, and we are helping Pennsylvania businesses, Mr. Speaker, through changes in our corporate net income tax structure.

While this economy is doing extremely well today, in this budget we are helping to protect Pennsylvania's families from the potential economic storm of a downturn that we know one day will come in Pennsylvania. The Rainy Day Fund has now grown to approximately \$1 billion. That is a wise investment, and it means we will be able to avoid tax increases in the future and we will not have to cut vital services if there is an economic downturn, and for sure one day one will come.

This budget contains \$5.8 billion to educate our children who attend public schools. Basic education gets a \$107-million increase, 3.5 percent, Mr. Speaker. Special education programs get a \$42-million increase, or a 6-percent increase, Mr. Speaker. The list goes on — Read to Succeed, Link to Learn, more money for PHEAA (Pennsylvania Higher Education Assistance Agency) and our colleges and our universities.

And to help our schools through troubled times, Mr. Speaker, in the hallways and the classrooms, we are providing \$22 million through a matching-fund program to help our schools deal with safety and security issues. This is directly from Representative Harhart's school safety legislation passed here in the last 2 weeks. This budget is proof of our commitment to the quality of education for every child in this State — every child, Mr. Speaker.

Just a few more points — pieces of good news. We are increasing the funding for farmland preservation. At this current rate, over the next 3 years, we will save 100,000 acres in Pennsylvania, Mr. Speaker. We are focusing more on resources into community revitalization. We are committed to protecting the environment; that is why we once again include funds for sewage treatment grants and more money for safe water programs.

And we are continuing to help women, children, and families through expanding the CHIP (Children's Health Insurance Program) insurance program, medical programs for women, rape crisis centers, child welfare programs, and other community services.

Yes, this is a good budget, Mr. Speaker. This is a budget that every member could support, and I would urge a "yes" vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

The following roll call was recorded:

YEAS—141

Adolph	Egolf	Markosek	Saylor
Allen	Fairchild	Marsico	Schroder
Argall	Fargo	Masland	Schuler
Armstrong	Feese	Mayernik	Scrimenti
Baker	Fichter	McGill	Semmel
Bard	Fleagle	McIlhattan	Serafini
Barley	Flick	McIlhinney	Seyfert
Barrar	Forcier	McNaughton	Smith, B.
Bastian	Gannon	Melio	Smith, S. H.
Battisto	Geist	Micozzie	Snyder
Benninghoff	Gigliotti	Miller, R.	Stairs
Birmelin	Gladeck	Miller, S.	Steil
Blaum	Godshall	Nailor	Stern
Boyes	Gruitza	Nickol	Stevenson
Browne	Habay	O'Brien	Strittmatter
Bunt	Haluska	Oliver	Taylor, E. Z.
Buxton	Harhart	Orie	Taylor, J.
Caltagirone	Hasay	Perzel	Tigue
Cappabianca	Hennessey	Petrone	Truc
Cawley	Herman	Phillips	Tulli
Chadwick	Hershey	Pippy	Vance
Civera	Hess	Pistella	Van Home
Clark	Hutchinson	Preston	Veon
Clymer	Jadlowiec	Ramos	Williams
Cohen, L. I.	Kaiser	Raymond	Wilt
Cornell	Kenney	Readshaw	Wogan
Corrigan	LaGrotta	Reinard	Wojnaroski
Coy	Lawless	Rieger	Wright
Dailey	Lederer	Roberts	Yewcic
Daley	Leh	Rohrer	Youngblood
Dally	Lucyk	Ross	Zimmerman
Dempsey	Lynch	Rubley	Zug
DeWeese	Maher	Sainato	
DiGirolamo	Maitland	Samuelson	Ryan,
Donatucci	Major	Santoni	Speaker
Druce	Mann	Sather	

NAYS—58

Belardi	George	McCall	Solobay
Belfanti	Gordner	McGeehan	Staback
Bishop	Grucela	Metcalfe	Steelman
Butkovitz	Hanna	Michlovic	Stetler
Carn	Harhai	Mundy	Sturla
Casorio	Horsej	Myers	Surra
Cohen, M.	James	Pesci	Tangretti
Colafella	Josephs	Petrarca	Thomas
Costa	Keller	Platts	Trello
Curry	Kirkland	Robinson	Trich
DeLuca	Krebs	Roebuck	Vitali
Dermody	Laughlin	Rooney	Walko
Eachus	Lescovitz	Ruffing	Washington
Frankel	Levdansky	Shaner	Yudichak
Freeman	Manderino		

NOT VOTING—1

Bebko-Jones

EXCUSED—2

Evans Travaglio

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

BILL SIGNED BY SPEAKER

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

HB 980, PN 1703

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1999, to June 30, 2000, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1999; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Ben Franklin/IRC Partnership Fund, the Tuition Payment Fund, the Banking Department Fund and the Firearm Records Check Fund to the Executive Department; and to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department for the fiscal year July 1, 1999, to June 30, 2000; and to provide appropriations from the Motor License Fund for the fiscal year July 1, 1999, to June 30, 2000, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 1999, to June 30, 2000, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 1999; and to provide for the additional appropriation of Federal and State funds for the Executive Department of the Commonwealth for the fiscal year July 1, 1998, to June 30, 1999, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1998.

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

The SPEAKER. As of this time, the Chair is advised there will be no further votes.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Mr. Barley.

Mr. BARLEY. Mr. Speaker, would it be proper to call for an Appropriations meeting immediately?

The SPEAKER. Yes.

Mr. BARLEY. I would like to then call for an Appropriations meeting immediately in the majority Appropriations Committee room.

VOTE CORRECTIONS

The SPEAKER. Mr. Sturla.

Mr. STURLA. Mr. Speaker, on the vote by which HB 980 was moved to postpone, I was recorded in the negative. I wish to be recorded in the affirmative.

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

Ms. Bebko-Jones.

Ms. BEBKO-JONES. Mr. Speaker, I would like to be recorded in the negative. My switch was not working on the last vote, HB 980. Thank you, Mr. Speaker.

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

Any further corrections? Any announcements?
The majority leader or minority leader, any further business?

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Gannon, who calls for an immediate meeting of the Judiciary Committee in room 39; Judiciary Committee immediately.

Any further business?

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:

SB 738;
SB 740;
SB 741;
SB 755;
SB 756;
SB 757;
SB 758;
SB 759;
SB 760;
SB 761; and
SB 762.

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

BILL REPORTED AND REREFERRED TO COMMITTEE ON STATE GOVERNMENT

SB 496, PN 932 By Rep. HASAY

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

COMMERCE AND ECONOMIC DEVELOPMENT.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 81, PN 1716 (Amended) By Rep. BOYES

An Act relating to organ and bone marrow donation; providing for a special leave of absence for organ and bone marrow donors; and providing for a tax credit and for additional duties of the Department of Health and the Department of Revenue.

FINANCE.

HB 159, PN 1717 (Amended) By Rep. BOYES

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, excluding from sales tax certain tangible personal property used by persons who are visually impaired.

FINANCE.

HB 839, PN 897 By Rep. HASAY

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.

COMMERCE AND ECONOMIC DEVELOPMENT.

HB 1109, PN 1718 (Amended) By Rep. HASAY

An Act requiring all public bodies, including the Commonwealth, its agencies, authorities and political subdivisions, to include in certain contracts a provision that if certain products are to be used in the performance of the contract, only those products produced in this Commonwealth or the United States shall be used; and providing for a cause of action and for civil penalties.

COMMERCE AND ECONOMIC DEVELOPMENT.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Gannon.
Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, this morning the Judiciary Committee convened, but because of the Democrat and Republican caucuses, the committee went into recess, and I would like to reconvene the Judiciary Committee at room 40 of the East Wing immediately.

The SPEAKER. I had made an announcement, Mr. Gannon, to room 39. You are suggesting—

Mr. GANNON. No. You are right; room 39. I apologize, Mr. Speaker.

The SPEAKER. Thank you.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, on page 5 of today's tabled calendar, I move that HB 1074 and, on page 6, HB 1099 be taken from the table.

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 HB 1074 and HB 1099 be recommitted to the Committee on Appropriations.

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

VOTE CORRECTION

The SPEAKER. For what purpose does the lady, Ms. Youngblood, rise?

Ms. YOUNGBLOOD. Mr. Speaker, I was reported in the affirmative on HB 980, PN 1703. My button malfunctioned. I would like to be recorded in the negative.

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

Ms. YOUNGBLOOD. Thank you.

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

HB 17, PN 1719 (Amended) By Rep. STAIRS

An Act amending the act of June 14, 1961 (P.L.324, No.188), known as The Library Code, further providing for State-aid to local libraries and library systems.

EDUCATION.

VOTE CORRECTION

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

Mr. HANNA. Thank you, Mr. Speaker.

On the motion to suspend the rules for consideration of HB 980, I was recorded in the affirmative. I would like to be recorded in the negative.

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

For the information of the members, there will be a nonvoting session tomorrow.

CALENDAR CONTINUED**RESOLUTION**

Mr. FAIRCHILD called up **HR 120, PN 1379**, entitled:

A Resolution encouraging cooperation and communication between and among the legislative branches of the states of Pennsylvania, New York and Maryland on matters relating to the conservation and management of the water resources of the Susquehanna River Basin.

On the question,
Will the House adopt the resolution?

The SPEAKER. With the permission of both the majority and the minority leaders, a voice vote will be taken on the resolution.

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

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and 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? Any announcements?

Hearing none, the Chair recognizes the gentleman from Washington, Mr. Solobay.

Mr. SOLOBAY. Mr. Speaker, I move that this House do now adjourn until Thursday, May 6, 1999, at 11 a.m., e.d.t., unless sooner recalled by the Chair.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 3:05 p.m., e.d.t., the House adjourned.