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LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 16, 1999

SESSION OF 1999

183D OF THE GENERAL ASSEMBLY

No. 40

HOUSE OF REPRESENTATIVES

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

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

PRAYER

REV. NANCY DAHLBERG, Chaplain of the House of Representatives and pastor of Chapel Hill United Church of Christ, Camp Hill, Pennsylvania, offered the following prayer:

Good morning, and let us pray:

Gracious God, on this, the last day before the summer recess, we come to You seeking Your presence, Your will, and Your wisdom. Give us the power to make decisions that create hope and wholeness. Bring our many-faceted lives and kaleidoscope of perceptions into one perfect focus. Grant us peace.

As these people leave this place in the hours and days ahead, grant safety to those who travel, serenity to those who need it, be with those who carry burdens of personal health or well being, and continue to guide and direct those who are accountable and responsible for the lives of others.

May each of our lives be filled with thanksgiving at the blessings which have been made known to us through You, our ever-present, ever-loving God of all. 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, June 15, 1999, will be postponed until printed. The Chair hears no objection.

Reverend, this is not only, I assume, the last day of the spring session and we soon will take off for a summer break, but it is the last day for our guest Chaplain to serve with us, and on behalf of the members of the House, I would like to give her a commemorative gavel and our thanks.

REVEREND DAHLBERG. Thank you very much. Thank you.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1683 By Representatives S. MILLER, E. Z. TAYLOR, ARGALL, FICHTER, BARD, BELFANTI, BUNT, CLARK, CURRY, FRANKEL, HALUSKA, HARHAI, JAMES, PLATTS, READSHAW, ROSS, RUBLEY, SEYFERT, SHANER, STABACK, THOMAS, TIGUE, TRELLO, WILT, YOUNGBLOOD and BROWNE

An Act amending Title 65 (Public Officers) of the Pennsylvania Consolidated Statutes, further providing for executive sessions.

Referred to Committee on EDUCATION, June 16, 1999.

No. 1684 By Representatives PESCI, FARGO, HALUSKA, STERN, WALKO, ORIE, WOJNAROSKI, FAIRCHILD, LAUGHLIN, CORRIGAN, SOLOBAY, PRESTON, STABACK, ROBERTS, SHANER, HARHAI, PETRARCA, LESCOVITZ, RAMOS, YOUNGBLOOD, SAINATO, HERSHEY, SAYLOR, ARMSTRONG, HORSEY, DeWEESE, COSTA, VAN HORNE, MELIO, S. H. SMITH and SEYFERT

An Act designating a certain bridge on State Route 128 in Ford City, Armstrong County, as the Ford City Veterans Bridge.

Referred to Committee on TRANSPORTATION, June 16, 1999.

No. 1685 By Representatives FREEMAN, HENNESSEY, BELFANTI, CALTAGIRONE, M. COHEN, COSTA, CURRY, JAMES, KIRKLAND, LAUGHLIN, READSHAW, SOLOBAY, STABACK, J. TAYLOR, TRAVAGLIO, TRELLO, WILLIAMS, WOJNAROSKI, YOUNGBLOOD and YUDICHAK

An Act amending the act of May 29, 1956 (1955 P.L. 1804, No. 600), referred to as the Municipal Police Pension Law, providing for rebate of monetary contributions for overfunded police pension funds.

Referred to Committee on LOCAL GOVERNMENT, June 16, 1999.

No. 1686 By Representatives CLYMER, ARGALL, FARGO, FREEMAN, GODSHALL, HALUSKA, HARHAI, HERMAN, HERSHEY, MELIO, NICKOL, RUBLEY, B. SMITH, STEIL, STERN, TANGRETTI, E. Z. TAYLOR and WILT

An Act amending the act of June 30, 1995 (P.L.170, No.25), known as the Pennsylvania Voter Registration Act, providing for change of addresses, for approval of applications, for fees, for information lists, for reports, for physical disabilities, for removal of voters, for affirmations and for incorrect records.

Referred to Committee on STATE GOVERNMENT, June 16, 1999.

No. 1687 By Representatives CLYMER, ARGALL, FREEMAN, GODSHALL, HALUSKA, HARHAI, HERMAN, HERSHEY, MELIO, NICKOL, B. SMITH, STEIL, STERN, TANGRETTI, E. Z. TAYLOR and WILT

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for digitized signature list; further providing for reimbursement of costs, for qualification to vote, for residence of electors, for examination and approval of electronic voting systems, for voter's certificates, for duties of court of common pleas and for manner of applying to vote; providing for procedures for voting following a change in address and for records; and further providing for voting checklists, for assistance in voting, for absentee ballots, for independent audits and for unlawful assistance in voting.

Referred to Committee on STATE GOVERNMENT, June 16, 1999.

No. 1688 By Representatives L. I. COHEN, ARGALL, BARD, BELFANTI, BUNT, CASORIO, DALLY, FRANKEL, GIGLIOTTI, GRUCELA, HARHAI, HENNESSEY, HESS, HUTCHINSON, JAMES, KAISER, LaGROTTA, LAUGHLIN, LEVDANSKY, MASLAND, MELIO, MUNDY, NICKOL, ORIE, PHILLIPS, RAMOS, READSHAW, ROBERTS, RUFFING, SAINATO, SERAFINI, SHANER, B. SMITH, SOLOBAY, SURRA, E. Z. TAYLOR, TIGUE, TRAVAGLIO, WILT, YOUNGBLOOD and ZUG

An Act amending the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, further providing for the rate of loan interest.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, June 16, 1999.

No. 1689 By Representatives L. I. COHEN, MASLAND, CURRY, FRANKEL, JAMES and YOUNGBLOOD

An Act protecting the free exercise of religion; and prescribing the conditions under which government may substantially burden a person's free exercise of religion.

Referred to Committee on JUDICIARY, June 16, 1999.

No. 1690 By Representatives L. I. COHEN, BELARDI, GEIST, HENNESSEY, MELIO, ROBERTS, SAYLOR, E. Z. TAYLOR, TIGUE, WILLIAMS, WOJNAROSKI and ZUG

An Act amending the act of August 6, 1941 (P.L.861, No.323), referred to as the Pennsylvania Board of Probation and Parole Law, providing for a literacy requirement as a condition of eligibility for parole; making an appropriation; and making editorial changes.

Referred to Committee on JUDICIARY, June 16, 1999.

No. 1691 By Representatives L. I. COHEN, BELARDI, BISHOP, CORRIGAN, FRANKEL, GRUCELA, HARHAI, JAMES, KIRKLAND, LaGROTTA, LAUGHLIN, LEDERER, MELIO, RAMOS, ROBINSON, SERAFINI, STABACK, TRELLO, WILLIAMS, WOJNAROSKI and YOUNGBLOOD

An Act requiring all State-owned rest stop facilities to have a family restroom.

Referred to Committee on TRANSPORTATION, June 16, 1999.

No. 1692 By Representatives BLAUM, SERAFINI and DONATUCCI

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, authorizing a multipurpose county-owned arena and convention center license.

Referred to Committee on LIQUOR CONTROL, June 16, 1999.

No. 1693 By Representatives STERN, SOLOBAY, NAILOR, ARMSTRONG, HENNESSEY, RUBLEY, SAYLOR, SAINATO, GRUCELA, ROSS, FARGO, S. H. SMITH, YOUNGBLOOD, SATHER, MANDERINO, BELARDI, LAUGHLIN, MAYERNIK, FREEMAN, TIGUE, McILHATTAN, ARGALL, LEH, HALUSKA, R. MILLER, B. SMITH, GEIST, WOJNAROSKI, NICKOL, HUTCHINSON, CORRIGAN, HARHAI, ROBERTS, MELIO, E. Z. TAYLOR, PLATTS, FRANKEL, HESS, S. MILLER, RAMOS, TRELLO and THOMAS

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, providing for vacancies in election boards.

Referred to Committee on STATE GOVERNMENT, June 16, 1999.

No. 1694 By Representative BLAUM

An Act redesignating a portion of Highland Park Boulevard, SR 2063, as the Governor Robert P. Casey Boulevard.

Referred to Committee on TRANSPORTATION, June 16, 1999.

No. 1695 By Representatives MANDERINO, BISHOP, COY, PESCI, GORDNER, LAUGHLIN, SANTONI, MELIO, WOGAN, WALKO, READSHAW, MYERS, BELARDI, JOSEPHS, McCALL, ROBINSON, DeLUCA, CARN, STABACK, BEBKO-JONES, BELFANTI, WOJNAROSKI, DeWEESE, MUNDY, TANGRETTI, SHANER, GRUCELA, CAWLEY, WILLIAMS, M. COHEN, CURRY, LEVDANSKY, SAINATO, FRANKEL, YOUNGBLOOD, HORSEY, TRELLO, SURRA, HARHAI, SOLOBAY, BROWNE and FREEMAN

An Act making an appropriation to the Pennsylvania Higher Education Assistance Agency for child care loan forgiveness.

Referred to Committee on APPROPRIATIONS, June 16, 1999.

No. 1696 By Representatives MANDERINO, BISHOP, COY, PESCI, LAUGHLIN, MELIO, BATTISTO, WALKO, READSHAW, TIGUE, MYERS, BELARDI, JOSEPHS, McCALL, ROBINSON, DeLUCA, CARN, STABACK, BEBKO-JONES, BELFANTI, WOJNAROSKI, KAISER, DeWEESE, MUNDY, TANGRETTI, SHANER, PETRONE, CAWLEY, WILLIAMS, M. COHEN, CURRY, LEVDANSKY, SAINATO, FRANKEL, YOUNGBLOOD, HORSEY, TRELLO, SURRA, HARHAI, SOLOBAY, BROWNE and FREEMAN

An Act making an appropriation to the Pennsylvania Housing Finance Agency for the Homeowner's Emergency Mortgage Assistance Program.

Referred to Committee on APPROPRIATIONS, June 16, 1999.

No. 1697 By Representatives EVANS, MICHLOVIC, TRELLO, LEVDANSKY, LAUGHLIN, LaGROTTA, STETLER, GRUCELA, ROBINSON, CURRY, JAMES, RAMOS, CORRIGAN, SAYLOR, WALKO, McCALL and FRANKEL

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for mergers of school districts and for payments and subsidies.

Referred to Committee on EDUCATION, June 16, 1999.

No. 1699 By Representatives BELFANTI, HARHAI, WALKO, RAMOS, BELARDI, YOUNGBLOOD, LAUGHLIN, HORSEY, McCALL, FREEMAN, TRELLO, DALEY, GRUCELA, SURRA, SHANER, DeWEESE, MELIO, COSTA, PESCI, LEVDANSKY, RUFFING and JAMES

An Act providing for labor concession liens.

Referred to Committee on LABOR RELATIONS, June 16, 1999.

No. 1700 By Representatives BELFANTI, HARHAI, WALKO, RAMOS, YOUNGBLOOD, LAUGHLIN, HORSEY, McCALL, FREEMAN, SHANER, TRELLO, DALEY, GRUCELA, LUCYK, M. COHEN, PISTELLA, DeWEESE, MELIO, PESCI, CORRIGAN, RUFFING and JAMES

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, repealing provisions relating to certain appeals from the Pennsylvania Labor Relations Board.

Referred to Committee on JUDICIARY, June 16, 1999.

No. 1701 By Representatives COSTA, GIGLIOTTI, MICHLOVIC, WALKO, RUFFING, FRANKEL, PRESTON, LAUGHLIN, WOJNAROSKI and HARHAI

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for nuisances.

Referred to Committee on LIQUOR CONTROL, June 16, 1999.

No. 1702 By Representatives DiGIROLAMO, FARGO, BASTIAN, BELARDI, EGOLF, FLICK, HERSHEY, HUTCHINSON, MAITLAND, S. MILLER, ROBERTS, ROHRER, SAYLOR, STERN and WILT

An Act providing for civil liability relating to equine activities, for exceptions thereto and for the posting and furnishing of certain notices.

Referred to Committee on JUDICIARY, June 16, 1999.

No. 1703 By Representatives SAYLOR, CHADWICK, METCALFE, WILT, BAKER, BARD, CLARK, DeLUCA, EGOLF, FEESE, FICHTER, FORCIER, GIGLIOTTI, HENNESSEY, HORSEY, LEDERER, LEH, MANDERINO, S. MILLER, ORIE, PETRARCA, RAMOS, ROBERTS, ROHRER, RUBLEY, SCRIMENTI, SOLOBAY, STABACK, STERN, SURRA, E. Z. TAYLOR, TIGUE, TRAVAGLIO, ZIMMERMAN and WILLIAMS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for content of drivers' licenses.

Referred to Committee on TRANSPORTATION, June 16, 1999.

No. 1704 By Representatives GANNON, BELFANTI, CORRIGAN, COSTA, COY, DeLUCA, GEIST, GODSHALL, HARHAI, MARSICO, MICOZZIE, ORIE, SATHER, SCRIMENTI, SERAFINI, STABACK, E. Z. TAYLOR, TRELLO and WILT

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for relief and for arrest for violation of protective orders.

Referred to Committee on JUDICIARY, June 16, 1999.

No. 1705 By Representatives BELARDI, STABACK, YOUNGBLOOD, YUDICHAK, FRANKEL, COLAFELLA, SURRA, MELIO, MYERS, ROEBUCK, RAMOS, THOMAS, SHANER, BATTISTO, RUFFING, STEELMAN, KIRKLAND, WALKO, GRUCELA, HARHAI and JAMES

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for the disposition of moneys in The State Stores Fund; and making editorial changes.

Referred to Committee on LIQUOR CONTROL, June 16, 1999.

No. 1706 By Representatives BELARDI, GEORGE, CORRIGAN, READSHAW, GRUCELA, MELIO, BELFANTI, VAN HORNE, LAUGHLIN, YUDICHAK, SATHER, CURRY, RAMOS, ROONEY, CAWLEY, PESCI, TRELLO, LYNCH, CLARK, DALEY, STABACK, WALKO, THOMAS, WOJNAROSKI, HARHAI, TIGUE, SHANER and PETRARCA

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, exempting boroughs from certain filing and service fees.

Referred to Committee on LOCAL GOVERNMENT, June 16, 1999.

No. 1707 By Representatives BELARDI, GEORGE, MARKOSEK, LEH, SOLOBAY, GRUCELA, TRAVAGLIO, HARHAI, LAUGHLIN, SCRIMENTI, FRANKEL, BELFANTI, PESCI, WOJNAROSKI, McNAUGHTON, CAWLEY, WILLIAMS, RAMOS, MELIO, SURRA, GIGLIOTTI, ROONEY, EVANS, HORSEY, VAN HORNE, McCALL, KIRKLAND, DeWEESE, DALEY, FREEMAN, PISTELLA, BAKER, WALKO, MUNDY, TRELLO, JAMES, STABACK, THOMAS, TIGUE, LYNCH, SHANER, CLARK, LUCYK, MYERS, CASORIO, ADOLPH, HASAY, BEBKO-JONES, CORRIGAN, JOSEPHS, J. TAYLOR, SAINATO and PETRARCA

An Act amending the act of June 21, 1939 (P.L.566, No.284), known as The Pennsylvania Occupational Disease Act, providing for additional disability compensation.

Referred to Committee on LABOR RELATIONS, June 16, 1999.

No. 1708 By Representatives BELARDI, BELFANTI, DeWEESE, GEORGE, BEBKO-JONES, WALKO, JAMES, LEDERER, SANTONI, McCALL, DeLUCA, TIGUE, TRAVAGLIO, MELIO, LAUGHLIN, SCRIMENTI, MYERS, WOJNAROSKI, STABACK, SHANER, DALEY, SERAFINI, PRESTON, GRUCELA, WILLIAMS, M. COHEN, MANDERINO, SURRA, TRELLO, HORSEY, HARHAI, SOLOBAY, BROWNE and FREEMAN

An Act amending the act of June 2, 1915 (P.L.736, No.338), known as the Workers' Compensation Act, requiring employer reimbursement of certain medical insurance premiums of employees.

Referred to Committee on LABOR RELATIONS, June 16, 1999.

No. 1709 By Representatives BELARDI, DeWEESE, FRANKEL, SANTONI, PETRONE, JAMES, SHANER, MANN, SCRIMENTI, WOJNAROSKI, RAMOS, MELIO, READSHAW, DEMPSEY, BEBKO-JONES, SOLOBAY, HORSEY, TANGRETTI, WILLIAMS, YOUNGBLOOD, TIGUE, HENNESSEY, BELFANTI, TRELLO, LAUGHLIN, SEYFERT, JOSEPHS, M. COHEN, HERSHEY, PISTELLA, GRUCELA, HARHAI, L. I. COHEN and BISHOP

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

Referred to Committee on EDUCATION, June 16, 1999.

No. 1710 By Representative LEVDANSKY

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for the appointment of and compensation of an Executive Director for the Pennsylvania Game Commission.

Referred to Committee on GAME AND FISHERIES, June 16, 1999.

No. 1711 By Representatives BROWNE, BELARDI, BELFANTI, CAWLEY, CLARK, L. I. COHEN, CORRIGAN, DAILEY, DeLUCA, FARGO, FREEMAN, GIGLIOTTI, GLADECK, HARHAI, HENNESSEY, HERMAN, HORSEY, JAMES, JOSEPHS, MAHER, MELIO, MUNDY, RAMOS, ROONEY, ROSS, SEYFERT, SNYDER, SOLOBAY, STABACK, STEELMAN, E. Z. TAYLOR, WILLIAMS and YOUNGBLOOD

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for advance health care directive declarations and for advance health care directive emergency medical services; and making an appropriation.

Referred to Committee on TRANSPORTATION, June 16, 1999.

No. 1712 By Representatives BROWNE, BELARDI, BELFANTI, CAWLEY, CLARK, L. I. COHEN, CORRIGAN, CURRY, DAILEY, DeLUCA, FARGO, FREEMAN, GIGLIOTTI, GLADECK, HARHAI, HENNESSEY, HERMAN, HORSEY, JAMES, JOSEPHS, MAHER, MELIO, MUNDY, ORIE, RAMOS, ROONEY, ROSS, SEYFERT, SNYDER, SOLOBAY, STABACK, STEELMAN, E. Z. TAYLOR, WILLIAMS and YOUNGBLOOD

An Act providing for medical alert identifiers to be added to driver's licenses; and making an appropriation.

Referred to Committee on TRANSPORTATION, June 16, 1999.

No. 1713 By Representatives BROWNE, ADOLPH, ALLEN, ARMSTRONG, CAWLEY, CIVERA, L. I. COHEN, COLAFELLA, COY, CURRY, DALLY, DeLUCA, EGOLF, FAIRCHILD, FARGO, FICHTER, FRANKEL, GEIST, GEORGE, GRUCELA, HARHAI, HARHART, HENNESSEY, JAMES, LAUGHLIN, LYNCH, MAHER, MAITLAND, McCALL, McILHINNEY, MICOZZIE, ORIE, PESCI, PETRARCA, RAYMOND, ROHRER, ROONEY, ROSS, RUBLEY, SAINATO, SATHER, SAYLOR, SEMMEL, SEYFERT, STEELMAN, E. Z. TAYLOR, WALKO, WILT and ZUG

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further defining "earned income" to authorize the establishment of a separate class of income for old-age or retirement benefit plans.

Referred to Committee on LOCAL GOVERNMENT, June 16, 1999.

No. 1714 By Representatives BROWNE, ADOLPH, ALLEN, ARMSTRONG, CAWLEY, CIVERA, M. COHEN, COLAFELLA, COY, CURRY, DALLY, DeLUCA, EGOLF, FAIRCHILD, FARGO, FICHTER, FRANKEL, GEIST, GEORGE, GRUCELA, HARHAI, HARHART, HENNESSEY, JAMES, LAUGHLIN, LYNCH, MAHER, MAITLAND, McCALL, McILHINNEY, MICOZZIE, ORIE, PESCI, PETRARCA, RAYMOND, ROHRER, ROONEY, ROSS, RUBLEY, SAINATO, SATHER, SAYLOR, SEMMEL, SEYFERT, STEELMAN, E. Z. TAYLOR, WALKO, WILT and ZUG

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing for the imposition of personal income tax on certain old-age or retirement benefits.

Referred to Committee on FINANCE, June 16, 1999.

No. 1715 By Representatives BROWNE, ADOLPH, ARGALL, BATTISTO, BELFANTI, BUXTON, CLARK, DALEY, DALLY, FAIRCHILD, FICHTER, GEIST, GRUCELA, HARHAI, HENNESSEY, HERMAN, JAMES, JOSEPHS, LAUGHLIN, MAHER, MANN, MARSICO, McCALL, MELIO, MUNDY, NAILOR, PESCI, PETRARCA, PISTELLA, RAMOS, RAYMOND, READSHAW, ROEBUCK, ROONEY, ROSS, RUBLEY, SATHER, SAYLOR, SEMMEL, SEYFERT, STABACK, STEELMAN, STERN, STURLA, E. Z. TAYLOR, J. TAYLOR, TRAVAGLIO, WALKO, WILLIAMS, WOGAN and YOUNGBLOOD

An Act providing for drug nuisance abatement, for the nature of action, jurisdiction, parties, notice, the issuance of orders, injunction and other relief, for civil and criminal penalties, settlements, liens, costs, contempt, the release of premises, evidence, liability and for civil actions and immunities; and establishing the Treatment for Displaced Residents Fund.

Referred to Committee on JUDICIARY, June 16, 1999.

No. 1716 By Representatives BROWNE, ARGALL, ARMSTRONG, BARD, BELARDI, BENNINGHOFF, CLARK, DALLY, FAIRCHILD, FARGO, GANNON, GEIST, GORDNER, HENNESSEY, HUTCHINSON, MASLAND, S. MILLER, MYERS, ORIE, RAMOS, ROSS, SAINATO, SAYLOR, SEMMEL, SEYFERT, STEELMAN, STETLER, E. Z. TAYLOR, TIGUE, WILLIAMS, WILT, YOUNGBLOOD and ZUG

An Act providing for State employee incentives, awards, bonuses and funding.

Referred to Committee on STATE GOVERNMENT, June 16, 1999.

No. 1717 By Representatives BROWNE, ARMSTRONG, BATTISTO, BEBKO-JONES, BLAUM, CAWLEY, CHADWICK, CLYMER, L. I. COHEN, COLAFELLA, CORRIGAN, COY, CURRY, DALEY, DeLUCA, EGOLF, FARGO, FICHTER, FREEMAN, GEIST, GRUCELA, HARHAI, HENNESSEY, HORSEY, HUTCHINSON, JAMES, LEDERER, MAHER, MAITLAND, MAJOR, MANN, MARSICO, McCALL, MICHLOVIC, MICOZZIE, ORIE, PETRARCA, RAMOS, RAYMOND, ROONEY, ROSS, RUBLEY, SAINATO, SAYLOR,

SCRIMENTI, SEMMEL, SERAFINI, SHANER, STABACK, STEELMAN, STURLA, E. Z. TAYLOR, J. TAYLOR, TIGUE, TRAVAGLIO, TRUE, WALKO, WILLIAMS and YOUNGBLOOD

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for the duration and amendment of protective orders and approved consent agreements.

Referred to Committee on JUDICIARY, June 16, 1999.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 219 By Representatives BELARDI, CAWLEY, STABACK, SERAFINI, BATTISTO, DERMODY, SHANER, PETRONE, DALLY, SCRIMENTI, RAMOS, ORIE, DeWEESE, MELIO, READSHAW, GIGLIOTTI, DEMPSEY, COY, BEBKO-JONES, LAUGHLIN, FICHTER, CORRIGAN, COSTA, HORSEY, WALKO, KIRKLAND, HENNESSEY, WOJNAROSKI, B. SMITH, MAJOR, TIGUE, HARHAI, CAPPABIANCA, JAMES, MUNDY, ROBERTS, M. COHEN, HERSHEY, MARSICO, GEIST, PISTELLA, GRUCELA, SEYFERT and HALUSKA

A Concurrent Resolution memorializing the Commissioners of the County of Saint Louis, Missouri, to release the Delaware, Lackawanna & Western Railroad's 4-4-0 Camelback Steam Engine No. 952 for its return to the Steamtown National Historic Site in Scranton, Pennsylvania.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, June 16, 1999.

SENATE BILLS FOR CONCURRENCE

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

SB 384, PN 393

Referred to Committee on AGING AND YOUTH, June 16, 1999.

SB 405, PN 1105

Referred to Committee on HEALTH AND HUMAN SERVICES, June 16, 1999.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND RECOMMITTED TO COMMITTEE ON RULES

HB 590, PN 616

By Rep. GANNON

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

JUDICIARY.

HB 1238, PN 2104 (Amended)

By Rep. GANNON

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for terroristic threats and for sale or transfer of firearms; and providing for failure to report lost or stolen firearm and for notice of multiple purchase reporting.

JUDICIARY.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority leader for leaves of absence. The majority leader requests that the gentleman from Lehigh, Mr. SNYDER, be placed on leave for today's session. Without objection, leave will be granted. The Chair hears no objection.

The Chair recognizes the minority whip, who requests a leave of absence for today's session for the lady from Philadelphia County, Ms. WASHINGTON, and the gentleman from Philadelphia County, Mr. McGEEHAN. Without objection, the leaves will be granted. The Chair hears no objection.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 192, PN 981**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 10, PN 2064**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS SIGNED BY SPEAKER

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

HB 192, PN 981

An Act authorizing the release of Project 500 restrictions on certain lands in the Borough of Dickson City, Lackawanna County, for residential development and extension of Jermyn Street under certain conditions.

SB 174, PN 168

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, providing for fiduciaries' investment and management of property held in trust; making editorial changes; and making a conforming amendment to Title 15 (Corporations and Unincorporated Associations).

SB 496, PN 932

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

SB 813, PN 889

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the amount of blind veterans' pensions and for paralyzed veterans' pensions.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 547, PN 1523, be taken from the table.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that HB 547, PN 1523, be placed upon the table.

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

MASTER ROLL CALL

The SPEAKER. The Chair is about to take today's master roll call. Members, please report to the floor; members, please report to the floor.

The members will proceed to vote.

The following roll call was recorded:

PRESENT—200

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

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—3

McGeehan Snyder Washington

LEAVES ADDED—4

Dally Harhai Herman Mayernik

LEAVES CANCELED—3

Mayernik McGeehan Snyder

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the floor of the House today two guests of Representative Harhart: one, Mr. Robert Mills, a member of the Lutheran Brotherhood of Pennsylvania. He is here today to witness the passage of the resolution honoring the many volunteers of that brotherhood. Would the guest please rise; to the left of the Chair.

Mrs. Harhart's second guest is Jennifer Castagna, seated on the House floor. She works in the Representative's legislative district. Jennifer is a summer intern and a senior at Penn State University. Would Jennifer please rise.

The Chair recognizes the presence on the floor of the House of Beth Brown, a summer intern for Representative Vance. Beth is a student at Penn State University, and I am not sure where she is at the moment; would she please stand up. Here, to the left of the Speaker.

The Chair is pleased to welcome to the hall of the House today Megan Harkless, who will be a junior at Millersville University

this coming year. She is the summer intern of Mr. Masland and is seated to the left of the Speaker. Would the young lady please rise.

The Chair is pleased to welcome to the hall of the House today, as the guest of Representative True, Jolene Goodman, who is serving as a guest page. She resides in Lancaster and is a junior at Shippensburg University. Would the guest please rise.

The Democratic leadership has requested an additional 15-minute extension for caucus purposes. Under those circumstances, the House will stand at ease until 12 o'clock noon.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Barley, who requests an immediate meeting of the Appropriations Committee in the Appropriations hearing room.

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 572, PN 1230**, entitled:

A Supplement to the act of May 13, 1999 (P.L. , No.6), known as the Capital Budget Project Itemization Act for 1999-2000, itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance and redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation projects and forestry bridge projects to be constructed or acquired or assisted by the Department of General Services, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Community and Economic Development, the Department of Transportation, the Pennsylvania Fish and Boat Commission or the Pennsylvania Game Commission, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Community and Economic Development or the Department of Transportation; stating the estimated useful life of the projects; authorizing certain waivers; making appropriations; and making repeals.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that SB 572 be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today, as the guest of Representative Robert Freeman, Kelly Miller, a senior at Richmond University. Kelly, would you please rise. She is seated in the balcony, I understand.

We are pleased to welcome to the hall at this time six summer interns from the Finnegan Foundation, named for former Secretary of the Commonwealth James A. Finnegan. These students were awarded internships with various State offices and were the top six winners of a statewide essay contest on school vouchers. They are Michael Boyer, Laura Carothers, Lee Gottheimer, Conor Kelly, Andrew Stevenson, and Chris Warshaw. They are seated in the gallery and are the guests of Representative David Argall, who, incidentally, was a 1979 alumnus of the Finnegan internship program. Would the guests please rise.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee at the majority leader's desk.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the third day in a row, the Chair recognizes the gentleman, Mr. Sturla, who will give us a rundown on what happened last night with our baseball team. Where is he?

Well, he told me the results. It seems the House baseball team went under to the administration's baseball team. So he not wanting to be the bearer of bad tidings I think ducked out the back door when I made my announcement calling for him.

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 542, PN 566 By Rep. STAIRS

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

EDUCATION.

HB 1346, PN 2105 (Amended) By Rep. STAIRS

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

EDUCATION.

SUPPLEMENTAL CALENDAR A

RESOLUTIONS PURSUANT TO RULE 35

Mr. ALLEN called up **HR 217, PN 2066**, entitled:

A Resolution designating September 25, 1999, as "Unity Day" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

McGeehan Snyder Washington

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

Mr. MAYERNIK called up **HR 218, PN 2067**, entitled:

A Resolution encouraging all interested parties to work together to assure that the Pittsburgh Penguins remain in Pittsburgh.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

McGeehan Snyder Washington

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

Mrs. HARHART called up **HR 220, PN 2069**, entitled:

A Resolution to honor the volunteers of Lutheran Brotherhood in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—200

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

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

NAYS—0

NOT VOTING—0

EXCUSED—3

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

STATEMENT BY MRS. HARHART

The SPEAKER. The Chair recognizes the lady, Mrs. Harhart. The House will come to order, please.

Mrs. HARHART. Mr. Speaker?

The SPEAKER. Mrs. Harhart.

Mrs. HARHART. I thank you.

I know on resolutions we do not usually speak—

The SPEAKER. The lady will please yield.

Mrs. Harhart has the floor. Conferences in the two side aisles, please break up.

Mrs. Harhart.

Mrs. HARHART. Thank you, Mr. Speaker.

I know on resolutions we usually do not get up and speak, but I feel I really needed to do this. I think this resolution that we just passed for the Lutheran Brotherhood is a very important resolution commemorating the many volunteers of the Lutheran Brotherhood of Pennsylvania.

The Lutheran Brotherhood is a member-owned fraternal benefit society of 1.1 million Lutherans joined together for financial security, benevolent outreach, and volunteer services, and this resolution recognizes the hard work and many hours these members give to their community.

So I thank the House for their support on this resolution. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 10, PN 2065 (Amended) By Rep. PERZEL

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for licensing eligibility and licensing of minors, for learner's permits, for suspension of operating privilege, for school, examination or hearing on accumulation of points or excessive speeding, for requirements for driving under influence offenders, for annual hauling permits and for restraint systems; establishing a task force on driver's education programs; providing for conditions of permits and security for damages, for permits for movement of float glass or flat glass and for permits for movement of self-propelled cranes; further providing for restrictions on use of limited access highways, for permit for movement during the course of manufacture and

for permit for movement of wooden structures; providing for security wall pilot project; and making editorial changes.

RULES.

BILLS REREPORTED FROM COMMITTEE

SB 209, PN 1235 (Amended) By Rep. BARLEY

An Act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County.

APPROPRIATIONS.

SB 572, PN 1236 (Amended) By Rep. BARLEY

A Supplement to the act of May 13, 1999 (P.L. , No.6), known as the Capital Budget Project Itemization Act for 1999-2000, itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance and redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation projects and forestry bridge projects to be constructed or acquired or assisted by the Department of General Services, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Community and Economic Development, the Department of Transportation, the Pennsylvania Fish and Boat Commission or the Pennsylvania Game Commission, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Community and Economic Development or the Department of Transportation; stating the estimated useful life of the projects; authorizing certain waivers; making appropriations; and making repeals.

APPROPRIATIONS.

SUPPLEMENTAL CALENDAR B

RULES SUSPENDED

The SPEAKER. The Chair turns to House calendar supplemental B, bills on concurrence in Senate amendments as amended, HB 10, PN 2065, and recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I ask that the rules of the House be suspended to permit the immediate consideration of HB 10.

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

The following roll call was recorded:

YEAS—180

Adolph	Eachus	Maitland	Rubley
Allen	Egolf	Major	Ruffing
Argall	Evans	Manderino	Samuelson
Armstrong	Fairchild	Mann	Santoni
Baker	Fargo	Markosek	Sather
Bard	Feese	Marsico	Saylor
Barley	Fichter	Masland	Schroder
Barrar	Fleagle	Mayemik	Schuler
Bastian	Flick	McCall	Semmel

Battisto	Forcier	McGill	Serafini
Bebko-Jones	Frankel	McIlhattan	Seyfert
Belardi	Gannon	McIlhinney	Smith, B.
Belfanti	Geist	McNaughton	Smith, S. H.
Benninghoff	George	Melio	Solobay
Birmelin	Gigliotti	Metcalfe	Staback
Bishop	Gladeck	Mjchlovic	Stairs
Blaum	Godshall	Micozzie	Stern
Boyes	Grucela	Miller, R.	Stetler
Browne	Gruitza	Miller, S.	Stevenson
Bunt	Habay	Mundy	Strittmatter
Butkovitz	Haluska	Myers	Sturla
Buxton	Harhart	Nailor	Surra
Caltagirone	Hasay	Nickol	Tangretti
Cappabianca	Hennessey	O'Brien	Taylor, E. Z.
Carn	Herman	Oliver	Taylor, J.
Cawley	Hershey	Orie	Thomas
Chadwick	Hess	Perzel	Trich
Civera	Horsey	Pesci	True
Clark	Hutchinson	Petrone	Tulli
Clymer	Jadlowiec	Phillips	Vance
Cohen, L. I.	James	Pippy	Van Home
Colafella	Josephs	Pistella	Veon
Cornell	Kaiser	Platts	Waters
Corrigan	Keller	Preston	Williams
Costa	Kenney	Ramos	Wilt
Coy	Kirkland	Raymond	Wogan
Curry	LaGrotta	Readshaw	Wojnaroski
Dailey	Laughlin	Reinard	Wright
Daley	Lawless	Rieger	Youngblood
Dally	Lederer	Roberts	Yudichak
DeLuca	Leh	Robinson	Zimmerman
Dempsey	Lescovitz	Roebuck	Zug
Dermody	Levdansky	Rohrer	
DiGirolamo	Lucyk	Rooney	Ryan,
Donatucci	Lynch	Ross	Speaker
Druce	Maher		

NAYS—20

Casorio	Hanna	Scrimenti	Travaglio
Cohen, M.	Harhai	Shaner	Trello
DeWeese	Krebs	Steelman	Vitali
Freeman	Petrarca	Steil	Walko
Gordner	Sainato	Tigue	Yewcic

NOT VOTING—0

EXCUSED—3

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

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

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 10, PN 2065**, as further amended by the House Rules Committee:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for licensing eligibility and licensing of minors, for learner's permits, for suspension of operating privilege, for school, examination or hearing on accumulation of points or excessive speeding, for requirements for driving under influence offenders, for annual hauling permits and for restraint systems; establishing a task force on driver's education programs; providing for

conditions of permits and security for damages, for permits for movement of float glass or flat glass and for permits for movement of self-propelled cranes; further providing for restrictions on use of limited access highways, for permit for movement during the course of manufacture and for permit for movement of wooden structures; providing for security wall pilot project; and making editorial changes.

On the question,

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

The SPEAKER. Moved by the gentleman, Mr. Geist, that the House concur in the amendments.

Does the gentleman, Mr. Gordner, desire recognition on this question? The gentleman is recognized for that purpose.

Mr. GORDNER. Thank you, Mr. Speaker.

I would like to interrogate the sponsor of the bill.

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

Please. Today is going to be a trying day for all the members, I suspect. It is the last day before the summer recess. There is a lot of work to be done. There are a number of bills that we have to take from the Senate; there are bills we have to send to the Senate. There are going to be interruptions while we wait for the transmission of some of these bills that is going to try the patience of all of us. So to the extent that the conferences are held to a minimum, it will be very, very helpful. Please cooperate with that.

Mr. Geist, Mr. Gordner, you may continue interrogation.

Mr. GORDNER. Thank you, Mr. Speaker.

Mr. Speaker, on page 13 there are provisions dealing with annual hauling permits, and there are provisions there for permit fees for transportation of float glass or flat glass. Can you tell me if these fees are being increased, decreased, or being changed in any way from what they currently are?

Mr. GEIST. The fees have not changed; they are only being annualized.

Mr. GORDNER. Okay. So this is not an increase in fee?

Mr. GEIST. No.

Mr. GORDNER. Okay. Thank you, Mr. Speaker.

At the bottom of page 13 there is a provision that amends the section dealing with restrictions on use of limited access highways. First of all, could you give me a definition of what a limited access highway is?

Mr. GEIST. It is a class 1 or an interstate highway that has limited access, usually four lanes.

Mr. GORDNER. Would Interstate 80 or Interstate 81 be limited access highways?

Mr. GEIST. Absolutely.

Mr. GORDNER. This provision says that a vehicle shall be driven in the lane nearest the right-hand edge of the roadway, except when overtaking another vehicle, or in preparation for a left turn, or under direction by official traffic control devices, and this is obviously a change to the law. This is something that is not in currently; it is something new. For instance, if I am traveling to Harrisburg on 81 and I see a police officer pulling a vehicle over along the side of the road, I normally pull over into the left lane to give that police officer and the person extra room.

Mr. GEIST. You can still do that.

Mr. GORDNER. This provision would not allow me to do that. I would be in violation—

Mr. GEIST. Oh, yes, it would.

Mr. GORDNER. Where in it would it say that?

Mr. GEIST. That is considered passing, and I believe that you can stay out as long as 2 miles.

Mr. GORDNER. No. This section says that I can only go in the left lane when I am overtaking another vehicle or for a distance of up to 2 miles in preparation for a left turn. So if I as a courtesy were to get over in the left lane so I am not near that police vehicle and whomever they got pulled over, I would be in violation of that section. Is that correct?

Mr. GEIST. I guess technically you could be.

Mr. GORDNER. Okay.

Mr. GEIST. But I would think that prudently you would want to get into the left lane and let that officer do his business.

Mr. GORDNER. I normally would. Unfortunately, I now would be in violation of this section.

On page 14 where it deals with restraint systems, the provision says that a driver who is under 18 years of age may not operate a motor vehicle unless there are seatbelts for all the passengers. I guess my only question on this is, why would this section not be applicable to drivers of all age?

Mr. GEIST. It was language that was suggested by teenagers who testified when we had the hearings, and it was their suggestion to do this, because when you are 16 years of age and somebody has a car, everybody likes to pack into it, and they felt that by limiting the number of kids that can get in a car at one time, they would be doing something to prevent accidents from happening.

Mr. GORDNER. But if I am correct, if I am a 20-year-old college student and I am packing six kids into my car with only four seatbelts, that is not illegal.

Mr. GEIST. Yes, that is not illegal except in the front seat.

Mr. GORDNER. Okay. Thank you, Mr. Speaker. I have no further questions.

Thank you.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO SUSPEND RULES

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

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, I would move to suspend the rules for the consideration of amendment 2799, which would cap the fee for obtaining an exemption from an emissions test, auto emissions test, at \$10 plus the cost.

The SPEAKER. Mr. Vitali, I wonder if you would be good enough to send a copy of that amendment to the desk so that we might look at it.

Mr. VITALI. Yes, Mr. Speaker. I am told it is on the way up as we speak.

Mr. PERZEL. Mr. Speaker?

The SPEAKER. Mr. Perzel.

Mr. PERZEL. I do not know if I heard that motion right. The gentleman asked to do what?

The SPEAKER. Suspend the rules to permit the offering of an amendment—

Mr. VITALI. Amendment A2977, which would put a cap on the—

Mr. PERZEL. Oh, no, no; I was just concerned—

Mr. VITALI. —on the exemptions—

Mr. PERZEL. The suspension of the rules was what I wanted to hear. I did not hear that correctly.

Mr. VITALI. —exemptions for the emissions test. That would help our senior citizens who are now being—

Mr. PERZEL. Whoa. Mr. Vitali—

Mr. VITALI. —taken advantage of by many inspection stations.

Mr. PERZEL. —I have been on this floor many times—

The SPEAKER. The question before the House is suspension of the rules. See how evenhanded I am?

On the question,

Will the House agree to the motion?

The SPEAKER. Does the gentleman, Mr. DeWeese, yield to the gentleman, Mr. DeLuca, on the question of suspension of the rules? The gentleman, Mr. DeLuca, is recognized.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I understand where the gentleman, Representative Vitali, is coming from, but let me say this to my colleagues in this House. We passed this bill on March 16. We should have passed it a session ago, while this bill was introduced 3 years ago. There was a lot of work that went into this bill, and I commend the majority chairman of the Transportation Committee and the minority chairman for the work they have put into this legislation.

But this legislation is too important not to concur on today. We are talking about young people's lives out there. The more we prolong this legislation, the more we are putting young people in danger.

Let me say this to you—

The SPEAKER. Mr. DeLuca, the question before the House is on the question of suspension.

Mr. DeLUCA. Thank you, Mr. Speaker. I got a little carried away.

Mr. Speaker, I oppose this motion to suspend. I think this is a critical piece of legislation, and we should move it to the Governor, and I oppose the motion to suspend.

The SPEAKER. The Chair thanks the gentleman.

Mr. Geist. The majority leader yields to the gentleman, Mr. Geist, on the question of suspension of the rules.

Mr. GEIST. Thank you, Mr. Speaker.

Representative DeLuca is absolutely right. Representative Battisto and others have worked diligently on this piece of legislation. It took a lot of hard work to get it out of the Senate, and we are about the business of saving lives, and I would urge a "no" vote.

The SPEAKER. On the question of suspension of the rules—

Mr. DeWEESE. Mr. Speaker?

The SPEAKER. Mr. DeWeese, you are putting me in a peculiar spot.

Mr. DeWEESE. I am not going to make any argument.

The SPEAKER. Is this a parliamentary inquiry, maybe?

Mr. DeWEESE. It would fall somewhere in between a parliamentary inquiry and something else. I have not deciphered.

I just wanted to make a comment that when the gentleman, Mr. DeLuca, was recognized on suspension, I was not alert to the degree that I should have been. Since it was Mr. Vitali's motion, I would have yielded to Mr. Vitali, if I had been more alert. So I will make that abject apology for being otherwise preoccupied. Thank you, sir.

The SPEAKER. The Chair, without objection, will recognize now Mr. Vitali on that question.

Mr. VITALI. Thank you, Mr. Speaker.

Mr. Speaker, it is important that we suspend the rules for this important issue, because if we do not suspend the rules, it will not come up otherwise. This is a very important issue. Vehicle bills have not come up for us to amend this. This is a situation where seniors and others whom we attempted to protect from too high emission fees are now being gouged well beyond what would be justified—

The SPEAKER. Mr. Vitali—

Mr. VITALI. —by the cost.

The SPEAKER. Mr. Vitali, please, stay on the suspension question and do not go into the substantive debate on the substantive issue.

Mr. VITALI. Thank you, Mr. Speaker.

The key point to be made here, Mr. Speaker, is, a suspension is necessary, because unless we suspend the rules to deal with this important issue, it will be continued to be ducked as it has been from the beginning of this term. So if you want to deal with this issue, if you want to protect our seniors, then a rules suspension is the only way we are going to be able to do it. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—86

Bebko-Jones	Gordner	Miller, S.	Stairs
Belardi	Grucela	Mundy	Steelman
Belfanti	Gruitza	Myers	Stetler
Bishop	Haluska	Oliver	Sturta
Blaum	Hanna	Pesci	Surra
Buxton	Harhai	Petrarca	Tangretti
Caltagirone	Horsey	Petrone	Thomas
Cappabianca	James	Preston	Tigue
Carn	Josephs	Ramos	Trello
Casorio	Kirkland	Readshaw	Trich
Cohen, M.	LaGrotta	Reinard	Tulli
Coiafella	Laughlin	Rieger	Van Horne
Coy	Lawless	Roberts	Veon
Curry	Lescovitz	Robinson	Vitali
Dermody	Levdansky	Roebuck	Walko
DeWeese	Lucyk	Rooney	Waters
Donatucci	Manderino	Sainato	Williams
Eachus	Mann	Santoni	Wojnaroski
Evans	McCall	Scrimenti	Yewcic
Freeman	McIlhinney	Shaner	Youngblood
Gannon	Melio	Staback	Yudichak
George	Michlovic		

NAYS—114

Adolph	Dempsey	Lederer	Ruffing
Allen	DiGirolamo	Leh	Samuelson
Argall	Druce	Lynch	Sather
Armstrong	Egolf	Maher	Saylor
Baker	Fairchild	Maitland	Schroder
Bard	Fargo	Major	Schuler
Barley	Feese	Markosek	Semmel
Barrar	Fichter	Marsico	Serafini
Bastian	Fleagle	Masiand	Seyfert
Battisto	Flick	Mayernik	Smith, B.
Benninghoff	Forcier	McGill	Smith, S. H.
Birmelin	Frankel	McIlhattan	Solobay
Boyes	Geist	McNaughton	Steil

Browne	Gigliotti	Metcalfe	Stern
Bunt	Gladeck	Micozzie	Stevenson
Butkovitz	Godshall	Miller, R.	Strittmatter
Cawley	Habay	Nailor	Taylor, E. Z.
Chadwick	Harhart	Nickol	Taylor, J.
Civera	Hasay	O'Brien	Travaglio
Clark	Hennessey	Orie	True
Clymer	Herman	Perzel	Vance
Cohen, L. I.	Hershey	Phillips	Wilt
Cornell	Hess	Pippy	Wogan
Corrigan	Hutchinson	Pistella	Wright
Costa	Jadlowiec	Platts	Zimmerman
Dailey	Kaiser	Raymond	Zug
Daley	Keller	Rohrer	
Dally	Kenney	Ross	Ryan, Speaker
DeLuca	Krebs	Rubley	

NOT VOTING—0

EXCUSED—3

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

On the question recurring,

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

The SPEAKER. On that question, the gentleman from Bucks County, Mr. Druce, is recognized.

Mr. DRUCE. Thank you, Mr. Speaker.

May I have a brief interrogation with the majority chairman?

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

Mr. DRUCE. Thank you.

During the committee process, Mr. Speaker, we had a number of suggestions made about driver's ed as being part of this equation in addition to the 50 hours that are required under the legislation for parents to certify, and I understand, if I recall, I think this House may have passed a resolution urging further study of that issue, and I am just curious if the Senate made any changes in that regard that would allow parents the option of having driver ed courses in lieu of the 50 hours that are required.

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

Indeed, that is true. The language that we passed in the House resolution was inserted into the Senate version of this bill and is part of this bill, and what we would want out of this and out of that commission is a meaningful driver's education program for the young people of Pennsylvania.

Mr. DRUCE. Mr. Speaker, if I may, a brief comment on the bill?

The SPEAKER. The gentleman may begin.

Mr. DRUCE. The gentleman from Allegheny County, Mr. DeLuca, I think, began to say what many of us feel in this House — and we who serve on the committee acknowledge the chairman for the work that he has done on this bill — that this is a very important piece of legislation, one that we should not delay in passing today. It ultimately will save lives and, if nothing, have better younger drivers on the highways of Pennsylvania, and I

would urge the members to support the bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

FILMING PERMISSION

The SPEAKER. The Chair advises the members that permission has been given to the distinguished Associated Press photographer, Paul Vathis, to take photographs on the House floor for the next 15 minutes.

CONSIDERATION OF HB 10 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Bucks County, Mr. Reinard.

Mr. REINARD. Mr. Speaker, if you would not mind, I would like to hold my interrogation for a later moment in this debate.

The SPEAKER. The Chair thanks the gentleman. The gentleman will seek recognition at that time?

The gentleman, Mr. Colafella, from Beaver County. Mr. Colafella.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, may I interrogate the maker of the bill?

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

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, in the bill there is a provision in there that if a person gets a speeding ticket, the youngster gets a speeding ticket, that that information, of course, will eventually go to the Department of Transportation, and what I am afraid of is that a 17-year-old gets a speeding ticket, and what happens is, the parents will now be dropped by their insurance and be put on an assigned-risk program, which means that their insurance may double or triple, because their youngster happened to have a speeding ticket. Is that true?

Mr. GEIST. Mr. Speaker, it is true, but it is for 26 miles an hour and over; exceeding the speed limit by 26 miles an hour or more, which is considered a serious offense.

Mr. COLAFELLA. But if an adult would go— Is it not 31 miles over?

Mr. GEIST. It is 31 miles an hour for an adult, and that is considered a serious offense.

Mr. COLAFELLA. Okay. So if an adult would do the same thing and would be cited by a policeman, that person's license would not be suspended. Is that right?

Mr. GEIST. At 31 miles an hour, it would be, if they are considered guilty.

Mr. COLAFELLA. Right.

Mr. GEIST. Found guilty. Excuse me.

Mr. COLAFELLA. Okay. But my question then is, they would be found guilty, but would they then have their license suspended?

Mr. GEIST. Yes. I would believe with the points, it is an automatic suspension.

Mr. COLAFELLA. So if a person, if an adult was going 31 miles over the speed limit, they would automatically be suspended from their license?

Mr. GEIST. With the departmental hearing, that is correct.

Mr. COLAFELLA. Okay. Well, thank you very much. You have answered my questions.

Mr. GEIST. Thank you.

The SPEAKER. On the question of concurrence, the Chair recognizes the gentleman from Allegheny, Mr. Trello.

Mr. TRELLO. Mr. Speaker, my purpose for being here was to interrogate the prime sponsor and ask the same questions as the previous speaker, and what I am concerned about is, if a student with a permit goes 26 miles over the speed limit, he is automatically suspended. Is that correct?

Mr. GEIST. If convicted.

Mr. TRELLO. If convicted.

Now, if he is automatically suspended, the insurance company must be notified. Is that correct?

Mr. GEIST. No; that is not true. It is only if the insurance company decides to check the record.

Mr. TRELLO. Well, my experience with my constituents is that a number of them have been suspended for points or whatever the case may be and their insurance is canceled. I realize the importance of this legislation, because we all want to have safe drivers on the road, especially the youth of this great State of ours, but if we do that, we are not really punishing the students; we are punishing the parents. If they get suspended and the insurance is canceled, the parents have to pay a high-risk policy and sometimes amounts to \$3,000, \$4,000, and \$5,000 a year, and my concern is that the offense is serious enough to cause financial hardships with a number of families. But your answer is, if he is going 26 miles over the speed limit, he will be suspended. Is that correct? If convicted.

Mr. GEIST. There is something else that I think you are really missing in this bill. For the first time, there is parental notification, so that if junior goes out and gets a couple of tickets and never tells his parents. Do you understand?

Mr. TRELLO. I am familiar with that; yes.

Mr. GEIST. I mean, this is like getting an "F" on your report card and not bringing it home and showing dad.

Mr. TRELLO. I am familiar with that, too.

Mr. GEIST. I believe that this bill has an awful lot of practical sense built into it with the parental notification, and the other thing I think that we all recognized during all the hearings is, it is a lot cheaper to pay for insurance than it is to pay for a funeral, and the way that we are killing kids in Pennsylvania and the way that we are maiming them— 17-, 18-, and 19-year-olds. That is what this bill is about, and that is what we are trying to do. I believe that parental notification and the ability to have dad say, hey, you were going pretty darn fast in that 25-mile-an-hour zone; I am taking your license; you are not about to drive anymore, will do a lot more than we would if we do it the way we are doing it now and dad never finds out.

Mr. TRELLO. Thank you, Mr. Speaker.

My interrogation is over. May I make a statement?

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

Mr. TRELLO. I do not think there is a member in this General Assembly or a citizen in Pennsylvania that does not want to provide safe conditions for our kids, and I think we all want to provide good laws to protect our children. The thing that I am concerned about is, are we punishing the child or are we punishing the parents? For a first offense, for a traffic violation, or even an automobile accident, if I get into an automobile accident which I am partially at fault, I do not get suspended; I get surcharged by my insurance company. It is not a high risk. The multiplier, I forget what it is right now, but my insurance goes up 10 percent or 15 percent or 20 percent. But under this piece of legislation, if a

child is in an accident and gets reported to the insurance company and gets suspended, then they are under a high risk, and you are talking about families being punished by paying an additional \$3,000, \$4,000, or \$5,000 a year, Mr. Speaker.

Mr. GEIST. Mr. Speaker, are you still interrogating me?

Mr. TRELLO. No; no.

Mr. GEIST. I am sorry.

Mr. TRELLO. I am making a statement, but if you want to reply to that, that is fine, but—

Mr. GEIST. Well, that is up to the Speaker, because I think you would have to ask to interrogate, but there is an answer to that.

Mr. TRELLO. May I continue my interrogation, Mr. Speaker?

The SPEAKER. The interrogation is concluded, is it not?

Mr. TRELLO. Yeah, but there was one question that came to mind that I think I have to ask.

The SPEAKER. Would you ask that question, and then we will recognize Mr. Geist to answer it.

Mr. TRELLO. Well, the question is, if I am involved in an automobile accident which I am partially at fault, I do not get suspended for that, but there is a multiplier, and I forget what it is, but the insurance company can surcharge me for 1 year if it is over that threshold, and I will pay an increased amount of 10 percent or 20 percent for 1 year or 2 years, whatever the case may be. That is not the case with a driver under this legislation, a child. If he gets into an accident that he is partially at fault, the circumstances are altogether different. Is that correct?

Mr. GEIST. It is correct, because in Pennsylvania, a 16- and 17-year-old child is still considered the responsibility of their parents. They are not emancipated. So there is a parental responsibility or a guardian's responsibility when it comes to a teenager, and that is absolutely correct.

Mr. TRELLO. Okay. Thank you, Mr. Speaker.

I have concluded my interrogation, and I do not wish to make any more remarks. Thank you.

The SPEAKER. The Chair recognizes the gentleman, Mr. Gannon. Do you wish to interrogate Mr. Geist?

Mr. GANNON. Not at this time, Mr. Speaker. I would like to pass until the interrogations are completed.

The SPEAKER. The gentleman from Philadelphia, Mr. Cohen. Do you wish to interrogate?

Mr. COHEN. No, I do not, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. The gentleman may proceed.

Mr. COHEN. Mr. Speaker, everybody is going to vote on this bill individually, based on their own experience, as to whether the benefits of this bill, which include keeping younger teenagers from driving, outweigh the costs of this bill, which include higher insurance rates and a lot of other requirements among both parents and teenagers. It is my conclusion that the Senate and the House Rules Committee, in making further amendments to this bill, have not solved the basic problem which caused about 70 of us to vote against the bill the first time we faced it. This bill still places a lot of burdens on young teenagers and their parents that are not justified in terms of the lives they will save.

This bill makes it extremely difficult for a kid to get a driver's license. You cannot get one at all until you are 17 years of age, and you have to have 50 hours of adult supervision, which very often will have to be paid for in order to be obtained, and while you are waiting for a driver's license, you have a curfew of 11 o'clock at

night. Even if you are a college freshman, you cannot be in a car after 11 o'clock at night, driving the car.

It seems to me, Mr. Speaker, that this bill has, in the driver's license provisions, the good foreseeable effect of it will cut down accidents with teenagers because fewer teenagers will be behind the wheel, but it will also increase insurance costs for teenagers, because there are more laws that are capable of being violated. Teenagers now driving a car without a full license at 11:05 can be stopped by the police and arrested, and the auto insurance rates will rise as a result. There are going to be more teenagers driving cars in violation of this law, because the law is now much more difficult to follow. There will be parents fudging and certifying that the kid had 50 hours of adult instruction when they have only had 45 hours. There will be people fudging and saying that some of the supervisory time was provided by a person over 21 when in fact the person was only 20 years and 8 months. There are just a lot of built-in requirements here that we can predict that people are not going to meet and that they will pay, therefore, a price for it in terms of arrests, in terms of higher insurance rates.

This bill has positive aspects, but I think the negative aspects of it are awfully burdensome for a lot of people, and therefore, I will be voting against it.

The SPEAKER. The gentleman, Mr. Coy.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. Prior to recognizing the gentleman, the Chair announces to the members that provisions are being made for dinner tonight. At this time we are making dinner provisions, so do not plan on— Apparently we are not going to get out of here early enough to have dinner on the road. Now, we will see whether or not we are going to have to have breakfast, so if we would keep our comments to a minimum, it would be helpful.

CONSIDERATION OF HB 10 CONTINUED

The SPEAKER. The gentleman, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

People may want to know what the options are for breakfast before they decide how long they are going to talk.

The SPEAKER. The record would be expunged if it was attempted to be put on the record.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I rise to comment on the legislation before us, because like the gentleman from Philadelphia who just spoke, I think this bill has some good parts and some bad parts, and when we come to that conclusion and when we see a situation like that, you have to weigh the good parts and the bad parts and see which way the scales tip.

Now, I remember a couple of years ago when this legislature, with good intentions, passed a requirement that the plates on your vehicle would be suspended if you were without insurance for a period of time. Now, how many times have you, any of you, in your district offices, met with a family— young family, old family, whomever— who for some mistake, honest mistake, had their insurance canceled or they did without insurance for a day or two, for a minimal period of time? And then you write— I know what I do— you write a letter to the Secretary of Transportation, and you ask for some sort of leniency or clemency in this regard, and you get the same standard response: You passed a law; the law was

intended to protect so that we would have insurance coverage for all Pennsylvanians over a period of time, so that anybody who did without insurance would have to pay the fine of having their plates taken for 60 or 90 days or whatever it is. And then you and I say — because I do it — well, we did this for a good cause; it seemed like a good cause. But what is wrong? Here is somebody that had a little mistake, a little shortage in insurance coverage, and they lose their plates for a period of time, and you have to say there is nothing you can do about it because that is the law.

Now, I am afraid, with good intentions, that is what is going to happen with this bill, too. I am afraid that we are going to see situations where insurance costs go up, where fines are levied, where driver's licenses are suspended for young people, and you and I are going to have to explain to hardworking parents why they now have to take off work to take a son or daughter to his or her job, to his or her school. Let us think about what we are doing here just a little bit. College tuition costs are rising. We are requiring young people to work more and more to afford college. More and more single-parent families have circumstances that require kids to work, to have jobs, to contribute to the economy of the family. And for what seems like a good cause, and that is, to have better trained young drivers on the road, we are going to make it tougher to get a license, but we are also going to add for the possibility of points going up, for insurance being taken away and canceled, and ultimately insurance costs to go up, to be paid by whom? That same hardworking family.

Now, we can continue to try to punish kids and make life tougher for kids, for whatever they do, but ultimately, I know what I see; parents end up paying the bill. It is just a fact of life. So if you want to add to the costs of those hardworking families, then vote for this. I tell you, when I drive interstate highways or anywhere in Pennsylvania, I think there are a lot of older drivers who need training also. I think there are a lot of truck drivers that need training in terms of the speed limit and in terms of following too closely. So I think if we are going to talk about training, we ought to expand the parameters; we ought to expand to many different segments of our driving public the need for training.

But I am afraid that what we are attempting to do with this legislation, which I admit has a good cause, and if it saves lives, that is obviously important and critical to all of us, but in the process, I fear that we are going to make life tougher for families, we are going to increase the cost of insurance for families, and all in all, we are going to increase costs on the people in our society who can least afford it — hardworking families with young children who already have bills that are exceeding their ability to pay.

I am going to vote "no." because I think it is the sensible vote, and let us recraft this legislation. Let us come back with some legislation that truly makes sense, addresses the need for driver training across the spectrum, but is not punitive to young families who are having a hard enough time making ends meet. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. HUTCHINSON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to reluctantly urge nonconcurrency in the Senate amendments.

Mr. Speaker, I personally wholeheartedly support the teen driving portion of this bill. I think that we have set up a very dangerous situation for our teens. Too many are being killed on

our highways, and it is proper and fitting that we make it more difficult, more training required before they take the road as individuals, and I wholeheartedly support that portion of the bill.

However, Mr. Speaker, in the late 1970s, which, as a matter of fact, was the time that I was first beginning to drive, and at that time the State of Pennsylvania adopted as part of their Vehicle Code the fact that the left-hand lane and right-hand lane are equalized, and they did that with good reasons at the time, and I think those reasons are still valid today, and that is why I do not think we should roll that provision back, the reasons being, number one, uniformity. Pennsylvania adopted the equalization of left- and right-hand lanes to be uniform with the other States in our country. If we repeal that and make it so that the only time you can be in the left-hand lane is when you are overtaking another vehicle, vehicles coming from out of State will come to Pennsylvania and be under a different driving law than they are used to, and I think that that can cause a lot of problems. But also another good reason to have equalized lanes is the wear and tear on the right lane of our highways. We spend a lot of money to build our limited-access highways. Now we are going to force all our traffic into the right-hand lane, which is going to unmercifully beat up that lane, and we are going to have a smooth, unworn left-hand lane, and that is just a waste of resources.

So I stand to oppose that portion of the bill, urge my colleagues to nonconcur in Senate amendments, and possibly we can pass the important and good teen driving amendments under another guise. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Centre County, Mr. Benninghoff. The gentleman waives off.

Mr. Sainato, from Lawrence County, is recognized on the bill.

Mr. SAINATO. Mr. Speaker, I rise to make some comments on this bill.

I think there have been some good points made here today, and I am sure there will be many more made. I spoke on this bill back in March, and looking over this bill, I do not see that many changes. Actually, I have seen changes for the worse, as the previous speaker just alluded to, which would affect every driver in this State, where you could be ticketed for driving in the left-hand lane for less than 2 miles. I think that is wrong. I think we need uniformity, as the previous speaker said.

But getting to the heart of this problem, I think many people here have good intentions on this bill about trying to reduce teen accidents, and I support that concept. I think we all do. Nobody wants to see a teenager hurt or killed. But by punishing every teen in this State, as this bill does, by punishing families for every teen in this State, which this bill does, is wrong. It is wrong.

Under Pennsylvania law right now, parents have responsibilities. You have to be 18 years old to drive in Pennsylvania, unless a parent signs a sheet which says, which says, they give their child permission to get a permit at 16 or 16½ or 17. That is the parent's responsibility. If they do not want their child to drive at 16, they do not have to sign the sheet, and they do not drive. Under this bill, we are telling parents that you are not responsible. We talk about parental responsibility all the time. What right does the legislature have to take parental responsibility away, as this bill does? Parents need to be responsible with their children. We do not have the right to dictate to parents what to do. Fifty hours of training, as required under this bill, sounds good. They do need more training. What we are going to have is, good

parents are going to provide that training; irresponsible parents are not, and they are still going to sign the sheet.

It just disturbs me, Mr. Speaker. Most kids in this State are good kids. They are good kids, and they come from good families. And to punish the good kids, to punish the responsible parents, is wrong. It is wrong. It was wrong in March. It is wrong today.

I am not going to vote for this bill; I cannot in good conscience. As my colleague from Franklin County says, many times we mean well when we pass legislation; then it comes back 2 months, 6 months, a year from now, and then they come back to our district offices and say, jeez, look what has happened here. Why is this happening? Insurance rates going up because someone was given a ticket.

I think it is wrong, Mr. Speaker, and I would encourage my colleagues to look at this bill very closely, understand what we are doing. This bill deals with parental responsibility, and I think that responsibility lies with the parents. They should make that decision when a child should drive and when they should not. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair has on its list the following members, nine members: DeLuca, Masland, Gannon, Surra, Sturla, George, Stairs, Readshaw, and Miller.

The Chair recognizes the gentleman, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

You know, I have been listening to some of these arguments against this bill, and it makes me wonder what we are talking about here. The last I checked with the Motor Vehicle Code, driving was a privilege in Pennsylvania, not a right; a privilege. Now, one of the members over here mentioned about there are good parts and there are bad parts. Well, that is in any piece of legislation we pass.

But let us mention the good parts. You know, we talk about insurance going up. We talk about penalizing young children. That is not what this bill is about, penalizing young drivers. This bill is about responsibility and making better drivers out there. You know, when the teenagers, when the 16-year-old drivers out there make up 4½ percent of the driving population and contribute almost 18 percent to the accident rates, there is something wrong out there.

Now, let us talk about the poor children we want to penalize because their insurance rates are going up or whether they get into an accident. Well, how about that poor person out there, God forbid, who is involved in that accident; who is critically injured; who unfortunately, through the accident, has a catastrophe and he dies. What about that individual? Are we talking about those individuals? We are talking about driving on the left side of the road. We are going to have a smooth road. That is not the issue. If you want to nitpick this piece of legislation and vote "no," fine. Let us not use the left-hand side. As a matter of fact, as I drive the highways out there, I see the passing lane has in between— It is not a solid lane; it is for passing. It is not to travel 20 miles in a passing lane. I think that makes common sense that you should be on the right-hand side and pass on the left-hand side. That contributes to a lot of accidents out there when you have people who cannot pass on the left-hand side pass on the right-hand side, because you have somebody who thinks the left-hand side, that they can ride 20 miles on the left-hand side, which I understand is a passing side, regardless of this bill.

Number two, you know, what we are looking at is personal responsibility, and I guess when you are driving as a young driver,

you have to have some personal responsibility. I know when I was a young driver, I know how many things I did wrong, and I bet everyone in this House could say how many things they did wrong. You are young, you have more guts, you do different things, you take more chances, and you should have that experience and understand what you are doing, and that is why this bill is so important.

Let me also say that the States that have passed this type of legislation have found the decrease in fatalities and in the accident rates. That is a statistic you cannot deny, and this bill probably will do the same thing in Pennsylvania, cut down on the accidents and the fatalities out there that not only cost our young people their lives but cost elderly and other citizens out there their lives and catastrophic injuries.

And let me tell you about the insurance costs we are talking about. When you have got 4½ percent of the driving population who are teenagers and create 17 percent of the accident rates, who do you think pays for these accidents rates and their insurance premiums go up? We all pay; all our insurance goes up. So let us not kid ourselves, just because we are doing this, that their rates are going to go up.

And as far as the 26 miles an hour, if you are driving where the speed limit is 65 and you are going 91 miles an hour, you should not be driving, because you are jeopardizing somebody else's life out there. So let us not kid ourselves. Your license would be suspended and should be suspended, just like any of us who would travel 91 miles an hour in a 65-mile— If we go 91 miles an hour, our license should be suspended, because we are jeopardizing other people's lives, and there is no way that you can control a car going that fast.

So I ask my colleagues in here to pass and concur on this very important piece of legislation. It is needed. Its time has come. It will save lives, and it will benefit the citizens of this Commonwealth. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Cumberland County on the question of concurrence.

The only thing before the House are the amendments inserted in the bill by the Senate, and I would request that debate be limited to that subject.

Mr. Masland.

Mr. MASLAND. Thank you, Mr. Speaker.

I rise in favor of concurrence and urge all my colleagues to vote likewise.

I do not expect to really change anyone's mind here today, but I thought I would just share a couple comments as someone who is not only a legislator but also happens to be a parent of a 16-year-old, who will technically not be subject — and I say "technically" for his benefit — not be subject to all of the requirements of this bill, although he practically will be, but I also have a 13- and 11-year-old at home, who will eventually be of age, and so I will be subject to these provisions, like many of you in here.

I find it interesting when everybody is talking about how we are punishing kids, or worse yet, worse yet, we could be punishing parents. You know, a parent that cares more about the burdensome cost of insurance — and there is a burden — a parent that cares more about the fact that they will have to sit next to their teenager and undergo that burden for 50 hours — and there certainly will be a burden — if you care more about that than the burden of sitting next

to an empty chair at the kitchen table, then you really do not know what a burden is.

I hope I never have to face such a burden. I have known people who have. I know how difficult that is, just from looking at it, but I am sure it is far worse than it appears. That type of burden is something that I hope and pray that all of us in here and all the folks throughout the State do not have to face if we pass HB 10.

In my opinion, HB 10 meets the test, meets that balancing test which we make with every bill: Does the good in the bill outweigh any perceived harm? And I believe it does that. I believe that this bill meets a very weighty burden. In fact, it meets, in my opinion, a burden beyond a reasonable doubt, not just clear and convincing evidence, that this will improve and hopefully save lives.

But everybody says it is a punishment. In my opinion, it is not a punishment. It may be tough, but there is nothing wrong with being tough when we know what the alternative is.

I urge everyone to support HB 10. Thank you.

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Delaware County, Mr. Gannon.

Mr. GANNON. Thank you, Madam Speaker.

Before I debate the bill, I would like to make a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GANNON. Now, this bill apparently was amended in the House Rules Committee?

The SPEAKER pro tempore. That is correct.

Mr. GANNON. Now, the action of the House Rules Committee, did that take out all of the amendments inserted by the Senate or only certain amendments inserted by the Senate?

The SPEAKER pro tempore. Most of the amendments that were inserted by the Senate were retained.

Mr. GANNON. So it would be fair to say that the only provision inserted by the Senate that was removed by the House Rules Committee would be that section beginning on page 15, lines 2 through 24, and page 27, lines 18 through 25?

The SPEAKER pro tempore. That is correct.

Mr. GANNON. Now, we are here debating concurrence in Senate amendments. What is the impact if the House votes to nonconcur in all or any of the Senate amendments?

The SPEAKER pro tempore. We either concur or nonconcur with the Senate amendments as amended by the House.

Mr. GANNON. Well, my question then gets to, have we not already nonconcurred in a Senate amendment by removing only a Senate amendment from a bill that was sent to the House by the Senate for concurrence in Senate amendments?

The SPEAKER pro tempore. No. We have simply amended their amendments.

Mr. GANNON. So then what you are saying is, amending the Senate amendments, taking them completely out of the bill, is not nonconcurrence in a Senate amendment?

The SPEAKER pro tempore. Not at this stage.

Mr. GANNON. Thank you.

We have heard a lot of comments about, some speakers have stated that this is a good bill with some troubling parts. No; this is a bad bill with lots of goodies. If you look through the remainder of the bill, other than those sections dealing with the young driver, there are all kinds of items in there that take care of various interests that would want to have a Title 75 bill with some language inserted that would help a particular business or industry or association or whatever. For example, we have language in there that helps a water bottling company that is not even located in the United States. So that is a goody. We have language dealing with transportation of glass that I see here. I am sure there is some business out there that wants some language to help them with their glass transportation or whatever, and that is a goody.

So we have got a bad bill with lots of goodies. But we also have a bill, in my view, that is punitive and not remedial. We have heard speaker after speaker say, this really helps those young drivers; this really will reduce accidents; this will make drivers safe. I do not see how it does that, Madam Speaker. It requires minimally that— It requires 50 hours of having someone—

Mr. GEIST. Madam Speaker?

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Geist, rise?

Mr. GEIST. He is speaking on the bill rather than the amendments.

The SPEAKER pro tempore. We will continue to monitor, but at this point the gentleman may continue.

Mr. GANNON. If I may, Madam Speaker, it is awfully difficult to ascertain exactly what the Senate amendments were, because when the bill was reprinted after the removal of that one Senate amendment, in the copy that is distributed to the members, the Senate amendments are not delineated, as they would be had the bill been sent over only and we were dealing only with that bill as sent by the Senate. So it is difficult, but I will try to limit my debate to those comments.

As I said before, it is a bad bill with lots of goodies.

Now, one of the things that we did do is we — “we,” I mean, the House Rules Committee — struck out the language that was inserted by the Senate dealing with the immediate suspension of the emission inspection programs or enhanced emission inspection program. However, in reading that language, I see that that is not a direct order to the department and it does not occur immediately upon enactment of this legislation. The Department of Transportation requires the approval and the written express approval of the Department of Environmental Protection or a final order from a Federal court, and that is not the way I understood the language when it was initially explained, that there were a number of hoops that the department would have to jump through in order to suspend the emissions program. And I do not know if there is a person in this— There are many people in this Commonwealth that have great things to say about the Department of Environmental Protection in their storm-trooper attitude towards enforcing on Pennsylvania these emission standards. So it is troubling that the Rules Committee removed that language from the legislation without giving the House — the full House, that is — an opportunity to make that decision as to whether it wanted to accept or reject that language.

As I said before, this is a punitive bill. I do not believe it is remedial. We have heard discussion about the insurance, and I believe the Senate did some changes about the age, from 18 to 21.

I do not see how this helps the insurance situation for a young driver. It provides that the department can suspend that driver's license, even if they are partially, if they are partially held responsible for an automobile accident — by the department. Forget about a court of competent jurisdiction; if the department says you are partially responsible, and that could be one-half of 1 percent. And let me tell you, every intersection collision that occurs in this State, both drivers share some degree of responsibility. In some instances, it is only minuscule, but the way this bill is written, if you are a young driver, no matter how minuscule, as determined by the department, not by a court of competent jurisdiction, you are going to have your driver's license suspended. The same thing does not happen to an adult. Now, how is that going to help your insurance, when you have got to tell the insurance company — and they will find out — that I was suspended because I was involved in an accident where the department said I was one-tenth of 1 percent responsible? That is an outrage. That is an absolute outrage. Why do we not give those young drivers the same respect and opportunity that we give every other driver in this Commonwealth to make their case in court about whether or not they were responsible and not have an arbitrary decision by the Department of Transportation.

It also says, well, if they are determined to be guilty. Well, guilt is beyond a reasonable doubt in a criminal matter, and that is what it is, it is a criminal violation. So we do not even use a civil standard in determining whether or not we are going to suspend a license.

The other part of this bill that is probably one of the most troubling aspects is the seatbelt portion of this bill.

The SPEAKER pro tempore. The gentleman will please discuss the amendments only.

Mr. GANNON. Thank you, Madam Speaker.

Well, I wanted to talk about the seatbelt issue, but I saw Representative Geist jumping out of his chair, and I respect Representative Geist. I think every member of the General Assembly here knows my views on that, so I will not elaborate on what a bad provision that is and all the troubles that it could lead to.

But let me say this: The Senate amendments take this bill and do exactly what was being done in the House, and we have heard that argument, that we are trying to legislate personal responsibility. Madam Speaker, you cannot legislate personal responsibility. That starts with the home and the school and the parents and the parenting. It does not happen in this hall. It does not happen in the chamber across the building. It happens in the homes.

You cannot legislate personal responsibility. It is not going to succeed. It is not going to work. It is going to cause more problems than we have now. I urge a "no" vote on concurrence. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Belfanti.

Mr. BELFANTI. Thank you, Madam Speaker, and it is Northumberland County. I am sorry for the correction.

The SPEAKER pro tempore. I do apologize. You are correct.

Mr. BELFANTI. That is quite all right.

Madam Speaker, I stand today to reverse a vote that I made some weeks ago when I voted "yes" on this legislation. Today I am asking my colleagues to strongly consider voting "no" on this bill, and I will not be—

The SPEAKER pro tempore. The gentleman knows that we are talking about amendments only, concurrence in Senate amendments right now.

Mr. BELFANTI. Yes, Madam Speaker. We are on concurrence, I believe, with Senate amendments. I am not sure that we then move to final passage.

I will not be long. I will be very brief. But I would like to tell a very short story to illustrate the reversal of my position on this bill.

Some 10 years ago, a constituent of mine, when leaving Interstate 81, got off at an exit ramp — I think it was down here at Progress Avenue — hydroplaned a few feet, and a schoolbus ended up slamming into his vehicle. The police department thoroughly investigated the accident and found that there was oil, spilled oil, on the exit ramp and that that should have been treated and cuts should have been put in and perhaps a red light should have been utilized there instead of a stop sign. A couple of years, about 2 years after that, my constituent's son, who was I think at that time a senior in high school, received a minor ticket, but it was a moving violation, and it was for failing to come to a complete stop at a stop sign. The following year my constituent's youngest son, while up at college, also received a very minor violation for not coming to a complete stop.

But moving violations in this State are still moving violations, and because of all the individuals that talked about insurance and why insurance should not be as important as one's loved ones and other individuals like my friend, Representative Trello, talked about how the bill is as punitive towards parents as it is teenage children, I wanted to relay that story, because my constituent had his insurance canceled as a result of one accident that was ruled zero fault of either party and two very minor moving violations. But the way the insurance laws in this State are presently written, any three violations — three accidents, three moving violations, or any combination thereof — within the same household allows your insurance company to cancel your policy, and my constituent's insurance was canceled after about 15 years of never having an accident or a ticket. There were three different people within that four-person household who each shared a piece in that cancellation. My constituent was then placed in assigned risk. He paid \$6,000 a year for the next 3 years and had to drop collision and comprehensive coverage on his vehicles and just keep liability-only insurance, and it cost \$6,000 a year. Some 3 years later, when the household had a spotlessly clean record again, the individual could not get regular insurance yet. He was put into a fire and casualty fund, and his insurance was reduced to about \$3,500 a year for a few more years.

Madam Speaker, that constituent is a good friend of mine. He is a pillar of the community of Mount Carmel, Pennsylvania. It is me. That happened to me. I went to the Insurance Department, the Insurance Commissioner, and I said, this cannot possibly be right; we cannot possibly allow the insurance industry to gouge me because of these types of infractions. This bill makes traveling in the left lane an infraction. This bill allows the Department of Transportation to find culpability, multiple culpability in a driver's record, a teenage driver's record, and in any instance, if there are three problems within your household or one of your constituents' households, and perhaps if you live in Philadelphia or Allegheny County, where insurance rates are higher than they are in Northumberland County, you are going to find constituents coming into your office, telling you that they are now going to have to pay \$8,000, \$9,000, \$10,000 a year in insurance.

At the time I went to \$6,000 on my policy, my second son was starting college. My oldest son was already in college. And you try and pay that kind of insurance while—

The SPEAKER pro tempore. Will the gentleman cease, please, for a moment. I ask that you please stay on the amendments and not the cost of insurance.

Mr. BELFANTI. Thank you, Madam Speaker.

I will conclude. I wanted to make that point. I am just saying that unless the Senate took care of the problem that we spoke to some of them about — and that was to ensure that the insurance industry would not realize a huge windfall because of language in this bill — I can no longer support it, and the insurance industry in this State is going to love this bill. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Elk County, Mr. Surra, on the amendment.

Mr. SURRA. Thank you, Madam Speaker.

The SPEAKER pro tempore. On the amendment.

Mr. SURRA. Yes, ma'am.

Thank you, Madam Speaker.

I rise to urge a nonconurrence of the Senate amendments.

Earlier in the year I spoke against HB 10 in its original form, because I thought it was punitive to young people, and I am going to speak about something that the Senate put in that I do not think was addressed yet on the House floor, and that deals with allowing larger and heavier, heavier trucks on the highways. This bill is being touted as something that is supposed to make our highways safer. Under current law, if you haul over 80,000 pounds gross vehicle weight in Pennsylvania, you need a special permit. Every time you haul that, you need a special permit. And in the Senate amendments, in the Senate amendments, they now have a yearly permit, where the float glass is 99,500 pounds, either water or wood is 96,000 pounds. Now, many of these haulers now do not get a daily permit. They stay under the 80,000 pounds. So now, annually they can get a permit and haul around 95,000, 96,000 pounds. That is what the Senate put in. Annually they can get a special permit. Now, whether you are hauling cornflakes or wood chips, last year we did the same thing for some coal trucks, and now we have these very heavy trucks on the highway. Madam Speaker, talk to anybody that drives a truck; if you add an additional 16,000 pounds to a truck, they are very hard to stop when fully loaded, and hopefully they will not run over any of these 16-year-olds that we are trying to protect.

So I urge a "no" vote.

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

Mr. STURLA. Thank you, Madam Speaker.

Will the prime sponsor of the bill rise for a brief interrogation?

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

Mr. STURLA. Madam Speaker, I would be interested in getting your interpretation of the portion on page 3 that talks about accidents reportable under section 3746.

Mr. GEIST. I am sorry. I cannot hear him.

Mr. STURLA. Madam Speaker, on page 3, lines 11 through 15, it talks about accidents reportable under section 3746. It says, "...for which they are partially or fully responsible in the opinion of the department..." Can you tell me how the Department of Transportation makes opinions on whether or not somebody is responsible or partially responsible?

Mr. GEIST. That language was in the bill as originally debated, and it is in current law. It does not change anything that is in current law. So that has been there. I mean, that is not—

Mr. STURLA. Madam Speaker, it says that in this case, though, it is only — and this was added by the Senate — it says, "...reportable under section 3746(a) (relating to immediate notice of accident to police department)..." So that part that modifies the opinion, what I want to know is, how are those opinions formed that were just modified by this language inserted by the Senate? How does the Department of Transportation make a determination on that opinion?

Mr. GEIST. They can have a hearing.

Mr. STURLA. Are there any standards set out for it? Is there any qualifying language?

Mr. GEIST. This is current procedure and discretionary function of the department that is in all vehicle law today. This is the same. It has not changed.

Mr. STURLA. And how do they do it now?

Mr. GEIST. Driving is a privilege, not a right, and the department at any time can question that in a hearing.

Mr. STURLA. Well, I understand that, Madam Speaker, but how do they make that determination? How do they form opinions in the department?

Mr. GEIST. Well, they get notified by the police. They take a look at that report, and if they deem it necessary, then they have a departmental hearing. That is a constant process. That has not changed. This language is in compliance with all PennDOT law.

Mr. STURLA. The reason I am asking this question is from personal experience. When I was 17 years old, I was involved in an accident that was reportable by the police department. I was in fact charged with failure to make movement in safety in that I did not avoid having an accident. When I asked for a hearing before the local district justice, the local district justice dismissed the case out of hand because he said there was no reason for it. What I want to know is, would the department dismiss it out of hand, or would the fact that it was reported to the department be determined in their opinion a reason to—

The SPEAKER pro tempore. Sir, this is not on the amendment. This is purely a subjective question.

Mr. STURLA. Madam Speaker, if I— I mean, this is part of what the Senate amended.

Mr. GEIST. The question would be, did they tell your parents?

Mr. STURLA. I called my parents. The question I have is, what I want to know is, how the department forms those opinions.

Mr. GEIST. The only language that was changed in the bill was changed to say reportable accidents.

Mr. STURLA. And what I want to know is, when it is reported to the police, is the fact that it is reported to the police enough for the department, in their opinion, to say, therefore, you are responsible, or does there have to be a conviction? I want to know how those opinions are formed based on the report by the police department, which is part of the Senate amendment.

Mr. GEIST. I am having a hard time handling the question, but let me go back and try to put it this way: Death, injury, or reportable property damage, the vehicle cannot be moved. That would be about it.

Mr. STURLA. So if there is damage to my vehicle, even if I was not responsible but it was reported, in the opinion of the department, I would be responsible. Is that what you are saying?

Mr. GEIST. Or it could not be moved. None of that has changed, Madam Speaker. That is consistent with what PennDOT has done for a long time, and the consistency is in the bill.

Mr. STURLA. And it may be consistent with what the department has done. I just want to know that if in fact it is now reportable as required under Senate amendments, does that mean that the opinion of the department is that then I am then responsible?

Mr. GEIST. It does not change anything. The opinion of the department is the same today as it has been for years. That is a decision that will be made by the Secretary of Transportation, by Deputy Secretary Serian and her department, using the criteria that they use. That does not change in this legislation.

Mr. STURLA. Okay. Madam Speaker, a couple other questions, if I could.

On page 7, where the Senate inserted amendments talking about the authorization to test for driver's license and junior driver's license, how is an emancipated minor affected by these changes by the Senate, because I do not see an emancipated minor being listed here in any way. Are they considered their own person in loco parentis?

Mr. GEIST. That is covered in other parts of law, and PennDOT has always recognized Commonwealth law when it comes to married teenagers.

Mr. STURLA. Well, if I am not a married teenager but I am an emancipated minor, how do I qualify to take my test?

Mr. GEIST. They do not need anybody's permission.

Mr. STURLA. Okay. Even though it says here that they do?

Mr. GEIST. It is not our interpretation that says that they do.

Mr. STURLA. Okay.

Final question. If I am a 17-year-old in the Armed Forces and I have never had a driver's permit before and they say, you know, we would like you to drive that truck down the road here; go get your driver's license, how is that person affected?

Mr. GEIST. The same way as it also has been, Madam Speaker, with a military license.

Mr. STURLA. Okay. Thank you, Madam Speaker.

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

Mr. GEORGE. Thank you, Madam Speaker.

Madam Speaker, I am not going to be here long enough for you to challenge whether I am debating the amendment or the bill, and I fail to recognize the difference between the amendment and the bill.

Now, if there are amendments in the bill that we do not like, then we naturally do not like the bill. So what I am saying to you is that even though I believe that those who sponsored the bill wanted to do the very best for our young people and the motoring public, nevertheless, what has been done in the Senate has reduced that in some manner. Now, the gentleman, Mr. Gannon, most ably responded to what is lacking in the bill.

Now, what the amendment does, Madam Speaker, it gives us two different — two different — assignments, where those of us that are over 18 can drive 31 miles an hour before we are suspended, if convicted, and we would be suspended for only 30 days, but yet this young person whom we are trying to protect needs to only exceed the speed limit 26 miles an hour and then lose that license for 90 days. And as another individual insisted, that this young 17-year-old can be out driving with his father in the front seat and his mother and two siblings in the back seat and there need only be

four seatbelts, and he can be fined \$25 for exceeding the amount of passengers in regard to what seatbelts are there.

Now, Mr. Surra brought up the weight situation; other people have brought up the situation of cost and what is going to happen. I am not saying that they are not doing the best they can. I am only saying we should nonconcur because we should not allow two different levels. We should not allow those of us that are legislators and driving through a speed zone of 31 miles an hour before we are arrested; we should not allow and force a 16-year-old to lose his license by only driving 26 miles.

So let us just nonconcur. Save what is good in the bill and send it back to the Senate where the majority and minority chairmen of the committee can bring it back to do what it is that they should be doing — the preservation and saving the lives of the motoring public — and not simply providing a lot of harassment in a bill that will bring about a lot of harassment. Thank you.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair recognizes the minority whip, who asks that the name of Mr. McGeehan from Philadelphia County be placed on the master roll.

CONSIDERATION OF HB 10 CONTINUED

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

Mr. STAIRS. Thank you, Madam Speaker.

In this long debate on HB 10, I want to add a few thoughts and comments in support of concurrence of this very viable piece of legislation that is now in front of us for concurrence.

Now, I want to, first of all, commend the Transportation Committee, and of course, I am a member of that committee, so I have seen firsthand the hard work and the time that was spent to work on this legislation, but particularly to make a special note to the chairman, Representative Geist, for steering us on this very valuable and, I think, to me, safety legislation.

I think this bill is about safety, and it is talking about safety for our young people. And let us face it, when we are making and helping young people to be safer drivers, we are not only protecting their lives but we are protecting the lives of everybody — older people, young people — because if, indeed, they do not have good driving habits and are not safe drivers, they can be involved in an accident that affects all of us. So we are looking at not only the young people but all of Pennsylvania drivers.

But one particular note that I want to mention that is in this bill, and it is important to me and I think it should be important to all of us who are having concerns about our young people, and that is the driver's education. You know, this is so vitally important that we prepare our young people to be safe drivers and to ensure that when they get behind the wheel, whether they are driving by themselves or their friends are in their car or somebody else is coming down the road in the other lane, that they drive safely. And I know there was a task force that we worked on a resolution to look into driver safety and to make sure that the young people or new drivers are being taught correct and safe driving habits, and this is a very important addition that has been added to the bill.

You know, as I sum up my thoughts, it makes me kind of cringe as I stand in front of this august body and just give this scenario of what might take place. I would certainly hate to be a police officer

or a health emergency official who had to knock on the door of some parents, whether it is I as a parent or you as a parent or any other parent in Pennsylvania, late at night or during the daytime and say that your dear child has been involved in a very, very serious accident and that it is life-threatening, and as a parent, I think — and parents out there will agree with me — of the sadness when these things happen. So I would hope that if this bill does nothing else, that it does hopefully eliminate all these visits by a police officer or phone calls by health personnel, but just eliminating one would be a very giant step to save Pennsylvania.

And I have to think that our young people, I honestly feel — and I speak as the Education Committee chairman — that we are making efforts; we have made giant, giant steps, and we are making efforts now to make our schools better, to give these kids a better education, to prepare them for tomorrow's high-tech jobs and tomorrow's future. We do not want them to go out in a car and not have the skills to be safe drivers. We want them to be able to live to fill their goals that they have, their career goals, and move Pennsylvania forward. So this is so important to enable our young people as they enter the next century, the next stage of their life, to do it safely.

So I would hope that we can all, in spite of some of the concerns that have been raised, and maybe those concerns that can be raised, we can maybe at a later date work on those if they are going to be concerns, but certainly the big concern is the safety of our young people, and I would hope that we could all concur with this very important bill.

Thank you, Madam Speaker.

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Readshaw.

Mr. READSHAW. Thank you, Madam Speaker.

I rise to make a motion to suspend the rules to offer amendment A2964.

The SPEAKER pro tempore. The gentleman, Mr. Readshaw, has made a motion that the rules be suspended in order to offer amendment A2964.

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

The SPEAKER pro tempore. On the suspension, the Chair recognizes the gentleman, Mr. Geist.

Mr. GEIST. A question to the Chair. Was that amendment even filed?

The SPEAKER pro tempore. Yes, it has been.

Mr. GEIST. In a timely fashion?

The SPEAKER pro tempore. If we suspend the rules to consider it, there is not a timely fashion.

Mr. GEIST. Madam Speaker, I would rise to oppose the suspension of the rules.

It is very important that we get this bill back to the Senate today so that the Governor can sign it and we can get about the business of saving teenage lives.

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

Mr. READSHAW. Madam Speaker, I believe precedent has already been set in consideration of this bill with Representative Vitali's amendment.

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

The following roll call was recorded:

YEAS—83

Barrar	Gannon	Melio	Staback
Bebko-Jones	George	Michlovic	Stetler
Belardi	Gigliotti	Mundy	Strittmatter
Bishop	Gordner	Nickol	Sturla
Blaum	Grucela	Pesci	Surra
Buxton	Gruitza	Petrarca	Tangretti
Cappabianca	Haluska	Petrone	Thomas
Cam	Harhai	Pistella	Tigue
Cawley	Herman	Preston	Travaglio
Cohen, M.	Horsey	Ramos	Trello
Colafella	Kaiser	Readshaw	Trich
Corrigan	Laughlin	Reinard	Van Home
Costa	Lescovitz	Roberts	Veon
Coy	Levdansky	Robinson	Vitali
Curry	Lucyk	Roebuck	Walko
Dermody	Manderino	Rooney	Waters
DeWeese	Mann	Ruffing	Williams
Eachus	Markosek	Sainato	Wojnaroski
Evans	Mayemik	Scrimenti	Yewcic
Frankel	McCall	Shaner	Yudichak
Freeman	McIlhinney	Solobay	

NAYS—116

Adolph	Druce	Lynch	Santoni
Allen	Egolf	Maher	Sather
Argall	Fairchild	Maitland	Saylor
Baker	Fargo	Major	Schroder
Bard	Feese	Marsico	Schuler
Barley	Fichter	Masland	Semmel
Bastian	Fleagle	McGeehan	Serafini
Battisto	Flick	McGill	Seyfert
Belfanti	Forcier	McIlhattan	Smith, B.
Benninghoff	Geist	McNaughton	Smith, S. H.
Birmelin	Gladeck	Metcalfe	Stairs
Boyes	Godshall	Micozzie	Steelman
Browne	Habay	Miller, R.	Steil
Bunt	Hanna	Miller, S.	Stern
Butkovitz	Hasay	Myers	Stevenson
Caltagirone	Hennessey	Nailor	Taylor, E. Z.
Casorio	Hershey	O'Brien	Taylor, J.
Chadwick	Hess	Oliver	True
Civera	Hutchinson	Orie	Tulli
Clark	Jadlowiec	Perzel	Vance
Clymer	James	Phillips	Wilt
Cohen, L. I.	Josephs	Pippy	Wogan
Cornell	Keller	Platts	Wright
Dailey	Kenney	Raymond	Youngblood
Daley	Kirkland	Rieger	Zimmerman
Dally	Krebs	Rohrer	Zug
DeLuca	LaGrotta	Ross	
Dempsey	Lawless	Rubley	Ryan,
DiGirolamo	Lederer	Samuelson	Speaker
Donatucci	Leh		

NOT VOTING—2

Armstrong	Harhart
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EXCUSED—2

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

On the question recurring,

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

The SPEAKER pro tempore. The Chair recognizes the gentlelady from Berks County, Mrs. Miller.

Mrs. MILLER. Thank you, Madam Speaker.

Would the sponsor of this legislation stand for a brief interrogation?

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

Mrs. MILLER. Madam Speaker, on page 19 of this legislation, there is language that has been added that deals with vehicles hauling raw water from a spring to a bottling facility. My question is, does this new language make it easier for this type of business to receive a permit from the Department of Transportation; does it open additional township roads for this kind of vehicle traffic? Madam Speaker, this is a grave concern to a lot of rural areas that are witnessing an increase in this type of enterprise and in exporting of their valuable groundwater. So, Madam Speaker, I would like to know whether this makes it easier for this type of enterprise to become active in an area.

Mr. GEIST. My answer would be no, because all it does is clarify the permit process that was already in place. We were able to do a lot of this for the milk haulers and others in this State to clarify their permitting process, and this is a spring-to-processing-plant permit, and I believe all it does is clarify that process. I do not think it makes it any easier at all.

Mrs. MILLER. Madam Speaker, I appreciate the fact that it may be clarified for those vehicle haulers. However, I am still not certain as far as how this clarifies it.

Mr. GEIST. What it does is change it from a daily to an annual, and that process is going on within the department now and in a reorientation of the permitting process in this State. One of the reasons that different industries have been coming to the General Assembly is because of the difficulties involved in the bureaucracy at PennDOT. It does not change anything that is currently involved in the permitting.

Mrs. MILLER. Okay. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Madam Speaker.

I would also like to ask the maker of this bill a question, if at all possible.

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

Mr. BENNINGHOFF. Thank you.

We have heard a lot of talk on this bill earlier, and one of the questions was about whether there is a restriction in driving in the left lane versus the right lane; is the left lane only going to be used as a passing lane?

I am reading page 14, the top of the page, and it sounds to me as there is some room for discretion in there. Is that a mandate that absolutely no driving in the left lane — if I am there for any other reason than passing, that I am going to be cited — or is there some room for discretion?

Mr. GEIST. If you read the language — and I would think that the gentleman from Venango County who questioned this — there is a provision there for the signage in Pennsylvania. The gentleman who put this amendment in in the Senate, Senator Fumo, if you were to follow it strictly without logic, you would have the “Sure-kill” Expressway being one lane. So I believe with the signage option that PennDOT has, that it becomes discretionary.

Mr. BENNINGHOFF. Well, I appreciate that, because I drive through Route 322, and I think statistics will show you that the amount of deaths or accidents that occur on a four-lane like that are very minimal, and most of you probably see very little on your travels through here versus our two-lane roads.

Madam, if I could, I would like one moment just to speak on the bill itself.

The SPEAKER pro tempore. You may proceed.

Mr. BENNINGHOFF. I have been toying with a lot of provisions in this as well as the rest of you, and the originality of this as being a teen driver bill and its impetus is I think the vital part that we need to concentrate.

And again, I also speak as a parent of a child who is 16 and starting to drive. I have had him read every book. I have had him watch a video that “60 Minutes” did on following too close that showed these horrific crashes, but I am telling you, the only element that has the best impact on his driving ability is experience behind the wheel. He has not even asked me to get his license. He turned old enough in April, and he is doing a good job, and it is because every day, every chance he gets, we let him drive. That behind-the-wheel experience is what they need, and not for just a month. You and I need them to have that 6 months of experience.

We talk about the safety of the children. Everything we talk to around here sometimes seems to be always about the children, but I am talking about the safety of every one of you. We are in a high-risk group. We travel these highways every single day, a lot of us putting thousands of miles on a month. I am talking about the safety of your parents, your families, your wives, and, yes, your own children.

I want these kids to be prepared. Only a little over 250 of our school districts provide driver’s education anymore. Many of us grew up driving on farms or driving in people’s fields. We had some experience behind the wheel. Madam Speaker, we have cars that accelerate from 0 to 60 in seconds, front-wheel drive, and a lot of difficulties. I think we need this.

And finally, I am one of those individuals that Representative Stairs spoke about. I have knocked on more doors at 3 o’clock in the morning to tell parents that their only child was not coming home. But, you know, there is not a difference whether I told them that their only child or their wife or their mother or their grandfather who happened to just be riding down the road to get a couple oranges was just taken out in an accident. That loss, that permanency, that absence in your life is forever. So for 6 months of inconvenience and a little bit of responsibility, I do not think there is much choice there.

I think this is a good idea. I think we are putting responsibility where it needs to be. Our young people need to know that they are driving a 4,000-pound vehicle that accelerates very quickly down the road. That is not a privilege; that is a responsibility, and that is where the responsibility needs to be, on the driver.

Please think very carefully about this. We are all susceptible to this every day, and so are our families. Thank you very much, Madam Speaker.

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bucks County, Mr. Reinard.

Mr. REINARD. Thank you, Madam Speaker.

Madam Speaker, HB 10, its contents and the amendments inserted by the Senate have been before this body on two different occasions, and on both occasions we in the House have been unable to offer our opinions via any source of amendments.

At this time I would like to ask the House's indulgence so I may offer two amendments, the first being amendment A2986, which deals with the effective date of this bill.

The SPEAKER pro tempore. The gentleman from Bucks County, Mr. Reinard, moves that the rules of the House be suspended in order for him to be able to offer amendment A2986.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the question of suspension, the Chair recognizes the gentleman, Mr. Geist.

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

For all the reasons that we have opposed in the past, we oppose this suspension of the rules.

The SPEAKER pro tempore. On the question of suspension, the leader determines who will speak.

Are you speaking for the leader, Mr. Battisto? You may proceed.

Mr. BATTISTO. Madam Speaker, I rise to oppose suspension of the rules. We need to vote this bill as soon as possible, so I ask the entire House to not suspend the rules.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—83

Bastian	Freeman	Mann	Stevenson
Bebko-Jones	Gannon	Marsico	Sturla
Belardi	George	McCall	Surra
Belfanti	Gladeck	McIlhinney	Tangretti
Birmelin	Godshall	McNaughton	Taylor, J.
Bishop	Gordner	Michlovic	Thomas
Caltagirone	Grucela	Petrarca	Tigue
Cappabianca	Gruitza	Petrone	Travaglio
Cawley	Habay	Pistella	Trello
Clymer	Haluska	Preston	Trich
Cohen, M.	Hanna	Readshaw	Van Home
Colafella	Harhai	Reinard	Veon
Corrigan	Kaiser	Roberts	Vitali
Costa	Kenney	Robinson	Walko
Coy	Laughlin	Rooney	Williams
Curry	Lawless	Sainato	Wilt
Dermody	Leh	Shaner	Wogan
DeWeese	Levdansky	Staback	Wojnaroski
DiGirolamo	Lucyk	Steelman	Wright
Eachus	Lynch	Steil	Yewcic
Evans	Manderino	Stetler	

NAYS—114

Allen	Fairchild	Major	Rublely
Argall	Fargo	Markosek	Ruffing
Armstrong	Feese	Masland	Samuelson
Baker	Fichter	Mayernik	Santoni

Bard	Fleagle	McGeehan	Sather
Barley	Flick	McGill	Saylor
Barrar	Forcier	McIlhattan	Schroder
Battisto	Frankel	Melio	Schuler
Benninghoff	Geist	Metcalfe	Semmel
Blaum	Gigliotti	Miller, R.	Serafini
Boyes	Harhart	Miller, S.	Seyfert
Browne	Hasay	Mundy	Smith, B.
Bunt	Hennessey	Myers	Smith, S. H.
Butkovitz	Herman	Nailor	Solobay
Buxton	Hershey	Nickol	Stairs
Carn	Hess	O'Brien	Stern
Casorio	Horsey	Oliver	Strittmatter
Chadwick	Hutchinson	Orie	Taylor, E. Z.
Civera	Jadlowiec	Perzel	True
Clark	James	Pesci	Tulli
Cohen, L. I.	Josephs	Phillips	Vance
Cornell	Keller	Pippy	Waters
Dailey	Kirkland	Platts	Youngblood
Dally	Krebs	Ramos	Yudichak
DeLuca	LaGrotta	Raymond	Zimmerman
Dempsey	Lederer	Rieger	Zug
Donatucci	Lescovitz	Roebuck	
Druce	Maher	Rohrer	Ryan,
Egolf	Maitland	Ross	Speaker

NOT VOTING—4

Adolph	Daley	Micozzie	Scrimenti
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EXCUSED—2

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

On the question recurring,

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair again recognizes the gentleman from Bucks County, Mr. Reinard.

Mr. REINARD. Thank you again, Madam Speaker.

Madam Speaker, I have a second amendment which I would like to ask the House for their indulgence on for the opportunity for the first time for any House member to amend HB 10.

This amendment, A2987, deals with a reduction in the number of hours and the reduction in the number of months necessary. Thank you.

The SPEAKER pro tempore. The gentleman from Bucks County, Mr. Reinard, moves that the House suspend the rules in order for him to be able to offer amendment A2987.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that question, the question of suspension, the Chair recognizes the gentleman from Blair County, Mr. Geist.

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

We would also oppose the suspension at this time just as we have for all amendments.

The SPEAKER pro tempore. On the question of suspension, the Chair again recognizes the gentleman, Mr. Battisto.

Mr. BATTISTO. Thank you, Madam Speaker.

Madam Speaker, I also oppose suspension of the rules. In fact, this amendment would strike at the very heart of the bill. So I vigorously oppose suspension.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—87

Bastian	Frankel	McCall	Stetler
Bebko-Jones	Freeman	McIlhinney	Stevenson
Belardi	Gannon	Michlovic	Sturla
Belfanti	George	Nickol	Surra
Birmelin	Gladeck	O'Brien	Tangretti
Caltagirone	Godshall	Pesci	Taylor, J.
Cappabianca	Gordner	Petrarca	Thomas
Cawley	Grucela	Petrone	Tigue
Clark	Gruitza	Pistella	Travaglio
Clymer	Habay	Preston	Trello
Cohen, M.	Haluska	Ramos	Trich
Colafella	Hanna	Readshaw	Van Home
Corrigan	Harhai	Reinard	Vitali
Costa	Kenney	Roberts	Walko
Coy	Laughlin	Robinson	Williams
Curry	Lawless	Rooney	Wilt
Dermody	Leh	Sainato	Wogan
DeWeese	Lucyk	Scrimenti	Wojnaroski
DiGirolamo	Maitland	Shaner	Wright
Druce	Manderino	Staback	Yewcic
Eachus	Mann	Steelman	Yudichak
Evans	Marsico	Steil	

NAYS—113

Adolph	Egolf	Lynch	Ruffing
Allen	Fairchild	Maher	Samuelson
Argall	Fargo	Major	Santoni
Armstrong	Feese	Markosek	Sather
Baker	Fichter	Masland	Saylor
Bard	Fleagle	Mayemik	Schroder
Barley	Flick	McGeehan	Schuler
Barrar	Forcier	McGill	Semmel
Battisto	Geist	McIlhattan	Serafini
Benninghoff	Gigliotti	McNaughton	Seyfert
Bishop	Harhart	Melio	Smith, B.
Blaum	Hasay	Metcalfe	Smith, S. H.
Boyes	Hennessey	Micozzie	Solobay
Browne	Herman	Miller, R.	Stairs
Bunt	Hershey	Miller, S.	Stern
Butkovitz	Hess	Mundy	Strittmatter
Buxton	Horsey	Myers	Taylor, E. Z.
Carn	Hutchinson	Nailor	True
Casorio	Jadlowiec	Oliver	Tulli
Chadwick	James	Orie	Vance
Civera	Josephs	Perzel	Veon
Cohen, L. J.	Kaiser	Phillips	Waters
Cornell	Keller	Pippy	Youngblood
Dailey	Kirkland	Platts	Zimmerman
Daley	Krebs	Raymond	Zug
Dally	LaGrotta	Roebuck	
DeLuca	Lederer	Rohrer	Ryan,
Dempsey	Lescovitz	Ross	Speaker
Donatucci	Levdansky	Rubleby	

NOT VOTING—1

Rieger

EXCUSED—2

Snyder

Washington

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

On the question recurring,

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

MOTION TO RECOMMIT

The SPEAKER pro tempore. The Chair again recognizes the gentleman from Bucks County, Mr. Reinard.

Mr. REINARD. Thank you very much, Madam Speaker.

I appreciate your indulgence and that of the House.

I am not in any way attempting to delay this bill for any other purpose but to make HB 10 a better bill, and for that reason I would like to make a motion that HB 10, along with its Senate amendments, be rereferred to the House Insurance Committee to review the insurance provisions of this act that were under much debate today by many members who have not had the opportunity to offer any amendments or address those subsections, and I ask the House's support.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the question of referral to the House Insurance Committee, the Chair recognizes the gentleman from Blair County, Mr. Geist.

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

We would oppose that motion.

This bill has been worked on for 4 years. We have had tremendous input from all throughout the industry, and it is time that we passed it, sent it back to the Senate, and sent it to the Governor for signatures so we can be about the business of saving young lives.

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

Mr. BATTISTO. Thank you, Madam Speaker.

I also oppose referring this bill to the Insurance Committee. We have discussed this bill for a long time. The task force has fashioned, I think, a bill focusing on child safety, and we have got to vote it today, right now. Thank you very much.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—82

Adolph	Eachus	Lucy	Sainato
Bastian	Evans	Lynch	Scrimenti
Bebko-Jones	Fichter	Manderino	Shaner
Belardi	Flick	McIlhinney	Staback
Belfanti	Forcier	Michlovic	Steelman
Birmelin	Frankel	Micozzie	Stetler
Buxton	Freeman	Nailor	Sturla
Caltagirone	Gannon	O'Brien	Surra
Cappabianca	Gladeck	Pesci	Tigue
Casorio	Godshall	Petrarca	Travaglio
Cawley	Gordner	Petrone	Trich
Civera	Grucela	Pistella	Van Home
Clark	Gruitza	Preston	Vitali
Clymer	Haluska	Ramos	Walko
Cohen, M.	Hanna	Readshaw	Wilt
Colafella	Harhai	Reinard	Wogan
Costa	Kaiser	Roberts	Wojnarowski
Curry	Kenney	Robinson	Wright
Dermody	Laughlin	Rooney	Yewcic
DeWeese	Lawless	Ruffing	Yudichak
DiGirolamo	Levdansky		

NAYS—117

Allen	Fargo	Marsico	Schroder
Argall	Feese	Masland	Schuler
Armstrong	Fleagle	Mayernik	Semmel
Baker	Geist	McCall	Serafini
Bard	George	McGeehan	Seyfert
Barley	Gigliotti	McGill	Smith, B.
Barrar	Habay	McIlhattan	Smith, S. H.
Battisto	Harhart	McNaughton	Solobay
Benninghoff	Hasay	Melio	Stairs
Bishop	Hennessey	Metcalfe	Steil
Blaum	Herman	Miller, R.	Stern
Boyes	Hershey	Miller, S.	Stevenson
Browne	Hess	Mundy	Strittmatter
Bunt	Horsey	Myers	Tangretti
Butkovitz	Hutchinson	Nickol	Taylor, E. Z.
Cam	Jadlowiec	Oliiver	Taylor, J.
Chadwick	James	Orie	Trello
Cohen, L. I.	Josephs	Perzel	True
Cornell	Keller	Phillips	Tulli
Cortigan	Kirkland	Pippy	Vance
Coy	Krebs	Platts	Veon
Dailey	LaGrotta	Raymond	Waters
Daley	Lederer	Roebuck	Williams
Dally	Leh	Rohrer	Youngblood
DeLuca	Lescovitz	Ross	Zimmerman
Dempsey	Maher	Rubley	Zug
Donatucci	Maitland	Samuelson	
Druce	Major	Santoni	Ryan,
Egolf	Mann	Sather	Speaker
Fairchild	Markosek	Saylor	

NOT VOTING—2

Rieger Thomas

EXCUSED—2

Snyder Washington

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 concur in Senate amendments as amended by the Rules Committee?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, for the second time.

Mr. COHEN. Thank you, Madam Speaker.

Madam Speaker, the CBS commentator, Eric Sevareid, used to say that the main cause of problems is solutions. This is an example of a solution that causes a lot of problems.

I would like to reemphasize just a couple of points. First, when I first came here in the 1970s, the general theory of punishments was that kids ought to be punished less for the same offense than adults on the grounds that we ought to be sympathetic to them and realize they make mistakes and they have less capacity than adults, so therefore, they ought to be punished less for the same offense. And then district attorneys throughout the State felt that that was wrong, that we ought to judge people by the offense they commit, and a 16-year-old or a 15-year-old or a 17-year-old who committed an offense ought to be treated the same way as everybody else; everybody ought to be treated the same regardless of age, and that has been pretty much the philosophy now. We have pretty much gotten rid of the vast majority of all favorable treatment if not every single act of favorable treatment, and pretty much now every offense is judged by what it is, and a kid gets treated the same way as an adult.

Now that we have treated kids equally and gotten rid of the favorable treatment, now comes the cry, we have got to be more severe on kids; we have got to treat them tougher than anyone else, and this bill for the first time that I can remember, on page 10 when it defines part of the offense of having your license suspended as being under 18, treats kids tougher than everyone else, and on page 10, as previous speakers have noted, somebody under 18 who travels 26 miles per hour over the speed limit automatically gets suspended and an adult who is over 18 would not get suspended for committing that, and a person under 18 who accumulates 6 points is automatically suspended; an adult needs 12 points.

Now, I want to say, before there are huge numbers of these bills, that I am concerned about the sense of piling on young people, especially young people who cannot vote. That just seems to me to be unfair and in total contradistinction to the direction in which we ought to be going.

I would also say, Bud George had made these comments earlier, and I totally agree with Bud George.

I would also say that right now the Democratic Policy Committee recently heard testimony on racial profiling, and we heard expert testimony that on a given trip on highways anywhere in the country at any given time, somewhere between 93 and 98 percent of the people, according to different studies, violate one or more traffic laws; between 93 and 98 percent of the people already violate one or more traffic laws. And now we have the law that driving on the left lane without passing a car is in itself an offense under the Vehicle Code, and if it was 93 to 98 percent before, I am sure it is going to go up at least a few points more when this passes. Now, when you have a situation in which everybody is violating a law and only a small number of people are punished, that leads to both arbitrary enforcement actions by the police and it leads to a belief among the public that the police actions are illegitimate because the actions of the police are entirely arbitrary.

And for these reasons and for the other reasons stated, I am voting against this bill, and I urge others to do likewise. Thank you.

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

The SPEAKER. The Chair thanks the gentleman.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair at this time is about to declare a recess for a period of 1 hour to give members an opportunity to have lunch.

I have talked to the gentleman, Mr. Geist, with respect to taking this bill and putting it over temporarily until later in the session so that the bills that must go to the Senate today are acted upon here in the House and then return to this bill. There are still five speakers on this measure, and they will continue in their proper place and be recognized when we return to this bill. On the return from the luncheon break, I will move the bill over temporarily.

We have made arrangements with the cafeteria that it stay open until 3 o'clock.

Please, this is going to be a long session. Please, at 3 o'clock come back on the floor so that we can begin promptly.

Does the majority leader or minority leader have any further business?

Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, respectfully, if it is determined by the majority party that the votes for vouchers are absent, will the session still be as long as you have opined?

The SPEAKER. I think so.

Mr. DeWEESE. Thank you.

RECESS

The SPEAKER. The majority leader or minority leader, any further business?

This House will stand in recess until 3 o'clock.

AFTER RECESS

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

CONSIDERATION OF HB 10 CONTINUED

BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, HB 10, PN 2065, is temporarily over.

ACTUARIAL NOTE

The SPEAKER. The Chair acknowledges receipt of an actuarial note for amendment No. 2902 to SB 309, PN 1187.

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

SENATE MESSAGE

**AMENDED SENATE BILL RETURNED
FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 366, PN 1234**.

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

SUPPLEMENTAL CALENDAR C

RESOLUTIONS PURSUANT TO RULE 35

Mr. GODSHALL called up **HR 221, PN 2106**, entitled:

A Resolution commemorating September 17, 1999, as the 212th birthday anniversary of the Constitution of the United States and designating the week of September 17 through 23, 1999, as "Constitution Week 1999" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

Daley	Laughlin	Robinson	Wojnaroski
Dally	Lawless	Roebuck	Wright
DeLuca	Lederer	Rohrer	Yewcic
Dempsey	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Yudichak
DeWeese	Levdansky	Rublely	Zimmerman
DiGiroloamo	Lucyk	Ruffing	Zug
Donatucci	Lynch	Sainato	
Druce	Maher	Samuelson	Ryan,
Eachus	Maitland	Santoni	Speaker
Egolf	Major	Sather	

NAYS—0

NOT VOTING—0

EXCUSED—2

Snyder Washington

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

Mr. STEVENSON called up **HR 222, PN 2107**, entitled:

A Resolution designating September 19 through 25, 1999, as "Yellow Ribbon Youth Suicide Awareness and Prevention Week" in Pennsylvania.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—201

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

Cornell	Kaiser	Ramos	Vitali
Corrigan	Keller	Raymond	Walko
Costa	Kenney	Readshaw	Waters
Coy	Kirkland	Reinard	Williams
Curry	Krebs	Rieger	Wilt
Dailey	LaGrotta	Roberts	Wogan
Daley	Laughlin	Robinson	Wojnaroski
Dally	Lawless	Roebuck	Wright
DeLuca	Lederer	Rohrer	Yewcic
Dempsey	Leh	Rooney	Youngblood
Dermody	Lescovitz	Ross	Yudichak
DeWeese	Levdansky	Rublely	Zimmerman
DiGiroloamo	Lucyk	Ruffing	Zug
Donatucci	Lynch	Sainato	
Druce	Maher	Samuelson	Ryan,
Eachus	Maitland	Santoni	Speaker
Egolf	Major	Sather	

NAYS—0

NOT VOTING—0

EXCUSED—2

Snyder Washington

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

GUEST INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today a special guest, Vincent Locketto, who is serving as a guest page. He is the son of Fred Locketto and the son of Lori Locketto, who works in John Perzel's office. Would the guest, Vincent, please rise. The proud father led the applause.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 970, PN 1100**, entitled:

An Act amending the act of June 30, 1981 (P.L.128, No.43), entitled Agricultural Area Security Law, providing for the allocation of moneys appropriated for the supplemental agricultural easement purchase programs; and making a repeal.

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

The SPEAKER. The Chair recognizes the gentleman, Mr. George, who offers amendment A2674.

The Chair understands from a conversation with the gentleman, Mr. George, that this amendment is withdrawn. Is that accurate? Amendment 2674 is withdrawn.

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

Mr. CHADWICK offered the following amendment No. A2826:

Amend Title, page 1, lines 1 through 5, by striking out all of said lines and inserting

Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," establishing a bureau within the Department of Corrections; providing for the administration of inmate training and education; establishing an Inmate Education Advisory Committee; providing for the transfer and retirement membership of certain employees; providing for investment powers of the Treasury Department; providing for a supplemental agricultural conservation easement purchase program in the Department of Agriculture; further providing for the powers and duties of the Environmental Quality Board; transferring functions relating to services for individuals who are blind or visually impaired; further providing for utilization of the Capitol Annex; affecting certain reorganization plans; and making repeals.

Amend Bill, page 1, lines 8 through 19; page 2, lines 1 through 30; page 3, lines 1 through 12, by striking out all of said lines on said pages and inserting

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding sections to read:

Section 900-B. Definitions.—As used in this article:

"Inmate education and training" means the provision of services relating to the academic or vocational instruction, including special education, of inmates incarcerated in a State correctional institution.

"State correctional institution" means a correctional facility, jail or prison owned or operated by the Department of Corrections.

Section 905-B. Establishment of Bureau.—There is hereby established a separate bureau within the Department of Corrections which bureau shall provide centralized administrative services relating to inmate education and training, including:

(1) Provision of education and training.

(2) Staff supervision to include staff discipline in accordance with applicable collective bargaining agreements, department policies and principles of due process.

(3) Curriculum and program development and related matters.

Section 906-B. Responsibilities.—The bureau established under section 905-B shall provide academic education, vocational education, recreation services, library services and special education for school-age inmates and adult inmates incarcerated in State correctional institutions in accordance with law.

Section 907-B. Funding.—Funding for the operation of the bureau established under section 905-B shall be included in the line item for inmate education and training in the General Appropriations Act.

Section 908-B. Transfer and Regulations.—(a) The following shall be included as part of the transfer of responsibilities to the Department of Corrections under this article: all personnel, allocations, unexpended balances of appropriations, fixed assets, equipment, files, records,

contracts, agreements, obligations and other materials and supplies owned, employed or expended by the Department of Education in connection with the provision of inmate education and training. All allocations and appropriations shall have the same force and effect as if they had been made to the Department of Corrections for purposes of inmate education and training. All contracts, agreements and obligations shall have the same force and effect as if they had been executed or incurred by the department.

(b) Existing regulations, policies and other documents and all actions of the Department of Education relating to the provision of inmate education and training shall remain in effect until the department amends the regulation, document or other action.

Section 909-B. Certificates of Education Completion.—The Department of Education shall issue all Commonwealth secondary school diplomas and endorse or sponsor all other academic or vocational certificates of completion for inmates.

Section 910-B. Local Educational Agency.—The bureau established under section 905-B shall be deemed to be a local educational agency for purposes relating to educational services provided for school-age inmates and adult inmates and for purposes of obtaining Federal funding.

Section 911-B. Advisory Committee.—(a) An Inmate Education Advisory Committee is hereby established to advise and make recommendations to the Department of Corrections regarding the provision of inmate education and training.

(b) The committee shall consist of seven members as follows:

(1) The Secretary of Corrections or a designee.

(2) The Secretary of Education or a designee, who shall act as chairman.

(3) One full-time educator who teaches in a State correctional institution appointed by the Secretary of Corrections in consultation with the employe organization representing teachers in the department.

(4) Two members with experience in academic, vocational or special education appointed by the Secretary of Education.

(5) Two members with experience in academic, vocational or special education appointed by the Secretary of Corrections.

Section 912-B. Employment.—(a) All employes of the Department of Education transferred to the Department of Corrections under this article shall, subject to collective bargaining, retain the same pay scales, salaries, wages and seniority and other benefits, except as provided in section 913-B.

(b) (1) Employes who provide inmate education and training to school-age inmates shall hold appropriate State certification as required by Federal and State law.

(2) Notwithstanding any law to the contrary, time spent teaching adults in a State correctional institution shall be applied toward certification for an Instructional I certificate by the holder of an Instructional I certificate.

(c) (1) Teachers and other certified staff providing inmate education and training for school-age and adult inmates shall be considered professional employes working in an educational setting under the act of July 23, 1970 (P.L.563, No.195), known as the "Public Employe Relations Act," and under the internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 403(b)) regarding entitlement to tax benefits.

(2) Teachers and other certified staff providing inmate education and training shall not be considered professional employes under section 1101 or any other provision of the act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949," unless otherwise specified under this section.

(d) Certified teachers or other certified staff employed to provide inmate education and training shall be subject to section 5(a)(11) of the act of December 12, 1973 (P.L.397, No.141), referred to as the Teacher Certification Law.

(e) All existing civil service classifications relating to the provision of inmate education and training within the Department of Education shall apply to personnel providing inmate education and training within the Department of Corrections.

Section 913-B. Retirement.—(a) An employe who is transferred under section 908-B and who on the effective date of this section participates in an independent retirement program approved by the Department of Education under 24 Pa.C.S. § 8301(a)(1) (relating to mandatory and optional membership) or 71 Pa.C.S. § 5301(a)(12) (relating to mandatory and optional membership) or is a member of the Public School Employees' Retirement System under 24 Pa.C.S. § 8301(a)(1) or 71 Pa.C.S. § 5301(a)(12), shall be deemed to be a school employe under 24 Pa.C.S. Pt. IV (relating to retirement for school employes) or 71 Pa.C.S. Pt. XXV (relating to retirement for State employes and officers) and shall continue to participate in the authorized independent retirement program or the Public School Employees' Retirement System, as the case may be. The Department of Corrections shall approve the program as an independent retirement program under 71 Pa.C.S. § 5301(a)(12) for participating transferred employes. The department shall be considered an employer, as defined under 24 Pa.C.S. § 8102 (relating to definitions), of a transferred employe who is a member of the Public School Employees' Retirement System.

(b) (1) Notwithstanding any other provision of law or any collective bargaining agreement, arbitration award, contract or term or condition or any retirement system or pension plan, an employe who on the effective date of this section is an active member or inactive member of the Public School Employees' Retirement System shall have a one-time election to do one of the following:

(i) Become a member of the State Employees' Retirement System and transfer all credited service and accumulated deductions in the Public School Employees' Retirement System to the State Employees' Retirement System.

(ii) Become a member of the State Employees' Retirement System, retaining credited service and accumulated deductions in the Public School Employees' Retirement System. The employe may elect multiple service at the same time as an election under this subclause.

(2) The election shall be made within ninety (90) days of the effective date of this act, but before termination of school service, by submitting an election form to the personnel officer of the department. The date the election is submitted to the department shall be the effective date of the election. The department shall notify both the Public School Employees' Retirement System and the State Employees' Retirement System of the election.

(3) If a member elects to transfer credited service from the Public School Employees' Retirement System to the State Employees' Retirement System, all classes of school and nonschool service credited in the Public School Employees' Retirement System shall be transferred to the State Employees' Retirement System and credited in the appropriate classes of State and nonstate service, respectively. School service which would have been service as a corrections officer as defined in 71 Pa.C.S. § 5102 (relating to definitions) had the employe been a member of the State Employees' Retirement System at the time it was performed shall be credited as corrections officer service. Transferred service shall no longer be considered school or nonschool service for any purpose, but shall be considered State and nonstate service for all purposes. Within sixty (60) days of an election under this subsection, the Public School Employees' Retirement System shall transfer to the State Employees' Retirement System for each transferred member the total accumulated member contributions and statutory interest, plus an amount equal to the value of all annual employer contributions with interest at the annual rate adopted by the State Employees' Retirement Board for the calculation of the normal contribution rate under 71 Pa.C.S. § 5508(b) (relating to actuarial cost method), from the date of each contribution to the date of the transfer of the funds to the State Employees' Retirement Board. A debt to the Public School Employees' Retirement System shall be transferred to the State Employees' Retirement System and shall be paid in a manner and in accordance with conditions prescribed by the State Employees' Retirement Board.

(4) The State Employees' Retirement Board shall determine the total additional actuarial accrued liability resulting from transfers under

this subsection as part of the first annual valuation made after June 30, 1999. The department shall pay the amount of the additional actuarial accrued liability to the State Employees' Retirement Board in one lump sum within ninety (90) days of the board's certification of the amount to the department.

(5) The provisions of 71 Pa.C.S. Pt. XXV shall apply to all benefits, rights and obligations under this article.

Section 914-B. Existing Contracts.—(a) Subject to subsections (b) and (c), nothing in this article shall be construed to supersede or alter any collective bargaining agreement in effect on the effective date of this section or any collective bargaining unit recognition or certification issued by the Pennsylvania Labor Relations Board. References to the Department of Education in a collective bargaining agreement or document recognizing or certifying the collective bargaining unit shall after the effective date of this section be deemed to refer to the Department of Corrections.

(b) All provisions in the collective bargaining agreement specifically applicable to individuals employed by the Department of Corrections prior to the effective date of this section shall continue to apply to those individuals.

(c) All provisions in the collective bargaining agreement specifically applicable to individuals employed by the Department of Education prior to the effective date of this section shall continue to apply to individuals transferred under this article.

Section 1101.1. Investment Powers.—(a) The power of the Treasury Department to invest moneys, as provided in the act of April 9, 1929 (P.L.343, No.176), known as "The Fiscal Code," shall include the power to hold, purchase, sell, assign, transfer and dispose of any securities, including the following:

(1) Equity securities.

(2) Mutual funds consisting in whole or in part of equity securities.

(b) This section shall expire December 31, 2004.

Section 1716. Supplemental Agricultural Conservation Easement Purchase Program.—(a) There is established the Supplemental Agricultural Conservation Easement Purchase Program. Funds appropriated for the program shall be allocated by the State Agricultural Land Preservation Board in accordance with the following:

(1) Except as provided in clauses (2) and (3), funds may be allocated to eligible counties in accordance with section 14.1(h)(8.1) and (8.2) of the act of June 30, 1981 (P.L.128, No.43), known as the "Agricultural Area Security Law," for any purpose authorized under that act.

(2) For the fiscal year July 1, 1999, to June 30, 2000, up to five hundred thousand dollars (\$500,000) may be allocated to provide technical assistance to eligible counties or groups of eligible counties regarding long-term installment purchases of agricultural conservation easements in this Commonwealth. Eligible counties shall file an application with the State Agricultural Land Preservation Board to receive reimbursement or payment under this clause. Technical assistance may include department contracts with individuals with legal or financial expertise to assist eligible counties under this clause. Funds may be used for administrative expenses of the department incurred under this clause. Funds allocated under this clause may be spent over a period of two (2) years.

(3) For the fiscal year July 1, 1999, to June 30, 2000, up to five hundred thousand dollars (\$500,000) may be allocated to reimburse land trusts for expenses incurred to acquire agricultural conservation easements, as defined in the Agricultural Area Security Law, in this Commonwealth. Eligible expenses shall include the cost of appraisals, legal services, title searches, document preparation, title insurance, closing fees and survey costs. Reimbursement shall be limited to five thousand dollars (\$5,000) per easement. Funds may be used for administrative expenses of the department incurred under this clause. Funds allocated under this clause may be spent over a period of two (2) years. In order to be eligible under this clause, a land trust must:

(i) be a tax exempt institution under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C.

§ 501(c)(3)) and include the acquisition of agricultural or other conservation easements in its stated purpose:

(ii) register with the State Agricultural Land Preservation Board;

(iii) coordinate with the farmland preservation activities of the county if the farmland preservation activity occurs in an eligible county or coordinate with the activities of the State Agricultural Land Preservation Board if the activity does not occur in an eligible county;

(iv) submit an application to the board with a statement of costs incidental to the acquisition, the deed of easement and any other documentation required by the board within sixty (60) days of closing on the easement.

(b) An account is established in the Agricultural Conservation Easement Purchase Fund created under section 7.2 of the "Agricultural Area Security Law," to be known as the Supplemental Agricultural Conservation Easement Purchase Account. All funds appropriated to the Supplemental Agricultural Conservation Easement Purchase Program shall be deposited in the account for allocation under this section.

(c) Funds allocated under subsection (a) that are unexpended or unencumbered at the conclusion of two (2) fiscal years shall be restored to the Supplemental Agricultural Conservation Easement Purchase Account. If no funds are appropriated to the program in the two (2) fiscal years prior to the restoration of allocated funds under this subsection, the restored funds shall be transferred to the Agricultural Conservation Easement Purchase Fund for allocation under the "Agricultural Area Security Law."

Section 2. Section 1920-A of the act is amended by adding a subsection to read:

Section 1920-A. Environmental Quality Board.—* * *

(g.1) The board may adopt such financial responsibility requirements, by regulation, for owners or operators of hazardous waste storage facilities, solid waste treatment, processing and disposal facilities and beneficial use activities, as necessary or desirable for closure of the facility, post-closure monitoring and maintenance and remedial measures, sudden accidental occurrences and nonsudden accidental occurrences. The financial responsibility regulations shall be consistent with the Federal financial responsibility requirements established under sections 3004 and 4004 of the Resource Conservation and Recovery Act of 1976 (Public Law 94-580, 42 U.S.C. § 6924, et seq.). The department may substitute compliance with the financial responsibility requirements established by the board by regulations under this subsection for compliance with the bonding requirements established under section 505(a) of the act of July 7, 1980 (P.L.380, No.97), known as the "Solid Waste Management Act."

* * *

Section 3. Article XXII of the act is amended by adding a subarticle heading to read:

ARTICLE XXII

POWERS AND DUTIES OF THE DEPARTMENT OF LABOR AND INDUSTRY, ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND DEPARTMENTAL ADMINISTRATIVE OFFICERS

(a) General Provisions

Section 4. Article XXII of the act is amended by adding subarticles to read:

(b) Services for the Blind and Visually Impaired

Section 2221. Definitions.—As used in this subarticle, the following words and phrases shall have the meanings given to them in this section:

"Advisory committee" shall mean the Advisory Committee for the Blind, established in section 2225.

"Blind person" shall mean a person:

(1) whose central acuity does not exceed 20/200 in the better eye with correcting lenses; or

(2) whose visual acuity, if better than 20/200, is accompanied by a limit of the field of vision in the better eye to a degree that its widest diameter subtends an angle of no greater than twenty (20) degrees.

In determining whether an individual is blind, there must be an examination by a physician skilled in diseases of the eye or by an optometrist.

"Bureau" shall mean the administrative unit in the department which provides services to the blind and visually impaired in accordance with this subarticle or subarticle (c).

"Committee" shall mean the Committee of Blind Vendors established in section 2233.

"Department" shall mean the Department of Labor and Industry of the Commonwealth.

"Fund" shall mean the Employment Fund for the Blind established in section 2223.

"Licensee" shall mean an individual licensed under section 2235.

"Rental fee" shall mean the fee fixed by the bureau and the committee for the rental of the snack bar location and equipment.

"State property" shall mean property owned or leased by the State government or an agency of the State government and designated by the bureau as appropriate for participation in the Business Enterprise Program. The term does not include property which is owned or leased for:

(1) rest, recreation and safety rest areas on the national system of interstate and defense highways;

(2) institutions of higher learning except as provided in section 2239; or

(3) institutions of the Department of Corrections.

"Vending facility" shall mean any automatic vending machine, cafeteria, snack bar, shelter, cart or counter, where food, tobacco, newspapers, periodicals or other articles are offered for sale and dispensed automatically or manually.

"Vending machine income" shall mean either of the following:

(1) Receipts, other than those of a licensee, from the operation of vending machines on State property, after cost of goods sold, where the machines are operated, serviced or maintained by or with the approval of the department and the committee.

(2) Commissions paid other than to a licensee by a commercial vending concern which operates, services or maintains vending machines on State property for or with the approval of the department.

Section 2222. Department.—The department has the following powers and duties:

(1) To collect, systematize and transmit to other agencies relevant information in regard to blind and visually impaired persons in this Commonwealth as necessary to improve programs relating to the blind and visually impaired.

(2) To formulate general policy and establish and operate programs within this Commonwealth to:

(i) assist blind and visually impaired persons to gain employment and become self-sufficient;

(ii) increase economic opportunities for blind and visually impaired persons; and

(iii) increase the number and variety of occupations available to blind and visually impaired persons.

(3) To provide for the delivery of comprehensive vocational rehabilitation services, training and other specialized services to blind and visually impaired persons consistent with Federal and State law.

(4) To establish and operate a business enterprise program for persons who are blind in accordance with this subarticle, subarticle (c) and Federal law.

(5) To participate in programs involving the use of vocational rehabilitation to assist in the transition of blind and visually impaired students from school to work.

(6) To take any action and to adopt regulations necessary to facilitate the operation of this subarticle and subarticle (c) and, in furtherance of those objectives, to accept any grants or contributions from the Federal Government or any Federal agency.

Section 2223. Fund.—(a) There is established in the State Treasury a revolving fund to be designated as the Employment Fund for the Blind.

(b) The fund shall be used by the department in carrying out the purposes specified in this subarticle and subarticle (c). This subsection includes all of the following:

(1) Purchase new equipment and replace existing equipment for new and existing vending facilities, including any construction necessary for the installation of equipment or related renovation.

(2) Purchase initial stock and supplies.

(3) Provide training services.

(4) Establish and maintain retirement funds or other appropriate benefits for licensees.

(5) Pay for necessary program operating expenses, including appropriate expenses for the committee.

(c) Money in the fund is hereby appropriated to the department for such purposes and shall be paid without further appropriations under requisition and warrant drawn on the State Treasurer in the usual manner.

Section 2224. Business Enterprises; Equipment; Leases; Repayment.—(a) The department is authorized to purchase, own, install, maintain, license and lease equipment, accessories and vending machines to be used for suitable business enterprises for or on behalf of the blind and to advance to deserving blind persons out of money in the fund reasonable amounts as proper to enable blind persons to purchase the merchandise, equipment, stock and accessories necessary to put into operation a vending or refreshment stand or other suitable business enterprises in some suitable location to be leased or arranged for by the department. Pennsylvania blind veterans of the world wars shall be given first preference for locations established, in accordance with the provisions of the Randolph-Sheppard Act (49 Stat. 1559, 20 U.S.C. § 107 et seq.), and the regulations pursuant to that act.

(b) Business enterprises under subsection (a) must be approved by the department and shall be supervised periodically by the department.

(c) The leases or permits for the installation and operation of stands or other suitable business enterprises under subsection (a) shall be secured by the department in its own name.

(d) Money advanced to a blind person under this subarticle or subarticle (c) shall be repaid by such person in monthly installments, which shall in no case be less than two per centum (2%) of the gross monthly sales made at the stand or business in question.

(e) Equipment and accessories purchased, owned, installed and maintained by the department may be leased to deserving blind persons for an amount not to exceed four per centum (4%) of the gross monthly sales, except in those locations in which the gross monthly sales do not exceed one thousand dollars (\$1,000). Rental in these locations shall not exceed one per centum (1%) of the gross monthly sales. The department shall periodically regulate the rental fees charged to blind persons in accordance with the regulations, in such a manner as to achieve approximate equality of opportunity to blind persons. The department shall transmit all repayments and rental fees into the State Treasury, where they shall be credited to the fund.

(f) The department is authorized to receive and transmit to the State Treasury for credit to the fund all money received by the Commonwealth on account of contracts between the Commonwealth, acting through the Department of General Services, and vending machine owners, whereby the Commonwealth is to receive a percentage of the profits from vending machines operated in State buildings, except for those vending machines in State buildings in which a restaurant or cafeteria is operated by the Department of General Services.

Section 2225. Advisory Committee for the Blind.—(a) There is established an Advisory Committee for the Blind within the department.

(b) The advisory committee shall consist of the director of the bureau and shall include not less than three nor more than nine members appointed by the Governor. The qualifications of the members of the advisory committee shall be determined by the Governor in consultation with the department. The Governor shall appoint members of the advisory committee to represent the professional and lay groups from fields of interest served by programs administered by the bureau.

(c) The term of office of each member shall be six (6) years. Initial appointments to the advisory committee shall be for terms of six (6), four (4) and two (2) years.

(d) (1) A majority of the advisory committee shall constitute a quorum.

(2) The advisory committee shall elect a chairperson.

(3) The advisory committee shall meet at least four times each year.

(c) Little Randolph-Sheppard

Section 2231. Short Title of Subarticle.—This subarticle shall be known and may be cited as the “Little Randolph-Sheppard Act.”

Section 2232. Definitions.—The definitions in section 2221 shall apply to this subarticle.

Section 2233. Committee Established.—The Committee of Blind Vendors is established. The committee shall consist of licensees. The committee shall conduct a biennial election of a president, first vice president and secretary and may conduct elections to fill vacancies in office at any time. The bureau must approve policies, standards and procedures affecting the operation of vending facilities by licensees in consultation and cooperation with the committee. The committee shall actively participate in administrative policy and program development decisions concerning vending facilities operated by licensees.

Section 2234. Blindness and Visual Services.—(a) The bureau has the following powers and duties:

(1) Survey vending facility opportunities on all State property.

(2) License blind persons for the operation of vending facilities on State property.

(3) Provide vending facility equipment and an adequate initial stock of suitable articles to licensees.

(4) Provide the necessary training and supervision to licensees.

(5) Issue appropriate regulations to carry out the provisions of this subarticle.

(6) Collect rental fees and appropriate vending machine income and transmit them to the Treasury Department for deposit in the fund.

(b) The bureau, with active participation by the committee, has the following powers and duties:

(1) Consider and respond to grievances of licensees.

(2) Develop and administer a Statewide system for the transfer and promotion of licensees.

(3) Develop training and retraining programs for licensees and blind persons interested in obtaining a license to operate a vending facility.

(4) Organize meetings and conferences for licensees in this Commonwealth.

(5) Adopt regulations necessary to insure uniform administration of the vending facilities program for licensees. The regulations shall apply uniformly to vending facilities operated by licensees on Federal as well as other public property.

Section 2235. Licensing.—(a) The bureau may issue a license for the operation of a vending facility only to a blind person who is a resident of this Commonwealth; who qualifies for a license under the Randolph-Sheppard Act (49 Stat. 1559, 20 U.S.C. § 107 et seq.); and who is able, after successfully completing all necessary training, to operate a vending facility. Each license shall be for an indefinite period but may be terminated or suspended if, after affording the licensee an opportunity for an appeal under section 2240 to the bureau and the committee, it is determined that the facility is not being operated in accordance with this subarticle.

(b) A license may be terminated or suspended if any of the following apply:

(1) The licensee shows serious or repeated employment-related misconduct or mismanagement of the facility.

(2) The licensee shows continued indebtedness or delinquency in required reporting.

(3) The licensee is incapacitated for an extended period of time to the extent that the licensee cannot conduct the affairs of the facility.

(4) The licensee shows restoration of sight to better than legal blindness, which is the basis of eligibility for participation in the program.

(5) The licensee voluntarily withdraws or resigns from the program.

Section 2236. Veterans Preference.—Pennsylvania blind veterans shall be given preference in placement at their first vending location. This preference shall be applicable only for entry to the program and only in competition with other entering trainees. It may only be used once under the business enterprises regulations as provided for in section 2222(6).

Section 2237. Operation of Vending Facility.—(a) No person in control of the maintenance, operation and protection of State property may offer or grant to any other party a contract or concession to operate a vending facility unless all of the following apply:

(1) The bureau is properly notified to negotiate an agreement with a licensee to operate a vending facility.

(2) The bureau and the committee are not willing or able to establish a vending facility on the property.

(b) If, on the effective date of this subarticle, a vending facility is being operated on State property by a person other than a licensee, when the present contract expires, is terminated or comes up for renewal or upon a change of the maintenance, operation and protection of the property, the person in control shall notify the bureau and attempt to make an agreement with the bureau for a licensee to operate the vending facility. If the bureau determines that a vending facility operated by a full-time licensee is not feasible on State property, the business enterprises program may install vending machines on the property with income accruing under section 2234(a)(6). The contract for the operation of a vending facility shall specify that it shall be operated at a reasonable cost consistent with a fair return, high quality food products or service and reasonable prices.

Section 2238. Income.—Income from existing vending machines on State property and from new or replacement vending machines installed on State property shall accrue to the licensee operating a vending facility on the property or, if there is none, to the fund. The licensee or the bureau, as appropriate, shall be responsible for servicing and maintaining the vending machines from which income is received.

Section 2239. Institutions of Higher Learning.—An institution of higher learning which, on the effective date of this subarticle, is a party to a lease or other contract with a Commonwealth agency entered into under section 2224 may, when the present contract expires, is terminated or comes up for renewal, enter into contract with the bureau for the operation of a vending facility under this subarticle. An institution of higher learning may, at any time, voluntarily participate in the program established by this subarticle.

Section 2240. Appeal.—A person aggrieved by a decision of the bureau under this subarticle may appeal under 2 Pa.C.S. Ch. 7 Subch. A (relating to judicial review of Commonwealth agency action).

Section 5. Section 2402.1 of the act, added December 18, 1992 (P.L.1638, No.180), is amended to read:

Section 2402.1. Utilization of Capitol Annex.—(a) The Department of General Services shall hereby grant exclusive use of the Capitol Annex Building, also known as the Old Museum Building, to the House of Representatives.

(b) [The Speaker of the House of Representatives shall allocate the space in the Capitol Annex Building, also known as the Old Museum Building, for such legislative purposes as he deems necessary.] The Bi-partisan Management Committee of the House of Representatives shall hereafter have the authority to change the allocation of space in the Capitol Annex Building and may allocate and reallocate that space for such legislative purposes as it deems necessary.

(c) Notwithstanding any other provision of law to the contrary, the Capitol Annex Building, also known as the Old Museum Building, shall be used for the legislative purposes of the House of Representatives and not for administrative offices.

(d) The Department of General Services shall commence and complete the repair and renovation of the Capitol Annex Building, also known as the Old Museum Building, on an expedited basis.

Section 6. Nothing in the act of May 21, 1943 (P.L.595, No.259), entitled, as amended, "An act authorizing the Department of Property and Supplies to establish, operate and maintain restaurants, as herein defined,

creating a revolving fund for this purpose, to be known as The State Restaurant Fund; and providing additional duties for the State Treasurer and the Department of Health in connection therewith," shall be construed to deny or prohibit the operation of any refreshment stand in the State Capitol or other State office building by a blind person under the provisions of subarticle (b) or (c) of Article XXII of the act.

Section 7. (a) The subjects of transfer of the Department of Public Welfare relating to Article VIII of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, and the act of December 16, 1986 (P.L.1641, No.187), known as the Little Randolph-Sheppard Act, are transferred to the Department of Labor and Industry with the same force and effect as if they had originally belonged to the Department of Labor and Industry.

(b) The civil service or other employment status of employees of the Department of Public Welfare transferred by subsection (a) shall not be affected by the transfer.

(c) As used in this section, the term "subjects of transfer" means personnel, appropriations, allocations, documents, records, equipment, materials, rights and obligations, utilized or accruing in connection with transferred functions.

Section 8. (a) Section 2 of Reorganization Plan No. 3 of 1977 (P.L.373), is rescinded.

(b) Section 3 of Reorganization Plan No. 3 of 1977 (P.L.373), is rescinded insofar as it is inconsistent with this act.

Section 9. (a) The following acts and parts are repealed:

Section 301.1(i)(2) of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

The second paragraph of section 6 of the act of May 21, 1943 (P.L.595, No.259), entitled, as amended "An act authorizing the Department of Property and Supplies to establish, operate and maintain restaurants, as herein defined, creating a revolving fund for this purpose, to be known as The State Restaurant Fund; and providing additional duties for the State Treasurer and the Department of Health in connection therewith."

Article VIII of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

Act of December 16, 1986 (P.L.1641, No.187), known as the Little Randolph-Sheppard Act.

(b) The following acts and parts of acts are repealed to the extent specified:

As much as relates to the Advisory Committee for the Blind in the Department of Public Welfare in sections 203, 448(1) and 2328 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 10. This act shall take effect July 1, 1999, or immediately, whichever is later.

On the question,

Will the House agree to the amendment?

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

Mr. CHADWICK. Thank you, Mr. Speaker.

This is an omnibus amendment. I guess, for lack of a better term, to clean up a number of loose ends that we need to get done before we break for the summer. Many of the items in this amendment are the result of the budget negotiations and simply require enabling legislation to implement them.

I will go through the different things that the amendment does. First, it does change the bill from an agriculture bill into an Administrative Code bill. That is necessary so that we can accomplish the things that are outlined in the amendment.

The second thing that it does is it changes the management of the Capitol Annex Building from the Speaker of the House to the

Bipartisan Management Committee, which I think is a very good idea.

The third thing that it does is it clarifies the authority of the State Treasurer in the law to invest State moneys in stocks and mutual funds. I believe that authority exists today, but the Treasurer is concerned that the authority to do so is not explicit. This simply makes sure that that authority is explicit, and establishes a 2004 sunset provision so that we can revisit this issue in 5 years to make sure that things are going well there.

The fourth thing that it does involves the Environmental Quality Board. I am not going to spend any time talking about that, because it is my understanding that the distinguished gentleman from Clearfield is going to be making a motion to suspend the rules to offer an amendment to strip that out, which we will agree to.

The next three things that it does — the last three things that it does — are all part of the budget agreement and simply require legislation to conclude them. One of them is to transfer the education programs in our prisons from the Department of Education to the Department of Corrections. There are no changes in the program at all. This is strictly bureaucratic and again is part of the budget agreement.

The sixth thing that it does is it formalizes the \$43 million that was set aside in the budget for agricultural easement purchases, \$42 million of it to go to the counties and then \$1 million that was set aside for projects that the Governor requested — half a million for an installment purchase pilot program and half a million for land trusts. Again, this was part of the budget agreement, and I urge your support for that.

The final thing that the amendment does is that it transfers the Bureau of Blindness and Visual Services from the Department of Public Welfare to the Department of Labor and Industry. The Department of Labor and Industry believes they can do a better job with it. They already have the occupational-vocational rehabilitation programs and job training and think they could do better with that. Again, this is just a bureaucratic change and was part of the budget agreement. So I would urge support for the amendment.

The SPEAKER. On the question of the adoption of the amendment, the Chair recognizes the lady from Berks County, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, I rise today to ask my colleagues to look very carefully at this amendment, particularly in the language that it contains regarding the Agricultural Conservation Easement Purchase Program, and reluctantly I have to ask my colleagues to vote “no” on this amendment. The reason why I am asking for that is because I feel that this is an unnecessary piece of language. In order for us to spend the \$42 million that was appropriated in this year’s budget, the language that is currently contained in the Agricultural Security Law is all that we need to do that.

At the time we passed this budget on May 5 in the House, I raised grave concerns about expanding our Agricultural Security Act to somehow allow for any of the agricultural funds for the Conservation Easement Purchase to go toward private land trusts. That is part of the record and in the Legislative Journal. Unfortunately, what we are seeing before us today in this amendment would do just that.

Mr. Speaker, this language is not necessary, because the Agricultural Security Law already provides for installment

purchases. There are companies out there currently today. The Department of Agriculture is conducting a training program at which time one of these companies is providing this information to county programs free of charge.

In regards to private land trusts, this is an unnecessary administrative cost to a program that could better use these funds to purchase the conservation easements on agricultural land. Currently the law provides for incidental costs to be paid to conservation organizations working with county boards and the State board in providing these conservation easements.

So again, Mr. Speaker, what I am saying is that this is not necessary. This is going far afield from what the Agricultural Area Security Law provided for. It was very deliberately moved into an Administrative Code bill because the Agricultural Security Law does not provide for direct payments to land trusts without going through the Conservation Easement Program at the county and State levels.

So thank you, Mr. Speaker, and I urge my colleagues to vote “no.”

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Montgomery, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker.

Mr. Speaker, I could not have said it any better or articulated the issue as well as the gentlelady from Berks County.

I also rise to object to the Chadwick amendment and would urge the members to oppose it. We are taking valuable dollars from a program that is starved for money right now and putting it for promotion for other uses. Now, they are good uses, mind you, but they need to have their own targeted money. The farmland preservation money must be kept intact, and I would so urge the members, especially those members of the Ag who represent ag interests and come from rural areas, to oppose the Chadwick amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Thomas, desire recognition on this point? The gentleman is recognized.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, would the author of the amendment stand for interrogation?

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I just need some clarification. One, it was my understanding that the budget that we adopted and approved provided for \$42 million and your amendment now speaks to \$43 million. Which is it, \$42 million or \$43 million?

Mr. CHADWICK. Thank you for that question.

The budget provided for \$43 million, of which \$42 million was to go to the counties and \$1 million was to be set aside for these other programs. And again, that was something that was requested by the Governor, and I might add in further answer to the gentleman’s question, we had to fight for that \$43 million, every penny of it. Originally, the Governor’s budget proposal had zero for farmland preservation out of the general appropriations bill. In order for us to get that \$43 million that we all so desperately agreed needed to be done for farmland preservation, we had to agree to allow \$1 million of that \$43 million to go to these projects that the Governor wanted.

My concern, if we do not agree to do this today, the Governor could conceivably — because we made a handshake deal with the Governor to do this — the Governor could conceivably veto this bill, and if he does, we could lose the whole \$43 million and he could lapse the money. It would be totally within the Governor's authority to do that.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, my concern ran to form, not substance. I was only interested in the correct amount.

Mr. CHADWICK. But you gave me a wonderful excuse to elaborate.

Mr. THOMAS. Thank you, Mr. Speaker.

My second concern runs to whether or not your amendment would exclude land from agricultural security designation.

Mr. CHADWICK. The answer is no, and we make no changes whatsoever in the program.

Mr. THOMAS. Thank you, Mr. Speaker. Mr. Speaker, thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Erie County, Mr. Cappabianca.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

I rise and support the gentleman, the majority chairman of Agriculture, in asking for a negative vote on this amendment. We feel that this amendment will strike approximately — no; it will — \$1 million less for farmland preservation, and therefore, we ask for a negative vote on this amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northampton, Mr. Rooney. He waives off.

The Chair recognizes the gentleman from Lancaster, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

Mr. Speaker, I would like to, I guess, clarify a bit what we are discussing here, and there is certainly a lot of truth in everything that everyone is saying. So I am not being critical of the position taken by the gentelady from Berks or the chairmen, both minority and majority chairmen, of the Ag Committee, and the sponsor of the amendment also is quite accurate in the way he described the situation.

But for the benefit of all members, as we negotiated the budget, the issue of farmland preservation was one that I heard from many of our members on both sides of the aisle as being very important. It was a priority that they wanted to see additional money placed in the budget. Some members were willing to have that money provided through a bond issue; others felt that we should be attempting to have additional money in the line item. What we ended up doing — and the sponsor of the amendment has alluded to this — we took the \$22 million that is dedicated from the cigarette tax. That is guaranteed by law to be available today, and that is not in dispute.

In addition to that, we were able to set aside as a line item for the first time, for the first time in the history of the farmland preservation program in Pennsylvania, we now have a line item where we are using taxpayers' money from the General Fund to support farmland preservation, and we are supporting it to the tune of \$43 million.

And, yes, I agree with the gentelady from Berks and with both the chairmen of the Ag Committee, there is \$1 million of that — \$500,000 being used for the pilot program and \$500,000 for the

land trust — which I personally am not supportive of. I mean, if I had my druthers, that would not have been part of the package, but in the process of working with the Senate and with the Governor and all those involved, that was a consensus that we arrived at. When we passed the budget, I think we were very clear in explaining that, and the sponsor of this amendment today is providing a lot of solutions and very necessary implementing legislation for far-, far-reaching issues, issues that go far beyond just the farmland preservation. So I think that at this point to vote against the gentleman's amendment would be rather shortsighted just for this one issue.

I can say that as chairman of the Appropriations Committee, I will certainly be more than willing to work with the gentelady from Berks and with the chairmen, respective chairmen of the Ag Committee, to do what we can in another budget year to reverse what we have done. What is done has been done.

And again, I feel that we should pass this. We should vote for this amendment and move on so that we do not in any way, shape, or form jeopardize the ag preservation program, keeping in mind, for the first time in the history of the program, we are providing \$43 million in General Fund money, taxpayers' money. So I think we have been very, very generous to the program, and it would be shortsighted to do something that may damage that here today.

Thank you very much for the opportunity to at least explain my point of view on it.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Berks County, Mr. Caltagirone.

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

I would just like to request the members on this side of the aisle to please vote in the negative on the Chadwick amendment. This is going to adversely impact on my county, our county from Berks County, and I would respectfully request that you vote "no" on this Chadwick amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

REQUEST TO DIVIDE AMENDMENT

The SPEAKER. The Chair recognizes the lady from Berks, Mrs. Miller, for the second time.

Mrs. MILLER. Mr. Speaker, this is a parliamentary inquiry.

The SPEAKER. The lady will state her point of parliamentary inquiry.

Mrs. MILLER. Mr. Speaker, my inquiry is whether this amendment is divisible.

The SPEAKER. Where would you like to divide it?

Mrs. MILLER. If you bear with me one moment, Mr. Speaker. On page 5, from line 53 and ending at line — I guess is the appropriate way to do it — ending at line 52, and I am not—

The SPEAKER. Starting where? At the very beginning?

Mrs. MILLER. Starting at line 53, I guess is the way to say that.

The SPEAKER. All right. Go ahead; try it.

Mrs. MILLER. Okay. I am going to attempt to explain this. Beginning at line 53 and going through the entire section dealing with the Agricultural Area Security Law on to page 6, ending at line 53 — I am sorry; 51.

The SPEAKER. The amendment is not divisible at that point. It is my understanding that you have conferred with the

Parliamentarian on this, and he informally advised you that that was his opinion. I now make it official.

Mrs. MILLER. Okay.

And, Mr. Speaker, if I may, on that question, the reason why is because I had indicated to the Parliamentarian to strike that entire section, which is why I have come back and asked the question to you, Mr. Speaker, because I was not taking the entire section out, which would then have made the rest of this amendment nongermane.

The SPEAKER. The principal problem you have is the amendment where you would like it divided does not have two sections that would stand on their own. For instance, if you go to page 5, line 53, I believe it was you suggested, there is no section number, there is no page number; there is no way to insert that into another bill where it would— You are not instructing anyone where to put that amendment once you have divided it, and that is the reason it fails.

Mrs. MILLER. Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

Mrs. MILLER. On the amendment?

The SPEAKER. On the amendment.

Mrs. MILLER. Mr. Speaker, I am truly concerned about the idea of creating another pilot. We keep hearing from this administration, oh, we are just going to try this as a pilot. We hear it not only now for farmland preservation but for other issues where the administration understands that there are real grave concerns in the General Assembly.

Again, I ask my colleagues to please support me in voting “no” on this amendment, because it is unnecessary in order to spend the \$42 million that have been appropriated, and if it means losing out on that \$1 million, which I would hope that it would not, that we could continue to have the \$43 million for this very important program, then what I would like to say is at least in a future budget year, that money can be used toward actually preserving the land rather than serving as some kind of administrative cost for a private company or a private land trust. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes, for the second time, the gentleman, Mr. Chadwick.

Mr. CHADWICK. Thank you, Mr. Speaker.

I will be very brief. Apparently, this is the only section that causes anyone any concern.

I want to make sure the members understand that philosophically, I agree with the lady from Berks County. This would not have been my idea either, and just like the chairman of the Appropriations Committee, it is my hope that we can undo this at some point. But we did make an agreement with the Governor to get all \$43 million as part of the budget process, and again I want to reiterate my concern that if we do not honor that agreement, it is conceivable that the Governor could veto the bill and we could lose the entire \$43 million, and I would hate to see that happen. It is a terrible risk; I do not want to take it.

So I urge the members to hold their noses and support this, and then let us get it fixed at a later date.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—75

Adolph	Druce	Lynch	Schuler
Armstrong	Fargo	Maher	Serafini
Baker	Feese	Maitland	Smith, B.
Bard	Fichter	Major	Smith, S. H.
Barley	Fleagle	Marsico	Stairs
Barrar	Flick	McGill	Stern
Birmelin	Gannon	McIlhattan	Stetler
Browne	Geist	McIlhinney	Strittmatter
Buxton	George	McNaughton	Sturla
Chadwick	Gladeck	Mundy	True
Civera	Godshall	Nailor	Tulli
Clymer	Habay	Nickol	Wilt
Cohen, L. I.	Harhart	Perzel	Wogan
Cornell	Hasay	Pippy	Wright
Corrigan	Hennessey	Raymond	Zimmerman
Dailey	Hutchinson	Rooney	Zug
Dally	Jadlowiec	Ross	
Dempsey	Kenney	Samuelson	Ryan,
DeWeese	Lawless	Sather	Speaker
DiGirolamo			

NAYS—124

Allen	Fairchild	Mayernik	Saylor
Argall	Forcier	McCall	Schroder
Bastian	Frankel	McGeehan	Scrimenti
Battisto	Freeman	Melio	Semmel
Bebko-Jones	Gigliotti	Metcalfe	Seyfert
Belardi	Gordner	Michlovic	Shaner
Belfanti	Grucela	Miller, R.	Solobay
Benninghoff	Gruitza	Miller, S.	Staback
Bishop	Haluska	Myers	Steelman
Blaum	Hanna	O'Brien	Steil
Boyes	Harhai	Oliver	Stevenson
Bunt	Herman	Orie	Surra
Butkovitz	Hershey	Pesci	Tangretti
Caltagirone	Hess	Petrarca	Taylor, E. Z.
Cappabianca	Horsey	Petrone	Taylor, J.
Carn	James	Phillips	Thomas
Casorio	Josephs	Pistella	Tigue
Cawley	Keller	Platts	Travaglio
Clark	Kirkland	Preston	Trello
Cohen, M.	Krebs	Ramos	Trich
Colafella	LaGrotta	Readshaw	Vance
Costa	Laughlin	Reinard	Van Horne
Coy	Lederer	Rieger	Veon
Curry	Leh	Roberts	Vitali
Daley	Lescovitz	Robinson	Walko
DeLuca	Levdansky	Roebuck	Waters
Dermody	Lucyk	Rohrer	Williams
Donatucci	Manderino	Rubley	Wojnaroski
Eachus	Mann	Ruffing	Yewcic
Egolf	Markosek	Sainato	Youngblood
Evans	Masland	Santoni	Yudichak

NOT VOTING—2

Kaiser Micozzie

EXCUSED—2

Snyder Washington

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. **GEORGE** offered the following amendment No. **A2674**:

Amend Title, page 1, line 2, by inserting after "areas," " further providing for evaluation criteria;

Amend Bill, page 1, lines 8 through 11, by striking out all of said lines and inserting

Section 1. Section 7(a) of the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, amended November 23, 1994 (P.L.648, No.100), is amended to read:

Section 7. Evaluation criteria.

(a) Factors to be considered.—The following factors shall be considered by the planning commission, advisory committee, and at any public hearing:

(1) Land proposed for inclusion in an agricultural security area shall have soils which are conducive to agriculture. This factor will have been satisfied without further consideration if at least 50% in the aggregate of the land to be included in an agricultural security area falls into one of the following categories: land whose soils are classified in Soil Conservation Service Capability Classes I through IV, excepting IV(e); land which falls within the Soil Conservation Service classification of "unique farm land"; or land whose soils do not meet Capability Classes I through IV but which is currently in active farm use and is being maintained in accordance with the soil erosion and sedimentation plan applicable to such land.

(2) Use of land proposed for inclusion in an agricultural security area shall be compatible with local government unit comprehensive plans. Any zoning shall permit agricultural use but need not exclude other uses.

(3) The landowner may propose to include all of his land, regardless of zoning, in an agricultural security area.

(4) The land proposed for inclusion in the agricultural security area, and any additions which are proposed subsequently, shall be viable agricultural land.

(5) Land on which sewage sludge has been applied during the five-year period immediately preceding the proposed inclusion of that land in an agricultural security area is ineligible for such inclusion.

[(5)] (6) Additional factors to be considered are the extent and nature of farm improvements, anticipated trends in agricultural economic and technological conditions and any other matter which may be relevant.

Section 2. Section 14.1(h)(8.2) of the act, amended November 23, 1994 (P.L.621, No.96), is amended and the subsection is amended by adding a paragraph to read:

Amend Sec. 2, page 2, line 23, by striking out "2" and inserting
3

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

Amend Sec. 4, page 3, line 7, by striking out "4" and inserting
5

On the question,

Will the House agree to the amendment?

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

Mr. **GEORGE**. Thank you, Mr. Speaker.

My apology in that I had withdrawn, feeling that the Chadwick amendment would pass.

I offer this amendment. It is a very simple amendment, but I believe it is needed very badly. It simply says that if sludge was strewn upon the land within the last 5 years, they cannot option for the program that we are discussing. It does not hurt anybody. It

does not eliminate anybody's need to do what they want. It simply states that sludge should not be put on that land, and then still they can take advantage of the easement program and develop moneys when in fact the land is not going to be utilized for that purpose.

I ask that we adopt that amendment.

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

Does the gentleman, Mr. Thomas, desire recognition? The gentleman is recognized.

Mr. **THOMAS**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this amendment. I had a smile on my face a few minutes ago because I believed, or at least I had been advised, that this amendment was withdrawn. I think that the architect of the amendment is clearly aware that while he has indicated that the amendment would not affect anybody, there are several affected parties ranging from the farmers to Philadelphia County, which is probably one of the largest producers of biosolids, which is used in a number of instances that are beneficial to people not only in Philadelphia County but in southeastern Pennsylvania. These biosolids, Mr. Speaker, involve cultivation of land, involve cultivation of a number of other factors that benefit southeastern Pennsylvania.

Mr. Speaker, the entity that would be mostly affected by this would be the Water Department in Philadelphia County. The biosolids program is purely a voluntary program. Landowners meeting the program criteria must volunteer to receive biosolids. This amendment would automatically exclude land from agricultural security area designation, a designation designed to maintain that property for agricultural purposes. The Water Department recently received the first annual Department of Environmental Protection and Pennsylvania Water Environment Association beneficial-use award acknowledging the use of biosolids. This award was provided to the Water Department on June 8 along with Ephrata Borough in recognition of their successful efforts to promote the biosolids program. This amendment is counterproductive to the good things that are happening in southeastern Pennsylvania and ultimately across the Commonwealth of Pennsylvania.

So, Mr. Speaker, I rise in opposition to the George amendment and ask members on both sides of the aisle to follow the original wisdom of Representative George and the advice of the Speaker, and that is that this amendment would be withdrawn so that we would not have to deal with this issue, and I urge members to acknowledge that and to vote "no" on amendment 2674. Thank you, Mr. Speaker.

The **SPEAKER**. On the question, the Chair recognizes the lady, Mrs. Miller.

Mrs. **MILLER**. Thank you, Mr. Speaker.

I, too, rise in opposition to the George amendment. All of the farms that are considered for conservation easement purchase must have nutrient management plans and conservation plans. These are not farms that do not have oversight when it comes to land application of nutrients. And as the prior speaker said, these are very important ways of recycling not only animal waste but human waste, which is all part of our living situation here in the Commonwealth.

So therefore, again, I would encourage you not to adopt this amendment and to make sure that all of the farms are eligible for this program. Thank you, Mr. Speaker.

BILL PASSED OVER TEMPORARILY

The SPEAKER. At the request of the majority leader, SB 970, PN 1100, will go over temporarily.

* * *

The House proceeded to third consideration of **SB 309, PN 1187**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service, for eligibility for limited early retirement, for contributions for purchase of credit for creditable nonschool service and for exceptions to termination of annuities.

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

Mr. **LAWLESS** offered the following amendment No. **A2888**:

Amend Title, page 1, line 3, by striking out "for eligibility for limited early retirement."

Amend Sec. 2, page 2, lines 19 through 30; page 3, lines 1 through 17, by striking out all of said lines on said pages and inserting Section 2. Section 8324(e) of Title 24 is amended to read:

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

AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. That amendment will go over temporarily.

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

Mr. **DALEY** offered the following amendment No. **A2902**:

Amend Sec. 2 (Sec. 8313), page 3, line 8, by striking out "1999" and inserting

2002

Amend Sec. 2 (Sec. 8313), page 3, line 13, by striking out "1999" and inserting

2002

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

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

Mr. **DALEY**. Thank you, Mr. Speaker.

Over the last decade the early retirement program has become a popular benefit for senior teachers and a useful fiscal management tool for local school districts. At the time of every expiration, we have seen fit legislatively, collectively, to reauthorize the extension of this program. We are now at the conclusion of another extension, Mr. Speaker. Planning and preparing for retirement is something people need and deserve a reasonable amount of time to do that anticipation.

Although there are proposals to make the 30-and-out provision permanent — and I know that I agree with that position as well as

many of you — it is unlikely that we can secure that agreement within the reasonable future. My proposal simply extends 30-and-out for the next 3 years. So I ask for an affirmative vote on this amendment, Mr. Speaker.

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

Mr. **STEVENSON**. Mr. Speaker, this is an amendment to SB 309 which really will kill this bill and hurt all the coaches in this Commonwealth that need this bill to be passed by this House. The retired coaches would like to continue to coach and not lose their pension benefits. The time is now, because June is when in particular the football coaches are being hired for the fall, and we need an answer this month.

The Senate saw fit to pass this bill, send it over to us, and now I ask the members to defeat this amendment, because I feel if this amendment is in the bill, this bill will never be signed into law. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Horsey, is recognized on the amendment.

Mr. **HORSEY**. Mr. Speaker, I rise and request support for the Daley amendment. And true, it may in fact, you know, affect coaches, but my question becomes, who is more important when you have to consider schoolteachers and coaches? They both make a contribution, Mr. Speaker, to education. But I am sorry to distress the gentleman on the other side of the aisle, but to me, teachers are a little more important than coaches. Kids go to school for education, Mr. Speaker, and teachers provide that education, and here is an opportunity for us to reward those teachers who have been good to our children.

I urge support of the Daley amendment, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question, the gentleman, Mr. Fargo. The gentleman will yield.

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

Mr. Fargo.

Mr. **FARGO**. Thank you, Mr. Speaker.

Now, I would just request, I know that for any change in the retirement plans, that a report from the Public Employee Retirement Commission, an actuarial report as to the cost of this, is necessary, and I would just like to request, do we have this available for the Assembly?

The SPEAKER. It is the information of the Speaker that an actuarial note and a fiscal note have been prepared for the bill.

Mr. **FARGO**. Mr. Speaker, I have not—

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

For the amendment.

Mr. **FARGO**. I have an actuary fiscal note, but do we have a report from the Public Employee Retirement Commission?

The SPEAKER. Yes; we do. It was just read across the desk. We would be happy to give you a copy of mine—

Mr. **FARGO**. No; that is fine.

The SPEAKER. —if you would like it.

Mr. **FARGO**. Thank you.

Could I speak on the bill?

The SPEAKER. The gentleman is in order.

Mr. **FARGO**. I have a report from the Public Employee Retirement Commission on this same type of suggestion here when

the present window was put in, and I would just like to refer to that report in terms of the costs, number one, which they estimate — and I am not sure what the report now says that the costs would be — but \$501 million, and actually over a 20-year period we are talking about \$1,319,000,000. But even more so, the reason for this window has always been under the premise that it was going to save money on the local level and would be worthwhile and actually would end up a savings to the local school boards.

I would just like to read a section here on page 3 of an actuarial report from that commission in which it indicates that “The effectiveness of special early retirement provisions as an incentive for accelerating retirements within a window period is diminished by making them available either continuously or frequently,” and I really believe that that is what is happening here. We are just doing it. We might as well either make this permanent, because it is not effective as a way in which to get people to retire. This report goes on and says, “Granting short-period early retirement windows more frequently than once every five years or granting retirement windows continuously is the provision of a benefit enhancement rather than an incentive to retire,” and that is really what we have made this. This is a benefit enhancement, not an incentive to retire, and to speak in terms of this being an incentive to retire to assist with our school boards I believe is entirely inaccurate, and I think we ought to defeat this amendment.

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

Mr. CORRIGAN. Thank you, Mr. Speaker.

Could I ask the maker of the amendment a question or two?

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

Mr. CORRIGAN. I am wondering if the purpose of the amendment or the reason for the amendment is a reaction that you have from correspondence with the leaders of either PFT (Pennsylvania Federation of Teachers), PSEA (Pennsylvania State Education Association). What generated this amendment at this time?

Mr. DALEY. Well, Mr. Speaker, first of all, all of us know that this window is closing imminently. Number two is that I have met over the last several months and years like as well as maybe you have or other members have with members of PSEA, and we have discussed the need to keep the window open. This was not generated or precipitated by any knee-jerk reaction on my part. It was generated by my constant dialogue with the PSEA, that union, as well as teachers in the field.

Mr. CORRIGAN. I am finished with the questioning, Mr. Speaker. I would like to—

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

Mr. CORRIGAN. I kind of think that the move today is premature. I think that the leaders of these various teachers' organizations need to come to the legislature and document reasons why they want to do that, if they do. I have talked to some of those people, and there is sort of some question as to whether they want to do it themselves and how beneficial it is to their membership. I kind of think that it might be a good idea at some other time, but I do not think there is documentation for it at this time, and I think it is a little bit premature and that we ought to revisit this after we talk to the people who are going to be affected by the action that we might take here today.

So I would respectfully ask for a “no” vote on the Daley amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I enthusiastically endorse the Daley amendment to this bill. We have to take into consideration the effect of our actions on the individual members of the school retirement system. When we set these arbitrary windows, they come and they go, they come and they go, they come and they go. You know, if you retire in some years, you get a higher pension than if you retire in other periods. What we are doing is forcing people to adjust their lives to our arbitrary schedules of what years produce the maximum benefit. We are increasing costs to the schoolteachers' retirement system when we force people to retire by dangling extra benefits to them if they retire at a specific year. Many people have retired prematurely, and we, the taxpayers of Pennsylvania, have paid higher costs for that. The Daley amendment would reduce the number of people who are going to be retiring at the end of June by making it clear they have 3 more years to consider that.

Many school districts throughout the Commonwealth of Pennsylvania are starting to get teacher shortages. These teacher shortages are going to be aggravated, aggravated by people feeling forced to retire by the end of June in order to get a higher pension. It is not in our interests and it is not in the interests of our school districts to force people to retire by dangling extra benefits for them. But we know that sooner or later we are going to increase their retirement benefits. We are going to pass another bill with another arbitrary window, and we are confident sooner or later we are going to do it. We will be able to tell our constituents, look, we have given you still another window, and then that window will expire and we know that sooner or later we will do another window. But for a person who is facing a decision — should he retire now or should he continue to work at a job that he or she enjoys — the idea that we can or cannot do something at a given date is terrifying. It creates a total sense of loss of control by the possible retiree, and it creates a total sense of loss of control in many of our school districts.

Mr. Daley has spoken to the Pennsylvania State Education Association and found out they strongly support this legislation. He has spoken to the Pennsylvania Federation of Teachers and found out they strongly support this legislation. I know the School District of Philadelphia and many other school districts across the State of Pennsylvania support this legislation. It is worthwhile legislation. It puts control of the retirement date back in the hands of the individual teacher. It strengthens the ability of each and every one of our 501 school districts to be confident that they will have an adequate supply of teachers when the new school term starts in September, and I would therefore strongly urge support of the Daley amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Mr. Stevenson, for the second time on the issue.

Mr. STEVENSON. Thank you, Mr. Speaker.

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

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

Mr. STEVENSON. Do you have a fiscal note from the Appropriations Committee, and what is the cost listed therein of your amendment?

Mr. DALEY. Do you not have a copy of the fiscal note, because we did circulate it.

Mr. STEVENSON. Okay. It is my understanding that that note is going to show that the cost is just over \$1.3 billion?

Mr. DALEY. Are you asking me a question that you already know the answer?

Mr. STEVENSON. No; I am wondering if you do.

Mr. DALEY. No. I do have a copy of the fiscal note, and it has been distributed.

Mr. STEVENSON. Oh, okay.

Mr. DALEY. I mean, if you want me to read that, I will be glad to, but if you already know the answer, I mean, I do not really need to make the answer.

Mr. STEVENSON. If you have the note, why do you not read it?

PARLIAMENTARY INQUIRY

Mr. COY. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. The gentleman, Mr. Coy.

Mr. COY. Is the purpose of questioning and of interrogation to find out the answers to questions that one does not know?

The SPEAKER. I agree, and I was listening to this, and I thought Mr. Daley was indicating a willingness just to give the number. But if not, and he chooses not to answer it, I would not object to it, because I think he would be right and he would be within our rules.

Mr. DALEY. Mr. Speaker, I am not averse to providing that information to the members. According to the Appropriations Committee, "...an actuarial note prepared by the Public Employee Retirement Commission, the adoption of the amendment will increase the unfunded actuarial accrued liability of the Public School Employees' Retirement Fund..." by \$501 million.

Mr. STEVENSON. And, Mr. Speaker, are the total amortized payments listed therein?

Mr. DALEY. Yes; it is.

Mr. STEVENSON. And what is that total, Mr. Speaker?

Mr. DALEY. It says the first-year increase in employer annual cost is estimated to be \$45 million, and as you know, Mr. Speaker, we have been doing this for the last several years. Am I correct in that assumption? And it says that total amortization payments over the required 20-year period is projected to be \$1.3 billion.

Mr. STEVENSON. Thank you, Mr. Speaker.

Mr. DALEY. But let me also add—

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

You are under interrogation. If you want to make argument, there is an appropriate time to do that.

Mr. DALEY. Thank you, Mr. Speaker.

The SPEAKER. Mr. Stevenson, have you concluded your interrogation?

Mr. STEVENSON. Yes, Mr. Speaker.

The SPEAKER. Does the gentleman wish to speak on the measure? Mr. Stevenson, have you completed your remarks?

Mr. STEVENSON. Yes; I have, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence at this time and enters the name of Mr. HARHAI as on leave for the balance of today's session. Without objection, the leave will be granted. The Chair hears none.

CONSIDERATION OF SB 309 CONTINUED

The SPEAKER. The Chair recognizes, for the second time on this question, the gentleman from Philadelphia, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, I would like to ask this chamber a rhetorical question, Mr. Speaker, and the question is, why are we having a debate on what this will cost and fiscal notes, so on and so forth? We did not have this discussion yesterday, Mr. Speaker, when we considered court employees. We did not have this discussion, Mr. Speaker. A man who has put in 20, 25, 30, 35 years of service deserves to be rewarded, Mr. Speaker. Some of the folks that we did pension plans for yesterday, we did not even ask if they had 5 and 10 and 15 years of service in, and many of them did not, Mr. Speaker, and we voted on a pension increase with no problem for them. Now we are considering people who have put in 25, 30, and 40 years in some cases of service to our children, Mr. Speaker, to some of us in this very chamber, and we have to think on whether we want to reward those people or not.

Many of you come from the public school system and were taught by some of these same people who want to retire now. This is our opportunity to reward those people, Mr. Speaker, and I do not have a problem doing that. I am asking the chamber to reward those teachers who have provided many, many years of service—once again, 25, 30, some of them 40 years of service with children, and probably many of them on the edge of a nervous breakdown—I am asking members of this chamber to support Representative Daley's amendment. Thank you, Mr. Speaker.

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, I support the amendment, and as to the argument of whether this is the right time or not, I think we only need to reflect a little bit on exactly what we did when we opened the window for the 30-year retirement only briefly during the last 2 years. I know personally teachers and public school employees who retired prematurely because of the unpredictability the legislature passed in a previous law. It is simply a case of fairness for us to give public school employees more of an opportunity to plan for their futures. And I can tell you that school districts across the Commonwealth probably lost good public school employees and administrators because they were not sure whether or not this window was going to be opened again or when it was going to be opened again.

As to whether it is an incentive to retire, I can tell you it is an incentive to retire, and if anybody thinks that 30 years in the public school classroom is not long enough, try it; try it yourself. It is. It is enough for anybody under conditions that public school employees live with today, and I think you only have to think of names of towns like Columbine to start realizing why employment in the public schools has changed dramatically.

But aside from that, Mr. Speaker, let me simply say the reason I support this amendment is one of predictability. It gives public school employees the opportunity to know now, 3 years in advance

if this amendment were to pass, that they have this retirement option. It gives them the ability to plan, and it gives school districts the ability to plan for retirements. And again, I am certain that we have lost in this last period of time good public school employees who may have taught or administered for another year or two had this temporary window which we installed a few years ago, which is about to expire, would that not have been continued.

I think the amendment is a good idea. I think it makes sense for a lot of people. More especially, I think it makes sense for education in Pennsylvania and for the students for whom we hope to benefit. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

I am really confused here from the statements that we are hearing. It was always my idea as we passed this type of legislation in the past that the purpose behind this was to give the teachers an incentive to retire early with the idea that by so retiring, that the school districts would be able to save money because they would be able to hire replacement teachers at a much lower amount. That has always been what I thought this was all about, and I know that as I read the commission's report, that is the tack that they are taking. Now all of a sudden it is the other way around. We are going to extend this so that people will not have to retire by July or by June of this year and they can make up their mind and retire at some later date, and this will keep them from retiring, and I am just not sure which one it is that we are really trying to do here.

I think the basic thing that we have to realize is that it has not worked. If you want it to be an incentive, if you want it to be an additional benefit rather, then what we ought to do is to get legislation to make this permanent, not to do it year after year after year. But I think we also have to realize, the underlying cost to the retirement plan is \$501 million this year, this coming year. That is the status, the figure that we have to look at. You know, \$501 million, when we hear about the surplus and things like that, you know, I realize this is in a retirement fund, but at the same time it is a major, major cost if in fact we are not even sure why it is that we are planning on having these people get this additional benefit of being able to retire prior to June 30 of the year 2000. I really believe that we should go back to the drawing board, get a bill to give them this to change their retirement plan, but not to continue something that we are not even sure whether it is going to help us by getting people to retire or whether it is going to help us by not getting people to retire.

As I say, I am confused. I hope that we will look at this thing, this particular amendment, and oppose it. Thank you.

The SPEAKER. Mr. Steil, for the first time.

Mr. STEIL. Thank you, Mr. Speaker.

Last year I sponsored an amendment in this House that brought a resolution directing the State Government Committee and the Education Committee to study the effect of the 30-and-out provision if that provision became permanent. The two committees studied the issue for a period of about 4 or 5 months and finally, at the end of the session, had to come back with the conclusion that they simply did not have enough information to determine the effect on the teachers' pension program if 30-and-out became permanent.

The one conclusion that was obvious, however, is that the fiscal impact upon the system was far beyond the \$1.3 billion which is listed here. We are in fact, by this extension, we are extending benefits that we have no idea what it will cost this State and our

school districts in the long run. Until we have that information in hand, we should not extend the 30-and-out provision.

I ask for the House to reject amendment 2902. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Daley, for the second time on the question.

Mr. DALEY. Thank you, Mr. Speaker.

Make no mistake about this window. It never has been a benefit; it has never been considered a benefit. That is why the legislature is so willing to keep the window open for a period of time and to review that window to see if the opportunity at the end of the windowed period is necessary, and we are at that point now, Mr. Speaker. We passed this legislation over several sessions, and this is not going to kill this bill. I believe it will not kill this bill.

I do not believe that I heard some of the comments that when you have teachers leave after 30 years making \$65,000 and you hire teachers at \$25,000, that is not a cost benefit to that school district. And I know we hear these figures and you read these figures, but these are the amounts that have been paid in by those employees. That money is there. They paid into the program; they have the right to take the money out.

Mr. Speaker, we have an opportunity here to leave the window open for 3 years. Let us seize the opportunity. Let us vote "yes" on this amendment. Thank you, Mr. Speaker.

The SPEAKER. On the question of the adoption of the amendment, those in favor— Mr. Vitali.

Mr. VITALI. Mr. Speaker, will the maker of the amendment stand for brief interrogation?

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

Mr. VITALI. I just have a few basic questions, because my information level on this issue is low. With regard to the actuarial note and the \$500-million projected cost, now, who actually will be paying that \$500 million?

Mr. DALEY. Mr. Speaker, it is paid for by both— My understanding is it is paid for by the people that are paying into the fund as well as the school districts.

Mr. VITALI. Okay. So it will be paid for by school districts and teachers, teachers unions? Okay.

What is the position of the Pennsylvania School Boards Association on this amendment? Do they support it? Oppose it? Have they taken a position on it?

Mr. DALEY. Mr. Speaker, I have not talked to the Pennsylvania School Boards Association about this amendment. I think I had mentioned earlier that I talked to the Pennsylvania State Education Association on this amendment. I do not know their position. Maybe you do; I do not. Maybe another member does; I do not know.

Mr. VITALI. Okay.

Mr. DALEY. However, let me add, Mr. Speaker, that I have talked to various school board members in my legislative district and throughout our area that have expressed interest to keep this open. But that is not the official position of the State Board of Education, the State board association.

Mr. VITALI. Okay. I know the stated purpose of these early retirement incentives is to reduce costs, but what has been the track record in the past couple of years? Have in fact costs gone down?

Mr. DALEY. I do not understand the second part of your question. I heard the first part.

Mr. VITALI. Well, the purpose of these early retirement incentives is the school districts are going to save money, because theoretically, although they are paying more in retirement benefits, they pay less in salaries because they are paying teachers at a lower salary scale, the younger teachers. But in practice, has this actually been a cost savings over the past couple of years? Is there any way to document that? Do you have any figures on that?

Mr. DALEY. Mr. Speaker, I do not have any reports in front of me, but my understanding is that it has been a cost benefit to all those school districts that have had teachers that would leave after 30 years and hiring teachers at a lower salary as beginning teachers. But I do not have that in front of me, but I imagine that if we do some research, we could provide that to you.

Mr. VITALI. I mean, before we vote, are there any numbers out there on what the savings has been over previous years?

Mr. DALEY. Mr. Speaker, like I said, I do not have that information in front of me, but I am sure that if I did the research necessary, I could provide that to you.

Mr. VITALI. You could provide that to us? I mean, prior to the vote would you—

Mr. DALEY. Mr. Speaker, I cannot guarantee that I can provide it to you today, but we can make an effort to do so. But I do not want to promise any members that we can do something that we simply cannot do today. But I am sure that we could do that at some point.

Mr. VITALI. I mean, are there any printouts with regard to what this may cost individual school districts? I am certainly supportive of teachers, but I really do not want to cost them any more money because there are some problems there. Do you have any printouts or any data on what this amendment might cost our various school districts?

Mr. DALEY. Mr. Speaker, I think you asked and I answered the question. I cannot answer it any further.

Mr. VITALI. Theoretically, if the bill were passed over for some period of time, would it be possible to get that data within some reasonable time?

Mr. DALEY. Mr. Speaker, again, I think you asked that question. I answered that question as effectively as I could.

Mr. VITALI. No, no, no, no. The question is not, do you have it, but the question is, if the bill were passed over, could you get it, because we are kind of, I sense I am kind of voting blind now, because I do not want to cost my school districts money, although I do want to help out the teachers. So the question is, could you get data like this in an hour or two?

Mr. DALEY. Mr. Speaker, I do not think we can. It is 4:15. I can make an attempt to do so, but I cannot guarantee that we can be successful in that effort.

Mr. VITALI. Okay. That concludes my interrogation.

The SPEAKER. On the question, Mr. Vitali, do you desire recognition? The Chair thanks the gentleman.

The gentleman, Mr. Nailor.

Mr. NAILOR. Thank you, Mr. Speaker.

Mr. Speaker, I want to talk just a little bit about the original intent of the gentleman, Mr. Stevenson, when he put in his bill, HB 275. What that bill did, and there has been some comparison here with coaches and teachers and comparing the two. We are talking about both. We are talking about coaches and we are talking about teachers who have taught for 30 and 35 years and retired, and what happens is, if you come back next year and you teach an adult education literacy program in your high school, or

you come back and you coach that football team and they pay you a fee to do that, the retirement system stops your pension check. You cannot live without that pension check, but it is halted. Because you do a good job and you are not teaching any longer, you can no longer have that annuity and a paycheck as well for coaching or for teaching an adult literacy class.

We have a gentleman, Mrs. Vance and myself, in Cumberland County who has a senior graduation program where they actually receive a diploma. They work 9 months for that diploma and work hard, and there is only a 50-percent graduation rate this year. People that are 80 years old, people that are in wheelchairs and are paralyzed, have received their diploma through hard work. His plan, his program, has been emulated statewide and nationwide. They want him back in the worst way, but I understand his concerns about working for free for 9 months. But they cannot pay him because his pension will stop. All we want to do is be fair and say that you can still draw your pension that you worked those 30 or 35 years for and receive that paycheck for the job you are doing. It has nothing to do with teaching. You are not affecting that teachers union. That is what we want.

Now, whether this amendment will have an effect on whether this bill passes or not, it is questionable. I do not see any guarantees. As a matter of fact, our research staff has told us the bill is dead with this amendment in. It is not going to happen. Well, we are going on recess. Coaches are going to be hired. If this is not in place, coaches will work for free or they will not be doing it. Teachers in adult literacy programs or graduation programs will work for free if they were schoolteachers before or they will not be doing it, because the option will not be there. We will not have solved the problem that we tried to solve. What we are doing is adding a major financial commitment here on the last day before we recess for the summer.

Now, many of you may think that Governor Ridge right now is anxious to sign a 2-year extension for 30-and-out for schoolteachers. I find that difficult to believe right now. I think this probably is something that we ought to look at a little bit closer. I have always voted for the 30-and-out extensions, but I cannot support it today, because you are killing the original intent that the gentleman, Mr. Stevenson, introduced. It is a problem that has been there for years, needs to be resolved, and all this is going to do is kill a bill on the last day.

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

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and advises the clerk to place Craig DALLY on leave, without objection. The Chair hears no objection.

CONSIDERATION OF SB 309 CONTINUED

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

The following roll call was recorded:

YEAS—112

Allen	Evans	Manderino	Semmel
Argall	Feese	Mann	Serafini
Battisto	Fichter	Markosek	Shaner

Bebko-Jones	Frankel	Mayernik	Smith, B.
Belardi	Freeman	McCall	Solobay
Belfanti	George	McGeehan	Stabay
Bishop	Gigliotti	McGill	Stairs
Blaum	Gordner	Michlovic	Steelman
Bunt	Grucela	Mundy	Stetler
Butkovitz	Gruitza	Myers	Sturla
Buxton	Haluska	Oliver	Surra
Caltagirone	Hanna	Pesci	Tangretti
Cappabianca	Herman	Petrarca	Taylor, J.
Carn	Horsey	Petrone	Thomas
Casorio	James	Pippy	Tigue
Cawley	Josephs	Pistella	Travaglio
Clark	Kaiser	Preston	Trello
Cohen, L. I.	Keller	Ramos	Trich
Cohen, M.	Kenney	Readshaw	Van Home
Colafella	Kirkland	Rieger	Veon
Costa	Krebs	Roberts	Walko
Coy	LaGrotta	Robinson	Waters
Curry	Laughlin	Roebuck	Williams
Daley	Lederer	Rooney	Wogan
Demmody	Lescovitz	Ruffing	Wojnaroski
DeWeese	Levdansky	Sainato	Yewcic
Donatucci	Lucyk	Santoni	Youngblood
Eachus	Maher	Scrimenti	Yudichak

NAYS—86

Adolph	Fairchild	Marsico	Sather
Armstrong	Fargo	Masland	Saylor
Baker	Fleagle	McIlhattan	Schroder
Bard	Flick	McIlhinney	Schuler
Barley	Forcier	McNaughton	Seyfert
Barrar	Gannon	Melio	Smith, S. H.
Bastian	Geist	Metcalfe	Steil
Benninghoff	Gladeck	Micozzie	Stern
Birmelin	Godshall	Miller, R.	Stevenson
Boyes	Habay	Miller, S.	Strittmatter
Browne	Harhart	Nailor	Taylor, E. Z.
Chadwick	Hasay	Nickol	True
Civera	Hennessey	Orie	Tulli
Clymer	Hershey	Perzel	Vance
Cornell	Hess	Phillips	Vitali
Corrigan	Hutchinson	Platts	Wilt
Dailey	Jadlowiec	Raymond	Wright
DeLuca	Lawless	Reinard	Zimmerman
Dempsey	Leh	Rohrer	Zug
DiGirolamo	Lynch	Ross	
Druce	Maitland	Rubley	Ryan,
Egolf	Major	Samuelson	Speaker

NOT VOTING—1

O'Brien

EXCUSED—4

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

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

Mr. LAWLESS reoffered the following amendment No. A2888:

Amend Title, page 1, line 3, by striking out "for eligibility for limited early retirement,"

Amend Sec. 2, page 2, lines 19 through 30; page 3, lines 1 through 17, by striking out all of said lines on said pages and inserting Section 2. Section 8324(e) of Title 24 is amended to read:

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

AMENDMENT RULED OUT OF ORDER

The SPEAKER. The amendment offered by the gentleman, Mr. Lawless, is out of order. The gentleman withdraws his amendment.

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

The gentleman, Mr. Lawless. The House will come to order. Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, I had intended to offer an amendment which deals with a part of this bill that I think all the members should know about prior to voting. If you vote "yes" on this bill, there was an amendment which was put in by the Senate which extends the opening 15 days, until June 30; I mean, until July 15. That has been since taken over, is my understanding, by Mr. Daley's amendment, which will open the window entirely until the year 2003, I believe.

So a teacher can now retire at any time the window is open, which is all the time. It could be January, February, March, any month, all the time. So there is no window every year. The danger here is that, frankly, I think it kills the bill. But keep in mind, when you are voting on this bill, a teacher can leave now at any time of the year and still receive this early retirement benefit.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The question is, shall the bill pass finally? The Chair recognizes the gentleman, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, I am urging support of SB 309, and because a teacher can leave, as opposed to July 16, for 3 years, I do not understand the significance. There are going to be many, many, many teachers who will be leaving once we do the educational emergency — whatever we call it — act, recovery act. Once we do that bill today, there will be many, many teachers who will want to jump ship.

So I am going to suggest that we do in fact leave that window open, Mr. Speaker, and it does not hurt. Thank you very much, Mr. Speaker.

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Speaker rescinds its decision that this bill has been agreed to.

On the question recurring,

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

AMENDMENT A2902 RECONSIDERED

The SPEAKER. The Chair recognizes the second signature, being John Barley, who moves that the vote by which amendment 2902 passed to SB 309, PN 1187, on the 16th day of June be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-198

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

NAYS-1

Stevenson

NOT VOTING-0

EXCUSED-4

Dally Harhai Snyder Washington

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

On the question recurring,

Will the House agree to the amendment?

The clerk read the following amendment No. A2902:

Amend Sec. 2 (Sec. 8313), page 3, line 8, by striking out "1999" and inserting

2002

Amend Sec. 2 (Sec. 8313), page 3, line 13, by striking out "1999" and inserting

2002

On the question recurring,

Will the House agree to the amendment?

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

Mr. PERZEL. Thank you, Mr. Speaker.

I will not belabor the point. I know the members have been here a long time. But if the Daley amendment goes in, this bill will not become law and they will not have 30-and-out for this year, in 15 days. So the members really truly are free to do whatever they like. I just want them to understand that if the Daley amendment goes in, this will not go into effect.

That is all, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question of the adoption of the Daley amendment, the Chair recognizes the gentleman, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

I wish I was so powerful that I could predict the future. I do not think any of us can. Let us let the Senate make the decision. Let us vote "yes" on the Daley amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-98

- | | | | |
|-------------|-----------|----------|-----------|
| Battisto | Eachus | Mann | Shaner |
| Bebko-Jones | Evans | Markosek | Smith, B. |
| Belardi | Frankel | Mayernik | Solobay |
| Belfanti | Freeman | McCall | Staback |
| Bishop | George | Mundy | Stairs |
| Blaum | Gigliotti | Myers | Steelman |
| Boyes | Gordner | Oliver | Stetler |
| Butkovitz | Grucela | Pesci | Sturla |
| Buxton | Gruitza | Petrarca | Surra |
| Caltagirone | Haluska | Petrone | Tangretti |

Cappabianca	Hanna	Pistella	Thomas
Carn	Horsey	Preston	Tigue
Casorio	James	Ramos	Travaglio
Cawley	Josephs	Readshaw	Trello
Clark	Kaiser	Rieger	Trich
Cohen, L. I.	Keller	Roberts	Van Horne
Cohen, M.	Kirkland	Robinson	Veon
Colafrilla	Krebs	Roebuck	Walko
Costa	LaGrotta	Rooney	Waters
Coy	Laughlin	Ruffing	Williams
Curry	Lederer	Sainato	Wojnaroski
Daley	Lescovitz	Santoni	Yewcic
Dermody	Levdansky	Scrimenti	Youngblood
DeWeese	Lucyk	Semmel	Yudichak
Donatucci	Manderino		

NAYS—100

Adolph	Feese	Masland	Sather
Allen	Fichter	McGill	Saylor
Argall	Fleagle	McIlhattan	Schroder
Armstrong	Flick	McIlhinney	Schuler
Baker	Forcier	McNaughton	Serafini
Bard	Gannon	Melio	Seyfert
Barley	Geist	Metcalfe	Smith, S. H.
Barrar	Gladeck	Michlovic	Steil
Bastian	Godshall	Micozzie	Stern
Benninghoff	Habay	Miller, R.	Stevenson
Birmelin	Harhart	Miller, S.	Strittmatter
Browne	Hasay	Nailor	Taylor, E. Z.
Bunt	Hennessey	Nickol	Taylor, J.
Chadwick	Herman	O'Brien	True
Civera	Hershey	Orie	Tulli
Clymer	Hess	Perzel	Vance
Cornell	Hutchinson	Phillips	Vitali
Corrigan	Jadlowiec	Pippy	Wilt
Dailey	Kenney	Platts	Wogan
DeLuca	Lawless	Raymond	Wright
Dempsey	Leh	Reinard	Zimmerman
DiGirolamo	Lynch	Rohrer	Zug
Druce	Maher	Ross	
Egolf	Maitland	Rubley	Ryan,
Fairchild	Major	Samuelson	Speaker
Fargo	Marsico		

NOT VOTING—1

McGeehan

EXCUSED—4

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

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

PARLIAMENTARY INQUIRY

The SPEAKER. Mr. Lawless.
Mr. LAWLESS. Mr. Speaker, a parliamentary inquiry.
The SPEAKER. The gentleman will state it.

Mr. LAWLESS. Mr. Speaker, earlier when that amendment had been in, I was ruled out of order, and rightly so; I agree with the Chair. Now that that amendment is not in, I would like the chance to offer my amendment.

The SPEAKER. The gentleman will yield.
Mr. Lawless, would you come to the rostrum for a moment.

(Conference held at Speaker's podium.)

The SPEAKER. The gentleman, Mr. Lawless, has amendments that would not be acceptable in that there is no actuarial note for them. The gentleman agrees with this and withdraws his amendment.

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

Mr. DALEY. Mr. Speaker? Mr. Speaker?
The SPEAKER. Mr. Daley.

Mr. DALEY. Mr. Speaker, before you announce the final vote, I would like to file a motion for reconsideration, and we wanted to advise the Chair.

The SPEAKER. The gentleman will file it.

Mr. Daley, do you have a reconsideration motion?

AMENDMENT A2902 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Daley, who moves that the vote by which amendment No. 2902 was defeated to SB 309, PN 1187, on this 16th day of June be reconsidered.

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

The following roll call was recorded:

YEAS—194

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

Colafella	Keller	Preston	Veon
Cornell	Kenney	Ramos	Vitali
Corrigan	Kirkland	Raymond	Walko
Costa	Krebs	Readshaw	Waters
Coy	LaGrotta	Reinard	Williams
Curry	Laughlin	Rieger	Wilt
Dailey	Lawless	Roberts	Wogan
Daley	Lederer	Robinson	Wojnaroski
DeLuca	Leh	Roebuck	Wright
Dermody	Lescovitz	Rohrer	Yewcic
DeWeese	Levdansky	Rooney	Youngblood
DiGirolamo	Lucyk	Ross	Yudichak
Donatucci	Lynch	Rubley	Zimmerman
Druce	Maher	Ruffing	Zug
Eachus	Maitland	Sainato	
Egolf	Major	Samuelson	Ryan,
Evans	Manderino	Santoni	Speaker

NAYS—5

Benninghoff	Feese	Steil	Stevenson
Dempsey			

NOT VOTING—0

EXCUSED—4

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

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

The clerk read the following amendment No. **A2902**:

Amend Sec. 2 (Sec. 8313), page 3, line 8, by striking out "1999" and inserting

2002

Amend Sec. 2 (Sec. 8313), page 3, line 13, by striking out "1999" and inserting

2002

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

The SPEAKER. On the question of the adoption of the amendment, Mr. Daley, do you desire recognition? None?

Those members in favor of the Daley amendment—
Mr. COHEN. Mr. Speaker?

The SPEAKER. Mr. Cohen. I apologize.
Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, we heard a few minutes ago a prediction that this bill would never pass if the Daley amendment passed. I beg to differ with my colleague from Philadelphia on that prediction. Teachers all over the State will be contacting the Senate, will be contacting the Governor. School districts all over this State will be contacting the Senate, will be contacting the Governor. I do not really think there is full understanding of the disruptive effect that our "sometimes you have this chance, sometimes you do not have this chance" policy that has evolved over the years has on individual school districts and individual teachers. We are helping the teachers and helping school districts in a very disruptive, very unpredictable manner.

Mr. Daley's amendment gives predictability. It makes the good deed we are doing much, much more useful. The State's pension fund and the schoolteachers' pension fund have plenty of surplus dollars. This amendment that Mr. Daley is offering makes a lot of sense, and when the emotions cool down, when people look at the facts, the Senate will pass this legislation and the Governor will sign this legislation.

I urge support of the Daley amendment.

The SPEAKER. On the question of the adoption of the Daley amendment, the gentleman, Mr. Perzel, is recognized.

Mr. PERZEL. Mr. Speaker, the gentleman made a couple statements. He said people will be contacting the Governor, people will be contacting the Senate. When? Between now and midnight? You know, I do not think you are even going to hit the 6 o'clock news.

Mr. Speaker, it can be inserted, I know, if it is the will of the members here and the membership here, but I am telling you that this will not occur if this goes back to the Senate in this form. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—93

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

NAYS—103

Adolph	Fichter	Masland	Saylor
Allen	Fleagle	McGill	Schroder
Argall	Flick	McIlhattan	Schuler
Armstrong	Forcier	McIlhinney	Semmel
Baker	Gannon	McNaughton	Serafini
Bard	Geist	Melio	Seyfert
Barley	Gladeck	Metcalfe	Smith, B.
Barrar	Godshall	Michlovic	Smith, S. H.
Bastian	Habay	Micozzie	Steil
Benninghoff	Harhart	Miller, R.	Stem
Birmelin	Hasay	Miller, S.	Stevenson
Boyes	Hennessey	Nailor	Strittmatter
Browne	Herman	Nickol	Taylor, E. Z.
Bunt	Hershey	O'Brien	Taylor, J.
Chadwick	Hess	Orie	True

Civera	Hutchinson	Perzel	Tulli
Clymer	Jadlowiec	Phillips	Vance
Cornell	Kenney	Pippy	Vitali
Corrigan	Krebs	Platts	Wilt
Dailey	Lawless	Raymond	Wogan
Dempsey	Leh	Reinard	Wright
DiGirolamo	Lynch	Rohrer	Zimmerman
Druce	Maher	Ross	Zug
Egolf	Maitland	Rubley	
Fairchild	Major	Samuelson	Ryan,
Fargo	Marsico	Sather	Speaker
Feese			

NOT VOTING—3

Cohen, L. I. Stairs Wojnaroski

EXCUSED—4

Dally Harhai Snyder Washington

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

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

DECISION OF CHAIR RESCINDED

The SPEAKER. The Chair recognizes the gentleman, Mr. Lawless. The record should note that the Chair has reversed its opinion as to the need for an actuarial note on the Lawless amendment.

The clerk will read the amendment.

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

Mr. LAWLESS reoffered the following amendment No. A2888:

Amend Title, page 1, line 3, by striking out "for eligibility for limited early retirement,"

Amend Sec. 2, page 2, lines 19 through 30; page 3, lines 1 through 17, by striking out all of said lines on said pages and inserting Section 2. Section 8324(e) of Title 24 is amended to read:

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

The SPEAKER. Prior to recognizing the gentleman, again for the record, the actuarial note for the amendment offered by Mr. Lawless is found in the actuarial note for the bill itself.

Mr. Lawless, on the amendment.

Mr. LAWLESS. Thank you, Mr. Speaker.

The SPEAKER. The gentleman will yield.

Conferences in the rear of the hall of the House, please break up. Conferences in the vicinity of the minority leader's desk, please break up.

Mr. Lawless.

Mr. LAWLESS. Thank you, Mr. Speaker.

Mr. Speaker, this bill was amended in the Senate to extend the window from June 30 to July 15. While that may sound good and

include more folks into being eligible to apply for this benefit, this pension benefit, I want the members to be very concerned about one part of this. That extension in the Senate was done for one reason. That reason was to include teachers in this Commonwealth who held our children hostage, held the taxpayers of their school districts hostage, and were on strike this year.

Now, in order to include those and give those folks this extra benefit, we have to extend the window 15 days so that they will be eligible to retire. So in effect what we are doing is we are rewarding folks who walked out on our children and our taxpayers in this Commonwealth.

Mr. Speaker, I know that some of my colleagues on my side of the aisle as well as the other are very concerned about the coaches, and that is a good part of this bill. They are very concerned about other issues in this bill, and rightly so. But somewhere we have to stand in this House for something, and if we need to hold this bill up and we need to send this teachers union in this State a message that you are not going to walk out on our kids and you are not going to walk out on the taxpayers of this State and then expect us to turn around and reward you with a pension benefit, then we need to do that right here and now, and the way you do that is you vote for this amendment. You will send a clear message to the unions who walk out on our kids that it is not going to be tolerated and it is not going to be tolerated by the General Assembly.

In closing, let me just say once again, we have to place principle above sports, athletics, coaches. As much as we believe some of the folks in our districts are doing a good job, it all comes down to, it was their responsibility. Their colleagues, those coaches who are teachers' colleagues, are the ones who walked out on our kids. So if they have a problem, it should not be with the members of the General Assembly, because at least we stand for principle. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Philadelphia County, Mr. Horsey.

Mr. HORSEY. Mr. Speaker, there is an urging right now in this chamber, Mr. Speaker, to do the wrong thing. It is absolutely wrong for us to pass the Lawless amendment, Mr. Speaker, with malice in our heart, and that is what he is suggesting.

I am not going to get into union negotiations on the House floor and realize whether teachers walked out for the right reason or wrong reason, and that is what this particular amendment requests that we do, that we take a side on an issue that none of us know about. We do not know why teachers walked out in a particular district in the State of Pennsylvania unless we were in the negotiations themselves. The assumption is that any time they walk out, they are absolutely wrong, and that is an incorrect assumption. Quite often they are walking out because there is no other alternative, Mr. Speaker. There are two sides to every negotiation, Mr. Speaker. Not just the teachers union but boards of education are in negotiation also, and it services them to in fact allow teachers to walk out, because there is a savings by those boards of education — okay? — because that is funds that teachers can never rekindle, Mr. Speaker, when they go back to work. So some boards promote strikes. But if we pass the Lawless amendment today, we have taken a stand, Mr. Speaker, that teachers who have struck for whatever reason, without us even knowing why they have struck, that they in fact were wrong, and we should not try to negotiate teachers' contracts no matter what part of the State it is, because

there are agencies that do that and not the House and us on the House floor.

I urge defeat of the Lawless amendment, Mr. Speaker. Thank you.

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

Mr. BELFANTI. Thank you, Mr. Speaker.

Like the speaker immediately prior to myself, I am going to ask for a "no" vote on the Lawless amendment. I believe it would be foolhardy to take a punitive measure across the board in every instance where there were schoolteachers who opted to invoke their constitutionally granted right in this State to strike. I have never met anyone who has walked the picket line who wanted to be walking that picket line. I have never met anyone who has voted to strike who wanted to strike. There is always some reason.

Now, I might not agree with every one of those reasons, but, Mr. Speaker, I can tell you that if the General Assembly, particularly our colleagues on the other end of the building, would have adopted the Gladeck-Belfanti bill, which would have put some closure to Act 88 and required a last-best-offer binding arbitration—

The SPEAKER. Will the gentleman yield.

The matter before the House is the amendment of the gentleman, Mr. Lawless, and it is not appropriate to discuss other bills.

Mr. BELFANTI. Well, thank you, Mr. Speaker.

The point that I will be disallowed from making dealt with how to end strikes entirely in this State, and there was a way to do that, and the Senate failed to do it. We could have ended strikes.

But Act 88 left no closure to the process that we have now before us. But we have eliminated selective strikes; we have eliminated wildcat strikes. But today, Mr. Speaker, there are 100 out of our 501 school districts where teachers are operating with contracts that have expired or operating with 5-year-old or 4-year-old contracts. That is not fair in many of those instances.

So, Mr. Speaker, I am not going to take the side of every teacher in every strike, but to take this unilaterally punitive measure against all teachers who strike, under all circumstances, would be foolhardy. I ask for a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Stevenson. Waives off.

The gentleman, Mr. Allen.

Mr. ALLEN. Thank you, Mr. Speaker.

Originally this bill was passed in last session with the support of many members throughout this House. It was a unanimous vote. The Senate has deemed fit to keep this bill by extending the date for 16 more days. I am asking the members not to take a punitive action against those people who would be eligible just because they are missing 16 days.

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

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Lawless, for the second time on the issue.

Mr. LAWLESS. Thank you, Mr. Speaker.

Just in closing, I want to summarize one more time that these teachers knowingly and willingly took their right to strike and chose to strike; they chose to walk out on the kids of Pennsylvania. So when the earlier speaker spoke of their right to strike, he is absolutely correct. They had the right to strike, and they knowingly

and willingly made the decision to give up those 15 days. They knew that the window closed June 30, but they did not care.

So again, this is about rewarding folks who walked out on our kids in Pennsylvania by opening that window. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—18

Adolph	Fargo	Metcalf	Steil
Barrar	Lawless	Micozzie	Taylor, E. Z.
Bastian	Lynch	Nickol	
Birmelin	Maitland	Raymond	Ryan,
Civera	McIlhinney	Schroder	Speaker

NAYS—181

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

NOT VOTING—0

EXCUSED—4

Dally Harhai Snyder Washington

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—197

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	McCall	Serafini
Barley	Flick	McGeehan	Seyfert
Barrar	Forcier	McGill	Shaner
Bastian	Frankel	McIlhattan	Smith, B.
Battisto	Freeman	McIlhinney	Smith, S. H.
Bebko-Jones	Gannon	McNaughton	Solobay
Belardi	Geist	Melio	Staback
Belfanti	George	Metcalfe	Stairs
Benninghoff	Gigliotti	Michlovic	Steelman
Birmelin	Gladeck	Micozzie	Steil
Bishop	Godshall	Miller, R.	Stern
Blaum	Gordner	Miller, S.	Stetler
Boyes	Grucela	Mundy	Stevenson
Browne	Gruitza	Myers	Strittmatter
Bunt	Habay	Nailor	Sturla
Butkovitz	Haluska	Nickol	Surra
Buxton	Hanna	O'Brien	Tangretti
Caltagirone	Harhart	Oliver	Taylor, E. Z.
Cappabianca	Hasay	Orie	Taylor, J.
Carn	Hennessey	Perzel	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Hershey	Petrarca	Travaglio
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	Waters
Coy	Krebs	Rieger	Williams
Curry	LaGrotta	Roberts	Wilt
Dailey	Laughlin	Robinson	Wogan
Daley	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	Manderino	Sather	

NAYS—1

Lawless

NOT VOTING—1

Wojnaroski

EXCUSED—4

Dally Harhai Snyder Washington

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

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

The SPEAKER. Mr. Chadwick.

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

The House proceeded to third consideration of **SB 442, PN 1195**, entitled:

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—199

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	Solobay
Belardi	George	Melio	Staback
Belfanti	Gigliotti	Metcalfe	Stairs
Benninghoff	Gladeck	Michlovic	Steelman

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

NAYS-0

NOT VOTING-0

EXCUSED-4

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

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

The House proceeded to third consideration of **SB 900, PN 1111**, entitled:

An Act providing for scholarships for persons entering into the field of science and technology.

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

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

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

The following roll call was recorded:

YEAS-198

Adolph	Evans	Manderino	Saylor
Allen	Fairchild	Mann	Schroder
Argall	Fargo	Markosek	Schuler
Armstrong	Feese	Marsico	Scrimenti
Baker	Fichter	Masland	Semmel
Bard	Fleagle	Mayernik	Serafini
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGeehan	Shaner
Bastian	Frankel	McGill	Smith, B.
Batisto	Freeman	McIlhattan	Smith, S. H.
Bebko-Jones	Gannon	McIlhinney	Solobay
Belardi	Geist	McNaughton	Staback
Belfanti	George	Melio	Stairs
Benninghoff	Gigliotti	Metcalfe	Steeleman
Birmelin	Gladeck	Michlovic	Steil
Bishop	Godshall	Micozzie	Stern
Blaum	Gordner	Miller, R.	Stetler
Boyes	Grucela	Miller, S.	Stevenson
Browne	Gruitza	Mundy	Strittmatter
Bunt	Habay	Myers	Sturla
Butkovitz	Haluska	Nailor	Surra
Buxton	Hanna	Nickol	Tangretti
Caltagirone	Harhart	O'Brien	Taylor, E. Z.
Cappabianca	Hasay	Oliver	Taylor, J.
Carn	Hennessey	Orie	Thomas
Casorio	Herman	Perzel	Tigue
Cawley	Hershey	Pesci	Travaglio
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 Home
Colafella	Kaiser	Preston	Veon
Cornell	Keller	Ramos	Vitali
Corrigan	Kenney	Raymond	Walko
Costa	Kirkland	Readshaw	Waters
Coy	Krebs	Reinard	Williams
Curry	LaGrotta	Roberts	Wilt
Dailey	Laughlin	Robinson	Wogan
Daley	Lawless	Roebuck	Wojnaroski
DeLuca	Lederer	Rohrer	Wright
Dempsey	Leh	Rooney	Yewcic
Dermody	Lescovitz	Ross	Youngblood
DeWeese	Levdansky	Rubley	Yudichak
DiGiroloamo	Lucyk	Ruffing	Zimmerman
Donatucci	Lynch	Sainato	Zug
Druce	Maher	Samuelson	
Eachus	Maitland	Santoni	Ryan,
Egolf	Major	Sather	Speaker

NAYS-0

NOT VOTING-1

Rieger

EXCUSED-4

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

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

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BILL PASSED OVER

The SPEAKER pro tempore. HB 236 is over for the day.

* * *

The House proceeded to third consideration of **SB 392, PN 690**, entitled:

An Act amending the act of December 5, 1980 (P.L.1107, No.190), entitled The Philadelphia Municipal Court Fee Law, increasing the fee for initial service of process.

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

Mr. **WOGAN** offered the following amendment No. **A2912**:

Amend Title, page 1, line 3, by inserting after "actions," " amending the title;

Amend Title, page 1, line 4, by removing the period after "process" and inserting

; and providing for the Philadelphia Municipal Court Security Account.

Amend Bill, page 1, lines 7 through 10, by striking out all of said lines and inserting

Section 1. The title of the act of December 5, 1980 (P.L.1107, No.190), referred to as the Philadelphia Municipal Court Fee Law, is amended to read:

AN ACT

Fixing the fees to be received by the Philadelphia Municipal Court in civil actions; and providing for the Philadelphia Municipal Court Security Account.

Section 2. Section 1(b) of the act, amended April 16, 1992 (P.L.148, No.26), is amended to read:

Amend Bill, page 1, line 18; page 2, line 1, by striking out all of said lines on said pages and inserting

Section 3. The act is amended by adding a section to read:

Section 1.1. (a) There is established within the General Fund a restricted receipt account to be known as the Philadelphia Municipal Court Security Account. All moneys deposited into the account shall be used only for the physical protection of all facilities and courtrooms operated by the Philadelphia Municipal Court.

(b) In addition to the court costs and filing fees authorized to be collected by statute, an additional fee of \$5 shall be charged and collected by the Philadelphia Municipal Court for the initiation of a legal proceeding for which a fee or cost is now authorized, except that in criminal and summary matters the fee shall be charged only when a conviction is obtained or a guilty plea is entered. The additional fee of \$5 shall be deposited into the Philadelphia Municipal Court Security Account.

(c) Beginning with the fiscal year 1999-2000, the General Assembly shall appropriate funds within the Philadelphia Municipal Court Security Account in accordance with an annual written expenditure plan submitted by the President Judge of the Philadelphia Municipal Court to the Administrative Office of Pennsylvania Courts which describes the manner in which funds shall be expended for the physical protection of all facilities and courtrooms operated by the Philadelphia Municipal Court.

Section 4. This act shall take effect as follows:

(1) The amendment of section 1(b) of the act and this section shall take effect immediately.

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

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

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman, Mr. Wogan, from Philadelphia.

Mr. **WOGAN**. Thank you, Mr. Speaker.

Mr. Speaker, this is a Philadelphia Municipal Court fee bill, and what my amendment does is it just adds a \$5 increase to the filing fee for Philadelphia Municipal Court for civil cases. It will create a security fund. One of the buildings, at least, that is used by municipal court in Philadelphia, 11th Street, has no security whatsoever, and I think it is appropriate that the people who use that building, the citizens of Philadelphia who file court cases in municipal court, should pay for that security.

This proposal comes from the legislative chairperson of municipal court, Judge Seamus McCaffery, and is supported by the president judge of the Philadelphia Municipal Court. I ask for your support.

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

The following roll call was recorded:

YEAS—190

Adolph	Egolf	Manderino	Schroder
Allen	Evans	Mann	Schuler
Argall	Fairchild	Markosek	Scrimenti
Armstrong	Fargo	Marsico	Semmel
Baker	Feese	Masland	Serafini
Bard	Fichter	Mayernik	Seyfert
Barley	Fleagle	McCall	Shaner
Barrar	Flick	McGeehan	Smith, B.
Bastian	Forcier	McGill	Smith, S. H.
Battisto	Frankel	McIlhattan	Solobay
Bebko-Jones	Freeman	McIlhinney	Staback
Belardi	Gannon	McNaughton	Stairs
Belfanti	Geist	Melio	Steelman
Benninghoff	George	Metcalfe	Steil
Birmelin	Gigliotti	Michlovic	Stern
Bishop	Gladeck	Micozzie	Stetler
Blaum	Godshall	Miller, R.	Stevenson
Boyes	Gordner	Miller, S.	Strittmatter
Browne	Grucela	Mundy	Sturla
Bunt	Gruitza	Myers	Surra
Butkovitz	Haluska	Nailor	Tangretti
Buxton	Hanna	Nickol	Taylor, E. Z.
Caltagirone	Harhart	O'Brien	Taylor, J.
Cappabianca	Hasay	Oliver	Tigue
Carn	Hennessey	Orie	Travaglio
Cawley	Herman	Perzel	Trello
Chadwick	Hershey	Pesci	Trich
Civera	Hess	Petrone	True
Clark	Horsey	Phillips	Tulli
Clymer	Hutchinson	Pippy	Vance
Cohen, L. I.	Jadlowiec	Pistella	Van Horne
Cohen, M.	James	Platts	Veon
Colafella	Josephs	Preston	Vitali
Cornell	Kaiser	Ramos	Walko
Corrigan	Keller	Readshaw	Waters
Costa	Kenney	Reinard	Williams
Coy	Kirkland	Roberts	Wilt
Curry	Krebs	Roebuck	Wogan
Dailey	LaGrotta	Rohrer	Wojnarowski
Daley	Laughlin	Rooney	Wright

DeLuca	Lawless	Ross	Yewcic
Dempsey	Lederer	Rubley	Youngblood
Dermody	Leh	Ruffing	Yudichak
DeWeese	Lescovitz	Sainato	Zimmerman
DiGirolamo	Levdansky	Samuelson	Zug
Donatucci	Lucyk	Santoni	
Druce	Maitland	Sather	Ryan.
Eachus	Major	Saylor	Speaker

NAYS-5

Casorio	Lynch	Maher	Petrarca
Habay			

NOT VOTING-4

Raymond	Rieger	Robinson	Thomas
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EXCUSED-4

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS-190

Adolph	Evans	Manderino	Sather
Allen	Fairchild	Mann	Saylor
Argall	Fargo	Markosek	Schroder
Armstrong	Feese	Marsico	Schuler
Baker	Fichter	Masland	Semmel
Bard	Fleagle	Mayernik	Serafini
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGeehan	Smith, B.
Bastian	Frankel	McGill	Smith, S. H.
Battisto	Freeman	McIlhattan	Solobay
Bebko-Jones	Gannon	McIlhinney	Staback
Belardi	Geist	McNaughton	Stairs
Belfanti	George	Melio	Steelman
Benninghoff	Gigliotti	Metcalfe	Steil
Birmelin	Gladeck	Michlovic	Stern
Bishop	Godshall	Micozzie	Stetler
Blaum	Gordner	Miller, R.	Stevenson
Boyes	Grucela	Miller, S.	Strittmatter
Bunt	Gruitza	Mundy	Sturla
Butkovitz	Haluska	Myers	Surra
Buxton	Hanna	Nailor	Tangretti
Caltagirone	Harhart	Nickol	Taylor, E. Z.
Cappabianca	Hasay	O'Brien	Taylor, J.
Cam	Hennessey	Oliver	Tigue
Cawley	Herman	Orie	Travaglio
Chadwick	Hershey	Perzel	Trello
Civera	Hess	Pesci	Trich
Clark	Horsey	Petrone	True
Clymer	Hutchinson	Phillips	Tulli
Cohen, L. I.	Jadlowiec	Pippy	Vance
Cohen, M.	James	Pistella	Van Horne

Colafella	Josephs	Platts	Veon
Cornell	Kaiser	Preston	Vitali
Corrigan	Keller	Ramos	Walko
Costa	Kenney	Raymond	Waters
Coy	Kirkland	Readshaw	Williams
Curry	Krebs	Reinard	Wilt
Dailey	LaGrotta	Roberts	Wogan
Daley	Laughlin	Robinson	Wojnaroski
DeLuca	Lawless	Roebuck	Wright
Dempsey	Lederer	Rohrer	Yewcic
Dermody	Leh	Rooney	Youngblood
DeWeese	Lescovitz	Ross	Yudichak
DiGirolamo	Levdansky	Rubley	Zimmerman
Donatucci	Lucyk	Ruffing	Zug
Druce	Maher	Sainato	
Eachus	Maitland	Samuelson	Ryan,
Egolf	Major	Santoni	Speaker

NAYS-7

Browne	Habay	Petrarca	Shaner
Casorio	Lynch	Scrimenti	

NOT VOTING-2

Rieger	Thomas
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EXCUSED-4

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

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

BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. On page 4 of today's calendar, SB 1000 will be over temporarily.

The House proceeded to third consideration of **HB 1268, PN 1458**, entitled:

An Act designating the walkway which crosses I-279 from East Street to Howard Street in the City of Pittsburgh as Gerst Way.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—198

Adolph	Evans	Manderino	Saylor
Allen	Fairchild	Mann	Schroder
Argali	Fargo	Markosek	Schuler
Armstrong	Feese	Marsico	Scrimenti
Baker	Fichter	Masland	Semmel
Bard	Fleagle	Mayemik	Serafini
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGeehan	Shaner
Bastian	Frankel	McGill	Smith, B.
Battisto	Freeman	McIlhattan	Smith, S. H.
Bebko-Jones	Gannon	McIlhinney	Solobay
Belardi	Geist	McNaughton	Staback
Belfanti	George	Melio	Stairs
Benninghoff	Gigliotti	Metcalfe	Steelman
Bimmelin	Gladeck	Michlovic	Steil
Bishop	Godshall	Micozzie	Stern
Blaum	Gordner	Miller, R.	Stetler
Boyes	Grucela	Miller, S.	Stevenson
Browne	Gruitza	Mundy	Strittmatter
Bunt	Habay	Myers	Sturla
Burkovitz	Haluska	Nailor	Surra
Buxton	Hanna	Nickol	Tangretti
Caltagirone	Harhart	O'Brien	Taylor, E. Z.
Cappabianca	Hasay	Oliver	Taylor, J.
Carn	Hennessey	Orie	Thomas
Casorio	Herman	Perzel	Tigue
Cawley	Hershey	Pesci	Travaglio
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	Waters
Coy	Krebs	Reinard	Williams
Curry	LaGrotta	Roberts	Wilt
Dailey	Laughlin	Robinson	Wogan
Daley	Lawless	Roebuck	Wojnarowski
DeLuca	Lederer	Rohrer	Wright
Dempsey	Leh	Rooney	Yewcic
Dermody	Lescovitz	Ross	Youngblood
DeWeese	Levdansky	Rubley	Yudichak
DiGiroiamo	Lucyk	Ruffing	Zimmerman
Donatucci	Lynch	Sainato	Zug
Druce	Maher	Samuelson	
Eachus	Maitland	Santoni	Ryan,
Egolf	Major	Sather	Speaker

NAYS—0

NOT VOTING—1

Rieger

EXCUSED—4

Dally Harhai Snyder Washington

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

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

The House proceeded to third consideration of **SB 999, PN 1158**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, extending the termination date of provisions relating to the Pennsylvania Veterans' Memorial Commission.

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

Mr. **MICHLOVIC** offered the following amendment No. **A2633**:

Amend Title, page 1, line 4, by removing the period after "Commission" and inserting

; and further providing for extension of benefits during active military duty.

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

Section 1. Sections 1906 and 7309 of Title 51 of the Pennsylvania Consolidated Statutes are amended to read:

Amend Sec. 1, page 1, by inserting between lines 10 and 11

§ 7309. Employment discrimination for military membership or duty.

(a) General rule.—It is unlawful for the Commonwealth or any of its departments, boards, commissions, agencies or any political subdivision, or for any private employer, to refuse to hire or employ any individual not on extended active duty because of his membership in the National Guard or any one of the other reserve components of the armed forces of the United States, or because he is called or ordered to active State duty or special State duty by the Governor during an emergency or as otherwise authorized by law, or because he is called or ordered to active duty by the Federal Government under provisions of 10 U.S.C. (relating to armed forces) or 32 U.S.C. (relating to National Guard), or to discharge from employment such individual, or to otherwise discriminate against such individual with respect to compensation, hire, tenure, terms, conditions or privileges of employment because of such membership, or because he is called or ordered to active State duty by the Governor during an emergency or because he is called or ordered to other military duty authorized by law.

(b) Reemployment following emergency or other military duty.—Upon the completion of such emergency or other military duty any such member of the Pennsylvania National Guard or any other reserve component of the armed forces of the United States shall be restored by such public or private employer or his successor in interest to such position or to a position of like seniority, status and pay which such member held prior to such emergency or other military duty, but if any such member is not qualified to perform the duties of such position by reason of disability sustained during such emergency or other military duty but qualified to perform the duties of any other position in the employ of such private employer or his successor in interest, such member shall be restored to such other position, the duties of which he is qualified to perform, as will provide him like seniority, status and pay, or the nearest approximation thereof consistent with the circumstances of the case, unless such public or private employer's or his successor in interests, circumstances have so changed as to make it impossible or unreasonable to do so.

(c) Extension of benefits during military duty.—Whenever a member of the Pennsylvania National Guard is called or ordered into active Federal service or active State duty under orders authorized by law or a member of any reserve component is called or ordered onto active duty, other than active duty for training, the [public or] private employer of the member shall, at no cost to the member, continue health insurance and other benefits in effect for at least the first 30 days of the military duty. After the expiration of the first 30 days, the [public or] private

employer shall give the member of the National Guard or other reserve component the voluntary option of continuing such health insurance and other benefits in effect at his own expense by paying for the insurance or benefits at the same rates paid by the employer, and the insurance coverage shall continue, except for injuries incurred in the line of military duty. The public employer, meaning the Commonwealth and any political subdivision, of any employee who is a member of the National Guard or reserve component of the armed forces of the United States who is called or ordered into active duty during a military conflict or peacekeeping mission shall, at no cost to the member, continue health insurance and other benefits in effect until the member has returned from active military duty. If the public employer can not legally maintain such coverage, it shall be responsible for the payment of all medical costs not paid by other insurance coverage of such member or his dependents while the member is on active military duty. The Commonwealth shall reimburse any political subdivision or other local entity for costs incurred under this section.

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

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

Mr. MICHLOVIC. Mr. Speaker, I believe the amendment— I wish to withdraw that amendment for 2649.

The SPEAKER pro tempore. The gentleman is withdrawing the amendment?

Mr. MICHLOVIC. No. I am sorry. I have the number wrong.

The SPEAKER pro tempore. You are going forward with this amendment?

Mr. MICHLOVIC. Right. I thought I had another amendment.

The SPEAKER pro tempore. All right. You are recognized on your amendment.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, amendment 2633 would place a guarantee in Pennsylvania statute for benefits, health benefits, for National Guardsmen and reservists who are called to active duty, such as is the case right now in Kosovo. This matter was brought to my attention by one of our members who looks like he was through the wars recently, Representative Tangretti, who is in the back of the hall.

While there are currently provisions to continue these benefits for 30 days after the guardsmen and reservists are called to duty, after that 30 days they are shifted on to the Federal system. The problem is that the Federal system may not quite dovetail into the State health insurance benefits, and we have seen some cases where parents have kids going to an orthodontist or going to a doctor for a particular procedure and now they are going to be shifted to another health system. My amendment would keep them in the same health system that they are in, and this applies to State employees and to local, municipal, and school district employees across the State, and the State would pick that cost up so that those people's families could be relieved of the consternation of having to jump around to different insurance systems.

Now, I understand that the Governor has an executive resolution to help resolve this, but that resolution only applies to State employees. My provision places in statute not only for this conflict but any other conflicts that we have where our guardsmen are called into active duty to serve this nation.

So I would ask the members of the House to support my amendment and add it to SB 999. Thank you.

The SPEAKER pro tempore. Mr. Roberts, were you seeking recognition on the amendment? The gentleman is recognized.

Mr. ROBERTS. Thank you, Mr. Speaker.

Mr. Speaker, I have some problems with the language in this amendment. I understand what the maker of the amendment is trying to accomplish, and I certainly applaud him for that, and I would say there is probably no one in this chamber who would be more supportive of our guardsmen.

However, my concern with the amendment is that there is no time limit on the amount of time that we would cover the medical benefits for the guardsmen who are called up. Now, I believe the intent of this amendment is to protect our guardsmen and their families for a short period of time, while they are off on some short mission. However, guardsmen, once called to active duty, have the capability of asking to remain on active duty, some of which get to remain on active duty for 20 or so years, for a full military career, which means that the cost of this particular piece of legislation would be rather astronomical. In addition to that, there is a remote possibility but there is a possibility that we could have guardsmen across the entire State of Pennsylvania called up, and again, that would cause us to have an astronomical cost for their medical benefits.

So those two points, plus a third, where the language talks about the employer being responsible for the payment of medical bills not paid by other insurance coverage. I believe that language has a flaw in it, where it does not really say that we are going to make up the difference but it will actually cause the Commonwealth to pick up the entire cost of the medical coverage.

So for those reasons, I would ask for a negative vote on this amendment.

The SPEAKER pro tempore. I guess you are it. Mr. Michlovic, for the second time.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, I draw the gentleman's attention who raised the issue of the lack of time limit on this to lines 27 through 32 of page 2 of my amendment, and it says, "The public employer, meaning the Commonwealth and any political subdivision, of any employee who is a member of the National Guard or reserve component of the armed forces of the United States who is called or ordered into active duty during a military conflict or peacekeeping mission shall, at no cost to the member, continue health insurance...." So there is a time limit. It is the time period that that member is called to active duty for our nation's service, and we have airmen and perhaps soldiers in the service of our nation right now as we sit here. We cannot, we should not leave Harrisburg without providing their kids and their families a continuity of health insurance, and that is all this amendment does. It says that they will maintain their health insurance with the State.

With regard to the number of employees— I mentioned earlier, by the way, that school districts would be covered. They would not be covered under this; just municipalities and State employees, municipal and State employees. But there are only 482 of them in the whole system, and all of those members— And we do not know how many members. The department could not give me any number of how many of those members that are State and municipal employees are being called up now. It is a small percentage of that total 482 number. So the numbers here are not very large. For a whole year, if they were in for a year, it would probably be less than \$1 million.

We cannot leave Harrisburg without providing our soldiers who are in harm's way these benefits for their families. Let us not do that. Let us vote this amendment and move the bill on to the Senate and get this done. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lehigh County, Mr. Semmel, on the amendment.

Mr. SEMMEL. Thank you, Mr. Speaker.

I would like to point out for the benefit of the members, this amendment does not have the support of the Department of Military and Veterans Affairs, nor the Governor's Office, nor the prime sponsor of the bill. I would simply say, at this late hour, I would like to see this particular amendment proposal come to the committee for full consideration.

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

Mr. LUCYK. Mr. Speaker, I rise to support this amendment, and I just want to clarify my point, because when this amendment was discussed in caucus, there was some confusion about it. We talked about two different things.

I rise to support the amendment proposed by Representative Michlovic. What we are talking about here is a small group of State employees who are in the National Guard, and when they are called to active duty, after 1 month, as Mr. Michlovic stated, their benefits revert, or I should say, not revert but go on to the Federal system. What we are just trying to do here is to maintain State benefits for those State employees that are called to national duty after 1 month.

The argument that we heard that the guardsmen have an opportunity or the option to stay on active duty is not a very good argument against this amendment. The odds of a person who is in the National Guard and is called to active duty of staying on for 20 years are very high. If a person wanted to be on active duty for 20 years, he would not be in the National Guard. There are certain reasons why a person is in the National Guard, why a person would be on active duty, and why a person would be, perhaps, in the Reserves. So as I said, the option is there for that person to go, to remain on active duty, but the odds of his or her doing so are very small.

This is a good piece of legislation for our National Guard members. Whether or not it is supported by the department does not really matter. It is something we can do for our National Guard people who have been called up during a national crisis, as presently the crisis in Kosovo, who were called up. So I ask the ladies and gentlemen of the House to support this measure. Thank you very much.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Warren County, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

I would like to, of course, direct this directly to the sponsor of the amendment and tell him why I think he should withdraw this.

This is a good amendment, and I think it is a good thing to do. However, as I understand it, this commission, the Veterans' Commission, which raised the money for this memorial, expires June 30. Now, we put \$2 million into the budget, and if this commission does not exist, they stand to lose that \$2 million that we put in the budget.

Just because of that reason — Mr. Speaker, it is a good amendment — but just because of that reason, I would respectfully ask that you withdraw this amendment so that this legislation could go on and this commission could be extended to the year 2003 and

they could be guaranteed that \$2 million we put in the budget. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Roberts, for the second time on the amendment.

Mr. ROBERTS. Thank you, Mr. Speaker.

I wanted to respond to the comments of the maker of the amendment, but before I do that, I want to say that I believe that the intent of the amendment is an excellent one, and if the language fulfilled the intent, I would certainly support the amendment.

However, the maker of the amendment talked about the amendment only covering the members while they were in a particular conflict. However, at line 33 of the amendment, page 2, it says that the coverage will continue, and I quote, "...until the member has returned from active military duty." Again, I submit to you that any guardsman who is called up to active duty does have the option of requesting to remain on active duty for an extended period of time, up to a 20- or a 30-year career, and I do not think that is what the maker of this amendment intended, but that is exactly what the amendment says, and I would ask that we oppose this amendment for that particular reason.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—126

Adolph	Flick	Manderino	Samuelson
Armstrong	Frankel	Mann	Santoni
Barrar	Freeman	Markosek	Scrimenti
Battisto	George	Mayemik	Serafini
Bebko-Jones	Gigliotti	McCall	Seyfert
Belardi	Gladeck	McGeehan	Shaner
Belfanti	Godshall	Melio	Solobay
Bishop	Gordner	Michlovic	Staback
Blaum	Grucela	Micozzie	Steelman
Boyes	Gruitza	Miller, S.	Stetler
Butkovitz	Habay	Mundy	Sturla
Buxton	Haluska	Myers	Surra
Caltagirone	Hanna	O'Brien	Tangretti
Cappabianca	Harhart	Oliver	Taylor, J.
Carn	Hasay	Orie	Thomas
Casorio	Herman	Pesci	Tigue
Cawley	Horsey	Petrarca	Travaglio
Civera	James	Petrone	Trello
Cohen, L. I.	Josephs	Pippy	Trich
Cohen, M.	Kaiser	Pistella	Van Horne
Colafrilla	Keller	Preston	Veon
Corrigan	Kenney	Ramos	Vitali
Costa	Kirkland	Raymond	Walko
Coy	Krebs	Readshaw	Waters
Curry	LaGrotta	Rieger	Williams
Daley	Laughlin	Robinson	Wogan
DeLuca	Lawless	Roebuck	Wojnaroski
Dermody	Lederer	Rohrer	Yewcic
DeWeese	Lescovitz	Rooney	Youngblood
Donatucci	Levdansky	Ruffing	Yudichak
Eachus	Lucyk	Sainato	Zug
Evans	Lynch		

NAYS—72

Allen	Fairchild	McIlhattan	Semmel
Argall	Fargo	McIlhinney	Smith, B.
Baker	Feese	McNaughton	Smith, S. H.
Bard	Fichter	Metcalfe	Stairs
Barley	Fleagle	Miller, R.	Stiel
Bastian	Forcier	Nailor	Stern
Benninghoff	Geist	Nickol	Stevenson

Birmelin	Hennessey	Perzel	Strittmatter
Browne	Hershey	Phillips	Taylor, E. Z.
Bunt	Hess	Platts	True
Chadwick	Hutchinson	Reinard	Tulli
Clark	Jadlowiec	Roberts	Vance
Clymer	Leh	Ross	Wilt
Cornell	Maher	Rubley	Wright
Dailey	Maitland	Sather	Zimmerman
Dempsey	Major	Saylor	
DiGirolamo	Marsico	Schroder	Ryan,
Druce	Masland	Schuler	Speaker
Egolf	McGill		

NOT VOTING—1

Gannon

EXCUSED—4

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

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

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

The following roll call was recorded:

YEAS—199

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	McGeethan	Seyfert
Barrar	Frankel	McGill	Shaner
Bastian	Freeman	McLhattan	Smith, B.
Battisto	Gannon	McLhinney	Smith, S. H.
Bebko-Jones	Geist	McNaughton	Solobay
Belardi	George	Melio	Staback
Belfanti	Gigliotti	Metcalfe	Stairs
Benninghoff	Gladeck	Michlovic	Steelman
Birmelin	Godshall	Micozzie	Steil
Bishop	Gordner	Miller, R.	Stern
Blaum	Grucela	Miller, S.	Stetler
Boyes	Gruitza	Mundy	Stevenson
Browne	Habay	Myers	Strittmatter
Bunt	Haluska	Nailor	Sturla
Butkovitz	Hanna	Nickol	Surra
Buxton	Harhart	O'Brien	Tangretti
Caltagirone	Hasay	Oliver	Taylor, E. Z.
Cappabianca	Hennessey	Orie	Taylor, J.
Carn	Herman	Perzel	Thomas
Casorio	Hershey	Pesci	Tigue
Cawley	Hess	Petrarca	Travaglio
Chadwick	Horsey	Petrone	Trello
Civera	Hutchinson	Phillips	Trich
Clark	Jadlowiec	Pippy	True
Clymer	James	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance

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

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

RESOLUTION

Mr. ROHRER called up HR 183, PN 1770, entitled:

A Resolution condemning claims that consensual pedophilia is not harmful to children.

On the question,
Will the House adopt the resolution?

Ms. SEYFERT offered the following amendment No. A2809:

Amend Resolution, page 1, lines 6 through 16; page 2, lines 1 and 2, by striking out all of said lines on said pages and inserting
Temple University, concerning sexual relationships between adults and children; and

Amend Eighth Whereas Clause, page 2, lines 17 through 21, by striking out all of said lines and inserting

WHEREAS, Child molesters and potential pedophiles may distort the findings of Dr. Rind and others by claiming such repulsive behavior does little or no harm in the

Amend Ninth Whereas Clause, page 2, lines 22 through 29, by striking out “; and” in line 22, all of lines 23 through 29 and inserting
; therefore be it

Amend Resolution, page 2, line 30; and page 3, lines 1 through 11, by striking out all of said lines on said pages and inserting

RESOLVED, That the House of Representatives condemn pedophilia which produces pervasive and intensely negative effects in the vast majority of cases; and be it further

RESOLVED, That a copy of this resolution be transmitted to Governor Thomas J. Ridge.

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

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

Ms. SEYFERT. Mr. Speaker, this amendment deletes questionable terminology and statements that imply that the APA, the American Psych Association, and Temple University may be guilty by association of being soft on child sexual abuse.

This could not be further from the truth. APA has publicly clarified its strong opposition to any adult-child sexual relationships. Further, it has publicly denied child sexual abuse offenders from citing APA-published studies in legal defense. Also, APA is reevaluating—

The SPEAKER pro tempore. Will the lady suspend.

The House will come to order. Conversations in the aisles will break up. Conversations in the side aisle will break up.

The lady may continue.

Ms. SEYFERT. Also, APA is reevaluating the social, legal, and political impact when publishing scientific studies and plans to repudiate the Rind study.

This amendment, it should be noted, keeps intact the fact that credible experts consider child sexual abuse as very harmful, and it recognizes that child sexual abusers may distort the findings of Dr. Rind with false claims and keeps intact that it calls on the House to condemn child sexual abuse.

I ask for a “yes” on the amendment and a “yes” on the resolution as amended. Thank you.

The SPEAKER pro tempore. The gentleman from Berks County, Mr. Rohrer, on the amendment.

Mr. ROHRER. Thank you, Mr. Speaker.

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

The SPEAKER pro tempore. The lady indicates that she is willing to stand for interrogation. You are in order and may proceed.

Mr. ROHRER. Mr. Speaker, the resolution that is before the House that you are seeking to change by your amendment is really very simple in that the resolution simply seeks to take and condemn the study produced by a Professor Bruce Rind of Temple University and as published in the Psychological Bulletin of the American Psychological Association, which study takes the very important issue of child sexual abuse and pedophilia and comes to conclusions that say that that kind of action, adult to child, is really not all that bad. That is all the resolution does. I find it amazing that anyone, particularly the Psychological Association, would seek to oppose that statement.

Mr. Speaker, I have some questions for you, if I can, because in your amendment, you effectively cut out every reference in the resolution that condemns the study. For instance, your first—

The SPEAKER pro tempore. Will the gentleman suspend.

Mr. ROHRER. Yes.

The SPEAKER pro tempore. This is interrogation.

Mr. ROHRER. That is correct.

The SPEAKER pro tempore. If the gentleman has questions, he should ask them.

Mr. ROHRER. That is correct. I will do that, sir.

First of all, you take out lines 6 through 16, that say that the report “...which claims that...credible studies on sexual relationships between adults and children suggest that such

relationships do not provide pervasive and intensely negative effects in the vast majority of cases as long as the sex is consensual...” You have chosen to take that out. Can you tell me why or what you believe not to be true about that statement or what the APA believes not to be true about that statement?

Ms. SEYFERT. The problem with that statement is that you are saying the authors regard, in that study, those studies they reviewed as most credible. If you read the study—

Mr. ROHRER. Mr. Speaker?

Ms. SEYFERT. I will start again. The term “most credible” is what is being contested. Even the author of that study, Rind, did not claim that the studies he was reviewing were most credible. In fact, he stated the problems with terminology across the studies.

Mr. ROHRER. Are you saying that the report is not credible?

Ms. SEYFERT. No. What I am saying— My understanding of that statement is that you are attributing to the author of that study that they are stating that the studies that they utilized were most credible, and they actually, in that study, indicate the problems with terminology in the studies.

Mr. ROHRER. Are you saying then that that report is not credible?

Ms. SEYFERT. I am saying— You know, that is not what I am questioning here. Okay? I personally do not agree with the study. However, the author is not stating in that study that he is using the most credible studies.

Mr. ROHRER. Mr. Speaker, the report—

Ms. SEYFERT. The reason, if I can just further elaborate, the reason for that is because of the way terminology is used in research, that there was no common definition, which he points out that discrepancy. So he is not saying the studies were most credible.

Mr. ROHRER. Mr. Speaker, the point of that section that you are taking out, it says that the relationships, the studies, show that pervasive and intensely negative effects in the vast majority of child abuse cases, as long as the sex is consensual, are not that bad. Are you agreeing with that statement?

Ms. SEYFERT. No; I certainly am not agreeing with that statement.

Mr. ROHRER. Okay. Thank you, Mr. Speaker, because that really is all we are stating in that resolution, in that section.

Ms. SEYFERT. Well, that is not how it reads.

Mr. ROHRER. Another question that I have for you is that back on the second page, your amendment would remove the section between 17 basically all the way to 29, where the resolution states that because of this report and because it was published in a credible publication like the Psychological Bulletin and because the professor is employed by Temple University, which is a credible institution, that by that fact alone, his study assumes a level of credibility that will be utilized by people who support pedophilia and the exploitation of children and cited as reasons why their activities are not all that bad, and you have chosen to take that out. Could you please share with me why that section, you feel, should be taken out.

Ms. SEYFERT. Are you referring to lines 17 through 22?

Mr. ROHRER. That is correct, 17 basically to 29.

Ms. SEYFERT. That was actually substituted in the amendment. It was just reworded that “...Child molesters and potential pedophiles may distort the findings of Dr. Rind and others by claiming such repulsive behavior does little or no harm...” That was replaced with that. And probably when you

look at it, the concern is the terminology “like-minded” and what you mean by that.

Mr. ROHRER. Then, Mr. Speaker, on the last page—

Ms. SEYFERT. Okay.

Mr. ROHRER. —you change the section at the end, in the “RESOLVED” section, in that you state “...That the House of Representatives condemn pedophilia which produces pervasive and intensely negative effects in the vast majority of cases...” Can you share with me any case where pedophilia produces a positive effect?

Ms. SEYFERT. Absolutely not.

Mr. ROHRER. Then I do not understand what you are doing with your amendment, because it must not be stating what you are saying.

The SPEAKER pro tempore. Will the gentleman suspend.

Mr. ROHRER. Yes.

The SPEAKER pro tempore. This is interrogation. If the gentleman has questions, he may ask them and the lady may answer them. If the gentleman cares to make argument, he will have an opportunity after the interrogation has concluded.

Ms. SEYFERT. Again, the purpose of the amendment is to be sure that it does not apply guilt by association of APA and Temple University when they have clearly and publicly indicated their strong opposition to any adult-child sexual relationships, indicating that it is wrong and harmful.

Mr. ROHRER. Well, can I comment on the amendment then, Mr. Speaker?

The SPEAKER pro tempore. The gentleman is recognized on the amendment.

Mr. ROHRER. Mr. Speaker, what really is happening here with the amendment is that the amendment seeks to remove from the resolution every condemnation of the report, which is the point of question. The report that was written by this professor at Temple University and was published in the prestigious publication of the American Psychological Association, their Psychological Bulletin, it is those findings which take the issue of child sexual abuse and pedophilia and puts upon it a less than serious face. In fact, they state in the report— And I gave this report to every member of the House and asked you all to read it so that you would see what is in the report, because he states right at the very beginning of the report the premise. He says, “Many lay persons and professionals believe that child sexual abuse (CSA) causes intense harm, regardless of gender, pervasively in the general population.” He goes on and says that “Self-reported reactions to and effects from CSA indicated that negative effects were neither pervasive nor typically intense, and that men reacted much less negatively than women.... Basic beliefs about CSA in the general population were not supported.” Throughout the report, this author takes and tries to prove that child sexual abuse, if it is consensual, is really not all that bad. That absolutely is not true. I have yet to find any in my district or anyone else, really, except a few in the Psychological Association, that would seek to even defend the statements in that report.

We have an obligation as a House of Representatives to protect the health and safety of our children. We have laws that are passed that prevent child abuse — supposed to, anyways. We have laws that classify sexual relationships with a minor as statutory rape. This seeks to undo and put a light face on this very, very tremendously bad action, and all the way through this amendment, Mr. Speaker, all of those things are taken out.

I submit for another reason that this is not good is that in the study there are numerous places where the author states that psychological harm is not a problem and is not a long-term problem for those who have been involved in sexual abuse. He makes the statement that if it is consensual, it is not all that bad, but I submit to you, how in the world can you have a consensuality with a minor, with an adult? It is absolutely impossible, and that is why we have laws on the books.

The amendment as well seeks to take out the section that says that because we have publications and research reports that are published in prestigious publications, that that places upon it a higher level of credibility and that we and they frankly should be very concerned about what is happening and what may be used by their publication.

A claim was made as well that it was my interpretation of what this author said. I submit that that is not true. In fact, from the American Psychiatric Association, the medical director from the American Psychiatric Association, on this issue, wrote a letter in which he says, “As you may know, we strongly disagree with the implications of the authors’ conclusions” — this author — “contained in the journal article ‘A Meta-Analytic Examination of Assumed Properties of Child Sexual Abuse...’ ” from the Psychological Bulletin, in which he says “...that not all sexual contact between adult and child should be considered abusive.” This is the interpretation of the medical director of the American Psychiatric Association. He says, “From a psychological perspective, sex between adult and child is always abusive and exploitative because the adult always holds the power in the relationship and the child does not. Such exploitation destroys the child’s trust that the adults in his or her life will not harm them.” And he says, “Academic hair-splitting over whether the act should be considered adult-child sex or child sexual abuse, depending upon whether or not the child feels abused or suffers subsequent trauma, is not in the public interest and obfuscates the moral issue involved.” That is from the medical director of the American Psychiatric Association, his professional opinion. The report says what we say it says in the resolution.

Even the American Psychological Association themselves have published a paper in which they say that they were at fault for not considering the public policy implications of their report and that they will do that in the future.

Mr. Speaker?

The SPEAKER pro tempore. Mr. Rohrer.

Mr. ROHRER. Could I have just a little bit more quiet, please.

The SPEAKER pro tempore. The House will come to order. Conversations in the back of the House will break up. Members will take their seats.

The gentleman may continue.

Mr. ROHRER. Thank you, Mr. Speaker.

Mr. Speaker, this is an issue that really it is kind of surprising that we even have to bring it before us, but it is. Even the American Psychological Association themselves confessed in a letter that they did not consider the public policy implications. They have said that they will implement a new peer review process in the future. Because they recognize that publication in their report could be used by proponents of pedophilia and abusers of children, could be used to justify their actions, they have agreed that their general counsel will produce an amicus brief that could be adapted and used in court proceedings to oppose what appeared in their bulletin so that proponents of child sexual abuse could not

use that report. They recognize as well what publication in their magazine will do.

The amendment also seeks to take out the part that says that people, by reading this report, will be emboldened to involve themselves in the abuse of children.

Even in the article of NAMBLA, from the NAMBLA publication, North American Man-Boy Love Association, they say that "A new study" — this study we are talking about — "bolsters the long-standing claim... that consensual sex between men and boys doesn't cause psychological damage," and they cite this report. They say, "Combining the results of so many surveys... , in a newly definitive way, the results of previous studies..." it says, "...Sex does not pose the damage to minors claimed by police, prosecutors and prudes crusading against man/boy love. Instead, the majority of boys who have sexual relationships with adults view them as either positive or neutral experiences..." This is absolutely outrageous, but this is what is happening because of the writing of this report.

Mr. Speaker, to put in this amendment is to condone what was written in the report. Very clearly, the amendment seeks to take everything out of the resolution that refers to the report. It is beyond me why the American Psychological Association has entered into this debate. They published it in their magazine, that is correct, but the resolution does not cite them, and it frankly does not even cite the author, nor construe to them any motivation. It cites the findings of the report. This amendment removes all of that. It completely does away with it. A vote for this amendment is a vote to support the findings of Bruce Rind in his article. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Erie, Mr. Scrimenti.

Mr. SCRIMENTI. Mr. Speaker, I rise in support of the Seyfert amendment.

HR 183 as it stands characterizes research done by a professor at Temple University as pro-pedophilia. The resolution takes isolated statements from his extensive article and uses them out of context and asks us to condemn them. The fact that pedophiles and those who would support them may be, may be distorting the findings as justification for their behavior does not mean that the article supports pedophilia.

If we are to condemn anyone today, let us condemn those who would perpetrate this heinous crime against our children. As a father of three and soon four, let us condemn those who would distort scientific findings to justify their own agenda. This amendment does that, and I ask for your support.

The SPEAKER pro tempore. Does the lady from Philadelphia seek recognition? The Chair recognizes Representative Manderino.

Ms. MANDERINO. Thank you, Mr. Speaker.

I, too, rise to support the Seyfert amendment.

Very briefly, what the Seyfert amendment does is take out what, to me, are very clearly misstatements and misappropriations of what a study has done and leaves intact I think what we all want to do, which is the notion that we want to condemn pedophilia and its deleterious effects on our children.

Without going into all of the details, I think it is important to note that the study being referred to was a survey of other people's literature who have written on this issue, and one of the main criticisms of it was that the other people who had researched this issue were being very sloppy about what they were using as a definition for pedophilia and drawing conclusions that could be

inaccurate, and I think one of the most telling parts of the study is that it cautions other researchers not to be sloppy in their research and to use accurate terms and to accurately define the terms.

I think that we are doing the right thing by getting rid of, from the original resolution, inaccurate or misleading and out-of-context statements and keeping with what I think many of us are very concerned about, which is condemning pedophilia, condemning inappropriate sexual contact and sexual abuse of our young people. That remains intact with this amendment, and this amendment makes that statement loud and clear, and I ask everyone to vote "yes" on this amendment.

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

Mrs. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Seyfert amendment. My concern is, without this amendment, we are setting a terrible precedent. There is no one in this body that approves of pedophilia, approves of child abuse, abuse against children. That is not the issue. What we are doing today and we would do without this amendment is to interfere with academic freedom, with scholarly works. I realize that we do fund Temple University, but we are micromanaging by delving into and interfering with scholarly positions and experts, professors in a specific field. I do not think we are qualified to do that. I do not think that we should do it. We set a bad precedent of interfering with academic freedom, despite the fact that we do fund Temple University.

Without the Seyfert amendment, we are micromanaging, and it is a terrible precedent. I urge my fellow Representatives to vote in support of this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Are there any other members seeking recognition?

Mr. Rohrer, for the second time. The gentleman is recognized.

Mr. ROHRER. Thank you, Mr. Speaker.

I have to comment on just a couple of things that were mentioned there, because it is a problem.

People cannot have it both ways. For anyone to support the findings and the conclusions of the report and to justify and to say it does not need condemnation by this House is to support and to say that pedophilia is not that bad, because that is what the report says.

A statement was made that this report is really not that scientific, I guess, because it takes and reports on other people's works. That is not true. The Psychological Bulletin publishes that which they find to be scientific studies. That is why it is in the publication. And they reject far more than they include. If it is scientific, then it should be valid, and if it is valid, then the results ought to be supported, but it is not. A comment was made that the individual, the author, used bits of portions of other reports that other people had done that were not really all that scientific. Well, the author himself said that he took the most credible reports that existed and combined them and came up with a conclusion. So the author said that what he has used were credible reports. He combined that and came up with his report and with his conclusions. So the report is either scientific or it is not. It is scientific, though, they say, because it is in the report, but the process that was used is not scientific.

And we are not standing here today just to oppose pedophilia. For goodness' sake, I would hope everybody would stand up and oppose pedophilia, just like we would oppose murder and

everything else. This is here because we need to oppose a report, a study, that has gotten around the country. You need to know that already there are numerous State legislatures, houses and Representatives, that have passed resolutions condemning this report written in our State, already in terms far more precise than what is in our resolution. Other States have already done this. They have a resolution in Congress that is pending. This report has gone across the country. It happened here in Pennsylvania. If we as this House do not condemn it, are we to go on record saying it is fine to say and fine to come up with these conclusions? I would certainly hope we do not.

I ask for a "no" vote on this amendment, because it completely undoes what is in the resolution, and to vote for the amendment is to support the findings of his study, which says that pedophilia frankly is not all that bad if it is consensual. That is outrageous. I ask you to oppose the amendment.

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

The following roll call was recorded:

YEAS—45

Alien	DeWeese	McCall	Stetler
Argall	Evans	Melio	Sturla
Bebko-Jones	Gannon	Michlovic	Surra
Belardi	George	Mundy	Tangretti
Bishop	Grucela	Pesci	Thomas
Boyes	Gruitza	Pistella	Travaglio
Cappabianca	Jadlowiec	Ramos	Van Horne
Carn	Josephs	Rooney	Veon
Cohen, L. I.	Kirkland	Scrimenti	Waters
Cohen, M.	Laughlin	Seyfert	Williams
Colafella	Manderino	Steelman	Youngblood
Curry			

NAYS—150

Adolph	Feese	Mann	Samuelson
Armstrong	Fichter	Markosek	Santoni
Baker	Fleagle	Marsico	Sather
Bard	Flick	Masland	Saylor
Barley	Forcier	Mayermik	Schroder
Barrar	Frankel	McGeehan	Schuler
Bastian	Geist	McGill	Semmel
Battisto	Gigliotti	McIlhatten	Serafini
Belfanti	Gladeck	McIlhinney	Smith, B.
Benninghoff	Godshall	McNaughton	Smith, S. H.
Birmelin	Gordner	Metcalfe	Solobay
Blaum	Habay	Micozzie	Staback
Browne	Haluska	Miller, R.	Stairs
Bunt	Hanna	Miller, S.	Steil
Butkovitz	Harhart	Myers	Stern
Buxton	Hasay	Nailor	Stevenson
Caltagirone	Hennessey	Nickol	Strittmatter
Casorio	Herman	O'Brien	Taylor, E. Z.
Cawley	Hershey	Oliver	Taylor, J.
Chadwick	Hess	Orie	Tigue
Civera	Horsey	Perzel	Trello
Clark	Hutchinson	Petrarca	Trich
Clymer	James	Petrone	True
Cornell	Kaiser	Phillips	Tulli
Corrigan	Keller	Pippy	Vance
Costa	Kenney	Platts	Vitali
Coy	Krebs	Preston	Walko
Dailey	LaGrotta	Raymond	Wilt
Daley	Lawless	Readshaw	Wogan
DeLuca	Lederer	Reinard	Wojnaroski
Dempsey	Leh	Rieger	Yewcic
Dermody	Lescovitz	Roberts	

DiGirolamo	Levdansky	Robinson	Yudichak
Druce	Lucyk	Rohrer	Zimmerman
Eachus	Lynch	Ross	Zug
Egolf	Maher	Rubley	
Fairchild	Maitland	Ruffing	Ryan,
Fargo	Major	Sainato	Speaker

NOT VOTING—4

Donatucci	Freeman	Roebuck	Shaner
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EXCUSED—4

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

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

The following roll call was recorded:

YEAS—193

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

Druce	Lynch	Sainato	
Eachus	Maher	Samuelson	Ryan,
Egolf	Maitland	Santoni	Speaker
Evans	Major	Sather	

NAYS—4

Cohen, L. I.	Curry	Manderino	Michlovic
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NOT VOTING—2

Thomas	Williams
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EXCUSED—4

Dally	Harhai	Snyder	Washington
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Shaner, rise? To correct the record?

Mr. SHANER. Right.

The SPEAKER pro tempore. Go ahead.

Mr. SHANER. My button malfunctioned. I wish to be recorded on amendment 2809 as a negative. Thank you.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1000, PN 1203**, entitled:

An Act designating the Capitol Annex Building as the Speaker Matthew J. Ryan Legislative Office Building and providing for its use; and making a repeal.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

On that question, the Chair recognizes the Democratic leader, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

Today in the Philadelphia Inquirer, there appeared an article on vouchers, and the headline said, "...a mad dash for vouchers." I would transfer that phrase to the current measure and say it is a mad dash to rename this building or to give it a name other than the comparatively generic name of "Annex." I would have preferred that some of us on our side had been contacted. I would have preferred that there would have been a chance for us to consider this in committee, for us to discuss a variety of other alternatives, additions — Medal of Honor winners, great medical

scientists, politicians also — but it was a mad dash, and we had nothing to do with this.

So I did some research, and I thought that in the interest of bipartisanship and still honoring the essence of SB 1000, that I would ask for the suspension of the rules and the inclusion of an amendment that would name the Annex after Speaker Ryan and after Speaker K. Leroy Irvis. It would be a joint effort on behalf of this Assembly to laud the current Speaker and at the same time honor the first African-American Speaker of the House in our Commonwealth and to honor a man who, along with Speaker Ryan, galvanized the Capitol Preservation Committee a decade and a half ago and allowed for many of the manifest improvements in this bespangled room and in this sumptuous Capitol setting, because K. Leroy Irvis was fundamental, crucial, and initial, along with the current Speaker, in trying to make certain that our historical preservation effort would go on without stint.

So in this mad dash to name a building after one of our own, and I am not real comfortable with that, and yet if we are going to do it, I think we should do it in a bipartisan fashion. I think we should do it for the two people who cofounded, figuratively if not literally, the Capitol Preservation Committee.

I remember the scaffolding in the early 1980s all throughout this building when Speaker Irvis was at the dais, and he was an unrelenting force in making sure that the Pennsylvania Capitol Building where we all work would be an exceptional setting. That work has been carried on in generous and worthy fashion by the current Speaker. But why in a matter of hours — 96 hours or 115 hours — just a matter of hours, without any warning, any deliberation, should the Republican Senate send us a measure that we do not have any involvement in?

So I am willing to entertain the measure because I think it has an inexorable life of its own. But having said that, I think it would have a wonderfully beneficial impact if we could bring it to a combination of Mr. Ryan and Mr. Irvis. I can see very little if any detrimental impact upon that idea, and quite frankly, it would allow us to coalesce a little closer tonight as we leave for the summer after a strenuous session, and the session is not over. We have miles to go before we sleep, so to speak.

The Irvis-Ryan Annex, the Ryan-Irvis Annex, but to name it after one person with no deliberation, no committee meetings, no warning, when both these guys really, collectively, were responsible for this wonderful room and this wonderful building, it makes no sense to me.

MOTION TO SUSPEND RULES

Mr. DeWEESE. So with respect and with enthusiasm for my proposal, I would ask that the rules of the House be momentarily suspended for the consideration of an amendment that would name the Annex after Speaker Irvis and Speaker Ryan.

Thank you, Mr. Speaker, for your indulgence.

The SPEAKER pro tempore. Mr. DeWeese, can I have the amendment number?

Mr. DeWEESE. 2955, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. DeWeese, moves that the rules of the House be suspended so that he may offer amendment A2955 to SB 1000.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On that question, the Chair recognizes the majority leader.

Mr. PERZEL. Thank you, Mr. Speaker.

This bill came out of committee unanimous, and there were no amendments offered to change the name of the building from the Matt Ryan Center to anything else.

As far as naming it for Mr. Irvis, I have all the respect in the world for Mr. Irvis. He was one of the finest Speakers we ever had, and I thank the members of the General Assembly, because we all gave money to the University of Pittsburgh because they are naming a center after Mr. Irvis, where they will have all his papers, all of his artifacts. He will be at the groundbreaking and at the opening of that center. So we have taken time and we have paid respect to Mr. Irvis. We have not forgotten that he was a Speaker and a very good Speaker.

So I might add also that we have, you all collectively as members of the General Assembly, have taken care of a project of his over the last several years that has been very important to his life, and that was the Bidwell Center. It is now one of the finest centers we have in Pennsylvania for training young people and making sure that they get out into the world with productive jobs that are very, very, very well paying jobs and they do a fabulous job there, and I would thank you, on behalf of Mr. Irvis, for taking care of that fine institution.

But, Mr. Speaker, I would like to ask the members of the General Assembly to vote "no." The Republicans have been in that space for 15 years. It is only fitting that it is named after a Republican. Mr. Ryan and Mr. Manderino and Mr. Irvis were the ones that started on putting us into more of a position of a bipartisan management, where we do not fire 400 people every time you take control or every time we take control. The only people that lose their offices now are Bill and I, and I hope you stay in yours for a long time, Bill.

And I would respectfully like to ask the members to vote "no" on the suspension of the rules, and I would like to keep it named the Matt Ryan Center. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS-87

Battisto	Frankel	Melio	Solobay
Bebko-Jones	Freeman	Mundy	Staback
Belardi	George	Myers	Steelman
Belfanti	Gigliotti	Oliver	Stetler
Bishop	Gordner	Pesci	Sturla
Blaum	Grucela	Petrarca	Surra
Buxton	Gruitza	Petrone	Tangretti
Cappabianca	Haluska	Pistella	Thomas
Carn	Hanna	Preston	Travaglio
Casorio	Horsey	Ramos	Trello
Cohen, M.	James	Readshaw	Trich
Colafella	Josephs	Rieger	Van Horne
Costa	Kirkland	Roberts	Veon
Coy	LaGrotta	Robinson	Vitali
Curry	Laughlin	Roebuck	Walko
Daley	Lescovitz	Rooney	Waters
DeLuca	Levdansky	Ruffing	Williams
Dermody	Lucyk	Sainato	Wojnaroski
DeWeese	Mann	Samuelson	Yewcic
Donatucci	Markosek	Santoni	Youngblood
Eachus	McCall	Scrimenti	Yudichak
Evans	McGeehan	Shaner	

NAYS-108

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

NOT VOTING-4

Caltagirone	Manderino
Corrigan	Ryan, Speaker

EXCUSED-4

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

On the question recurring,
Shall the bill pass finally?

The SPEAKER pro tempore. On the bill, does the gentleman, Mr. STURLA, seek recognition? The gentleman from Lancaster is recognized.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, it is with great reservation that I rise. However, I would like to qualify my comments.

Back in 1992, I was a young member in the General Assembly here, and there was an amendment to a bill on the floor of the House that day that would grant the Department of General Services the exclusive use, given up by the Department of General Services, to the House of Representatives for the Capitol Annex Building so that it could be used for legislative purposes for the House of Representatives and not for administrative purposes. On that day the vote was 144 yeas and 1 nay. I was that one nay. My reason for voting against that change some 7 years ago was because I felt that it was appropriate for that building to be used for the administration and that the Governor's Office should not be sitting outside the back door of the chamber of the House of Representatives but in a separate facility.

Today I rise and I will vote again against this bill today not because it attaches the Speaker, Matthew Ryan's name to this building. I would be glad to vote for this if it was simply being called the Matthew Ryan Administrative Building. I would be glad to vote for a bill that would change the South Office Building's name to the Matthew Ryan Legislative Building. My concern is that we for time immemorial turned that building into a legislative building, something that I have opposed since I arrived here, and so it is with great regret that I will vote "no" today, because I would like to honor our current sitting Speaker by naming a building after him but will vote "no" today for the purposes that I have mentioned beforehand. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Luzerne County, Mr. Blaum, on final passage.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 1000.

In the long and illustrious history of this chamber, there have been several giants who have occupied a seat in this place. There have been thousands of members but only a handful, I think, that we can truly call greats that have occupied a space in this House, and each of them, all the way back to Franklin, I think are equally deserving of the honor that we propose to give Matt Ryan today. Indeed, I think Matt Ryan would probably tell you that they are more deserving than he is, but if Matt told you that, I think he would be wrong. They are equally deserving, but no one is more deserving than Matt Ryan.

In the 20 years that I have been here, the honor I have had to sit in this House, I have had the great privilege to serve with three who I think occupy that very high space as truly being great in their service to Pennsylvania, and that is Leroy Irvis, Jim Manderino, and Matt Ryan. And I have watched them and I took notes, and if I have had any success here on the floor of the House, I think it is from learning the lessons at the collective knee of these three gentlemen.

Last week we honored Gov. Robert P. Casey, I think in a very fitting way, the man whose courage and integrity have set a standard by which we are all judged from now on. It does not matter here today whether we are Democrats or Republicans. On days like this, I think we are all members of the same fraternity—people who for whatever reason something burns withinside all 203 members of this chamber, who seek to enter this arena and endure all the sacrifices that come with it, to ask our families to endure all the sacrifices that come with it, in order to try and improve the quality of life for the people we represent and the people, all the people, of Pennsylvania.

When we honor Matt Ryan here today, I think what we are doing is honoring not only a man but a lifetime of service. When we honor Matt Ryan today, I think we honor the institution of this House. When we honor Matt Ryan today, I think we honor every veteran who has ever served in this chamber. The name on that new building will not bear the name of any Governor, will not bear the name of any Senator, but will bear a name of a House member, and I think when we honor Matt Ryan here today, we honor public service that is too often disparaged, that too many people are reluctant to enter this life, and for somebody who served for more than 30 years. While there are others who are equally deserving, as I said before, there is no one who is more deserving than our current Speaker.

Congratulations, Matt.

The SPEAKER pro tempore. The gentleman from Philadelphia, Mr. Thomas, is recognized on final passage.

Mr. THOMAS. Mr. Speaker, I overwhelmingly rise in support of SB 1000.

I, too, join a long list of members of this House on both sides who believe that it is a fitting tribute to the current Speaker to name this building in his honor. I have strongly believed that this Speaker has brought dignity, balance, and has brought an added sense of purpose to the legislative process, and preservation has been one of his fortes, a forte that all of us have come to appreciate and all of us have come to cherish. So I think that without question, this Speaker deserves this tribute that we will be overwhelmingly supporting.

I stood with my leadership on the need to also lift up Speaker Irvis, because Speaker Irvis has made a heck of a contribution not only to the institution of the Pennsylvania General Assembly but to the Commonwealth of Pennsylvania. And so while I rise overwhelmingly to support SB 1000, I urge my leadership to stay on course, to stay on course and to not become weary, because as soon as the time is appropriate, we must come together again and pay tribute in a balanced way to Speaker Irvis, because Speaker Irvis truly was an institution. I think that the greatness of Pennsylvania and the greatness of this body of government exists because we have had Speakers like Irvis and like the current Speaker, Matthew Ryan. They have truly made a contribution, a contribution to this State and to this institution.

So I urge members on both sides of the aisle to join me and join others in overwhelmingly supporting SB 1000. Thank you.

The SPEAKER pro tempore. On final passage, the Chair recognizes the gentleman from Delaware County, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

I rise to support SB 1000.

I would like to share one story with my colleagues that puts everything in perspective of what Matthew Ryan has accomplished. A few years ago we were having dinner and it was about 10 of us, and it was the 30th anniversary of the assassination of John Kennedy, and everybody remembers where they were when they heard that John Kennedy, our President, was shot. I brought up that I was a freshman at O'Hara High School; Ron Raymond claims he was an eighth grader at some high school in Sharon Hill; other people said they were in third grade, fourth grade. We went around the dinner table. Matt is scratching his head and he is saying, I was right here; I was right here. And when you think about that—okay?—back in the sixties, this man was here. We were in high school, in college, in law school, you know, some of us probably were not even here. Right?

Matt, it is my privilege, especially as a fellow Delaware Countian who has gone to you in just the short 10 years for so much advice, in good times and in bad times, and I know all the members respect you. I know no one feels more uncomfortable right now than you do—okay?—I know that, because our delegation wanted to do this years ago, but Roger and all your staff said, do not embarrass Matt; do not embarrass Matt; he would not want this. But you deserve this honor, and I am proud to rise for it. Thank you very much.

The SPEAKER pro tempore. On final passage, the Chair recognizes the gentleman from Allegheny County, Mr. Preston.

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

I am also going to vote for SB 1000, but I wanted to be able to correct the record for a couple of things. One is that unless there

was a change, the majority leader said that this passed out of the Appropriations Committee unanimously. If I understand, I think that there was one vote that was not.

The other issue of dealing with when we pay tribute to individuals, and I can always think and say this, Mr. Speaker, to you: I remember the leader of the Senate, former Senator Zempirelli, once said, you know, if you are going to name something after me, I hope that you will at least maintain it, because I do not want it to be able to get old and rusty and things like that, and I hope we will. But I also want to be able to deal with some of the things that the majority leader addressed for the Honorable K. Leroy Irvis and some of the worthy causes that he has supported and continued to go for, and that was the Bidwell Center. Yes, he did lobby, as well as he lobbied a lot of different members of getting appropriations for that facility, and he cares about it very much. Again, that is someone who is always going to be asking us for money. It is also not a State-affiliated institution.

The other thing is in dealing with the University of Pittsburgh, which is a State-related university from its own choice and agreement in dealing with the State. Again, it is not a State institution.

I would like to think that we have had the only person of color, pre-Reconstruction, who was the first Speaker of the House in all of the States of the United States, that some way the majority leader will find the same thing, of being able to pay the same respect that we are paying for Speaker Ryan, because I do not think that we can compare the two, that we have given money to and set them aside and they are not State facilities.

There was also another comment that I am hoping that we will slowly start to erase. All across this country we are known as the most political, divisive legislative body in all of the 50 States, and then he made a statement about the Republican members who will always be there. If you go to Washington and you go through the buildings, you have Democrats and Republicans side by side in one office and one office. Here in this State we have one floor Democrats, one floor Republicans, separate phone systems, separate computer systems, separate media rooms. Everything is always so separate that we continue to keep these lines on this side of the aisle and that side of the aisle. Everything is one way or the other. It is an embarrassment when you talk to an awful lot of the colleagues, and I am sure some of you have on other sides of the State. They do not understand why and how we continue to do that.

I would hate to think that, with all due respect to someone as great such as Matthew Ryan, that we are going to say that we are going to have in the Commonwealth of Pennsylvania one building, only one building, where only one particular party is going to be represented by the employees in that building, and I do not think that we want to be able to have that, and I would ask Speaker Ryan that if he wants to be able to maintain the positive legacy, that he would make sure that somehow that does not happen, because I do believe that he respects this State and this Commonwealth very much.

And I am really hoping that we can continue to try to eliminate some of these barriers that continue to exist and keep us in a very archaic mode. We are not living in a day of feudalism; we are living in a day of modernism, and I think that these lines of this side of the aisle and that side of the aisle have to continue to evaporate. There have been some times I know that I have tried his

patience, but at the same time I have absolutely no problem being able to vote on this bill for you, Mr. Ryan.

Thank you very much, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne County, Mr. Hasay, on final passage.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, I have been here a little bit longer than some of you, and during my beginning here as a legislator under the Shapp administration, there was a capital budget bill to tear down the access building because there were questions about the integrity of the building. Well, that was changed, and through Matt Ryan, it was reconsidered.

I have been here when they butchered this building with cheap wood paneling, dropped ceilings, cheap lights, and I am glad to see, through Matt Ryan and the Capitol preservation program, that we have changed that direction and we have gone through the historic preservation program to keep the integrity of these buildings for others to follow. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Mercer County, Mr. Wilt, on final passage.

Mr. WILT. Thank you, Mr. Speaker.

I also rise in support of SB 1000.

Matt, I turned 35 last week, and I hope you are not embarrassed to know that you were elected to this body the year before I was born, and you are the only Republican to serve with all three generations of Wilt—my grandfather, Ray; my dad, Roy; and now me.

And I just want to relate a story to the members that upon Matt meeting my son for the first time in the Poconos about 3 years ago, he asked my son, Tanner, how old he was, and my son replied at that time, 4, and Matt looked at him as only a senior person would look at a young man and said, I think I will serve with him, too. And, Matt, I hope that your enthusiasm for the place never wanes, and I hope that my son does have the honor of serving with you someday. Thanks, Matt.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster County, Mr. Strittmatter, on final passage.

Mr. STRITTMATTER. Thank you.

I also rise, of course, to support the bill and resolution. However, I also rise to apologize to the Speaker. I did bring it up before the Speaker that I was going to push to have the building named after him, and he told me, do not do this.

He had the foresight to know that I guess Senator Jubelirer, the other Senators, and many of the House members would want to do it by passing a bill. Unfortunately, I had hoped that we would spare him this today. So I apologize to you, Matt. It is very well intended and you deserve all these kind remarks, but I know that you hate this and are embarrassed by it, and I am sorry that it got out of hand and that we are doing it in this way today, but I figured that since you are midway through your legislative career, that it is fine and fitting and that we can do this today.

So with that, I ask everyone's support. Thank you.

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

Mr. DeWEESE. Thank you, Mr. Speaker.

Relative to the remarks of the gentleman from Allegheny County, Mr. Preston, and the effort to advance collegiality within our chamber and his aggressive observation, which is on the mark and confirmed by computer printouts at the Eagleton Institute at

Rutgers vis-a-vis our voting records, we are the most partisan of the 50 State legislatures.

And vis-a-vis that and vis-a-vis the gentleman, Mr. Hasay's remarks, which were also on target relative to the fact that the Capitol Preservation Committee, which is not unilaterally inspired — it is a bipartisan committee and Senate Democrats and House Democrats serve on it — I would respectfully request that when the new Matthew Ryan Building is inaugurated, that one-half of the space be allotted to Democrats and that we be able to share some of the wonderfully munificent office spaces being developed.

When we made certain that the East Wing of the Capitol was going to be 50-50, that made sense, and it makes sense that now that the bipartisan Capitol Preservation Committee under the aegis of Speaker Ryan and launched under the aegis of Ryan and Irvis and with the sterling observation of the gentleman from Pittsburgh, Mr. Preston, that we are too partisan, if we could allow that new building to be a gathering place for Democrats and Republicans, to allow those offices to become a medley of Democratic and Republican areas and space, I think that would enhance our process and help make us a better institution.

MOTION TO SUSPEND RULES

Mr. DeWEESE. So with that in mind, I would like to make a motion that the rules be suspended for a couple of minutes so that amendment A2973 could be adopted. That amendment says in one sentence that space shall be allocated as equally as possible between the majority and minority parties of the House of Representatives.

Thank you, Mr. Speaker.

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that the bill has been considered on three different days and agreed to.

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. DeWeese, who moves that the rules of the House be suspended so that he may immediately offer amendment A2973 to SB 1000.

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

The SPEAKER pro tempore. On that question, the Chair recognizes the majority leader.

Mr. PERZEL. Thank you, Mr. Speaker.

I would like to thank the gentleman, Mr. DeWeese. Those comments, I am told, are much kinder than the comments that were used in his caucus, but I would still respectfully have to ask the members to please vote "no" on the suspension of the rules.

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

Mr. DeWEESE. Could I ask the majority leader to expatiate?

The SPEAKER pro tempore. The interrogation on a motion to suspend must be directly related to the motion. If the interrogation is intended for that purpose, it is in order.

Mr. DeWEESE. Mr. Speaker, I would be very favorably disposed to, and I am sure my caucus would also, to be the beneficiary of some information as to why the honorable gentleman from Philadelphia is tentative about telling us why he does not want the new Matthew Ryan Office Building, in all of its resplendent glory, to be habituated by Democrats and Republicans just like the East Wing is. I think that the bipartisan Capitol Preservation Committee that Mr. Ryan was the commanding general of after General Irvis retired and they had both worked together, I have the distinct impression that a month from now, a year from now, 5 years from now, these wonderfully commodious and iridescent rooms over there will be habituated by Republicans alone, and I think that the East Wing is a magnificent setting, and half of us are Democrats and half of us are Republicans, and it is obvious that this measure is probably going to pass 202 to 1.

So with 202 collegial spirits uplifted for this momentary apotheosis of architecture and political congeniality, I cannot quite figure out why the honorable gentleman will not respond to my question as to why he does not want to have half of the new space in the most modern, reanimated facility in the State to be Democratic and Republican. I would just like to ask him to respond.

The SPEAKER pro tempore. The question is certainly beyond the scope of the—

Mr. PERZEL. I understand, Mr. Speaker, but I was talking to my caucus administrator, and he informed me and I thought the members should know that the space for both parties is split up evenly, and the Democrats have a few more feet than we do, so it has been done evenly. If you would like to fix another building, Mr. Speaker, just tell us and we will try to help you.

Mr. DeWEESE. Mr. Speaker?

The SPEAKER pro tempore. Mr. DeWeese.

Mr. DeWEESE. That is specious. He means that the space in this whole complex is half D and half R. Of course it is, but in the brand-spanking-new facility, it is going to be 100 percent R and zero percent D.

POINT OF ORDER

Mr. GLADECK. Mr. Speaker? Mr. Speaker, point of order.

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. GLADECK. I would like to know if the rules have been suspended so that we can debate his amendment. If not, I would suggest that perhaps you could instruct him to confine his remarks to the suspension of the rules like every other member. Thank you.

The SPEAKER pro tempore. Mr. Gladeck, it is traditional to give the leaders increased latitude in these matters, and the Chair is going to continue that precedent.

The gentleman, Mr. DeWeese, is recognized.

Mr. DeWEESE. Thank you, Mr. Speaker.

I do not know that I need to say anything more.

I should at least not be chary and should be a gentleman and congratulate the gentleman, Mr. Ryan, on his imminent success. I would think that our day would be enhanced if somehow the space will in the future be allocated half Democrat and half Republican.

Thank you, Mr. Speaker, and thank you to the gentleman from Montgomery County for making us focus more on our rules. Thank you.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair returns to leaves of absence and notes the presence on the floor of the gentleman, Mr. Snyder. The gentleman will be added to the master roll.

CONSIDERATION OF SB 1000 CONTINUED

The SPEAKER pro tempore. Those in favor of the motion to suspend the rules so that the gentleman, Mr. DeWeese, can offer amendment A2973 to SB 1000 will vote "aye"; those opposed will vote "no."

Mr. DeWEESE. Mr. Speaker, people in their seats are required to vote. Is that not correct?

The SPEAKER pro tempore. Those are the rules.

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

The following roll call was recorded:

YEAS—93

Battisto	Frankel	McCall	Scrimenti
Bebko-Jones	Freeman	McGeehan	Shaner
Belardi	George	Melio	Solobay
Belfanti	Gigliotti	Michlovic	Staback
Bishop	Grucela	Mundy	Steelman
Blaum	Gruitza	Myers	Sturla
Butkovitz	Haluska	Oliver	Surra
Buxton	Hanna	Pesci	Tangretti
Caltagirone	Horsely	Petrarca	Thomas
Cappabianca	James	Petrone	Tigue
Cam	Josephs	Pistella	Travaglio
Casorio	Kaiser	Preston	Trelio
Cohen, M.	Keller	Ramos	Trich
Colafella	Kirkland	Readshaw	Van Horne
Costa	LaGrotta	Rieger	Veon
Coy	Laughlin	Roberts	Vitali
Curry	Lederer	Robinson	Walko
Daley	Lescovitz	Roebuck	Waters
DeLuca	Levdansky	Rooney	Williams
Dermody	Lucyk	Ruffing	Wojnaroski
DeWeese	Mann	Sainato	Yewcic
Donatucci	Markosek	Samuelson	Youngblood
Eachus	Mayernik	Santoni	Yudichak
Evans			

NAYS—103

Adolph	Fairchild	Maher	Sather
Allen	Fargo	Maitland	Saylor
Argall	Feese	Major	Schroder
Armstrong	Fichter	Marsico	Schuler
Baker	Fleagle	Masland	Semmel
Bard	Flick	McGill	Serafini
Barley	Forcier	McIlhatten	Seyfert
Barrar	Gannon	McIlhinney	Smith, B.
Bastian	Geist	McNaughton	Smith, S. H.
Benninghoff	Gladeck	Metcalfe	Smith, S. H.
Birmelin	Godshall	Micozzie	Stairs
Boyes	Gordner	Miller, R.	Steil
Browne	Habay	Miller, S.	Stern
Bunt	Harhart	Nailor	Stevenson
Cawley	Hasay	Nickol	Strittmatter
Chadwick	Hennessey	O'Brien	Taylor, E. Z.
Civera	Herman	Orie	Taylor, J.
Clark	Hershey	Perzel	True
Clymer	Hess	Phillips	Tulli
Cohen, L. I.	Hutchinson	Pippy	Vance
Cornell	Jadlowiec	Platts	Wilt

Dailey	Kenney	Raymond	Wogan
Dempsey	Krebs	Reinard	Wright
DiGirolamo	Lawless	Rohrer	Zimmerman
Druce	Leh	Ross	Zug
Egolf	Lynch	Rubley	

NOT VOTING—4

Corrigan	Stetler
Manderino	
	Ryan,
	Speaker

EXCUSED—3

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

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

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—195

Adolph	Evans	Mann	Sather
Allen	Fairchild	Markosek	Saylor
Argall	Fargo	Marsico	Schroder
Armstrong	Feese	Masland	Schuler
Baker	Fichter	Mayernik	Scrimenti
Bard	Fleagle	McCall	Semmel
Barley	Flick	McGeehan	Serafini
Barrar	Forcier	McGill	Seyfert
Bastian	Frankel	McIlhatten	Shaner
Battisto	Freeman	McIlhinney	Smith, B.
Bebko-Jones	Gannon	McNaughton	Smith, S. H.
Belardi	Geist	Melio	Snyder
Belfanti	George	Metcalfe	Solobay
Benninghoff	Gigliotti	Michlovic	Staback
Birmelin	Gladeck	Micozzie	Stairs
Bishop	Godshall	Miller, R.	Steelman
Blaum	Gordner	Miller, S.	Steil
Boyes	Grucela	Mundy	Stern
Browne	Gruitza	Myers	Stetler
Bunt	Habay	Nailor	Stevenson
Butkovitz	Haluska	Nickol	Strittmatter
Buxton	Hanna	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	Travaglio
Civera	Horsely	Phillips	Trelio
Clark	Hutchinson	Pippy	Trich
Clymer	Jadlowiec	Pistella	True
Cohen, L. I.	James	Platts	Tulli
Cohen, M.	Josephs	Preston	Vance
Colafella	Kaiser	Ramos	Van Horne
Cornell	Keller	Raymond	Veon
Corrigan	Kenney	Readshaw	Vitali

Costa	Kirkland	Reinard	Walko
Coy	LaGrotta	Rieger	Waters
Curry	Laughlin	Roberts	Williams
Dailey	Lawless	Robinson	Wilt
Daley	Lederer	Roebuck	Wogan
DeLuca	Leh	Rohrer	Wojnaroski
Dempsey	Lescovitz	Rooney	Wright
Dermody	Levdansky	Ross	Yewcic
DiGirolamo	Lucyk	Rubley	Youngblood
Donatucci	Lynch	Ruffing	Yudichak
Druce	Maher	Sainato	Zimmerman
Eachus	Maitland	Samuelson	Zug
Egolf	Major	Santoni	

NAYS—2

DeWeese Sturla

NOT VOTING—3

Krebs Ryan,
Manderino Speaker

EXCUSED—3

Dally Harhai Washington

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

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

The SPEAKER pro tempore. Matt, congratulations.

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

REMARKS BY SPEAKER

The SPEAKER. The past half hour was the most embarrassing half hour I have ever spent in my life. I did not know how to act or react, but the one thing that was in me at all times was the feeling of camaraderie with the members of this House, a feeling of family, a feeling of having been honored by the family that I have worked with for so long including generations past, as Mr. Wilt pointed out.

I had misgivings about this when it first happened. In fact, as Jere said, I wanted nothing to do with it, and the next I heard was early last week my staff and Roger walked up and threw on the desk here before us, while we were in session, a copy of SB 1000, which I positively had no idea about. I was flattered that it was a bipartisan-sponsored bill, as you can see by looking at it, and I honestly did not know what to do about it. I felt so mixed up with my emotions — in the one case being terribly flattered and, well, just moved by the effort to do this and at the same time feeling terribly awkward that I would continue here with my name on the building next door.

I heard the comments that this should not be done until you are dead, and I agreed with it, but I thought I will never be able to admire my name on the building, so I better not turn it down for that basis. But it makes sense that you honor people, really, after

they are dead or retired. I have had a number of people come up and ask me if I am going to retire, and I am not going to tell you.

I guess there is really only one thing I can do and say and that is say thank you very much. Thank you.

REMARKS SUBMITTED FOR THE RECORD

Mr. PERZEL. Mr. Speaker?

The SPEAKER. Mr. Perzel.

Mr. PERZEL. I would like to submit remarks for the record.

The SPEAKER. The gentleman will submit his remarks to the desk.

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

We do not need to wait for historians to judge Matt Ryan's career in public service.

That is why it is entirely appropriate for us to consider this legislation, naming the Capitol Annex after our Speaker.

I am going to go back to some of the things I said in January, when we elected Representative Ryan to a historic fourth term as Speaker.

They fit then. They fit even better now.

Speaker Ryan has already carved a place for himself among the best and greatest of Pennsylvania's sons and daughters.

Matt Ryan is a man without peer in this House of Representatives, in this General Assembly.

Since 1682, when the Pennsylvania House first met — a little more than a month after William Penn arrived from England — very few members have had longer careers in this body.

That is a period of 317 years — from the opening of that first Provincial Assembly to today's beginning of the last session of the millennium.

Only two others have served here longer.

And few have served with as much distinction and honor as our Matt Ryan.

On its own, that is an extraordinary achievement.

Matt Ryan is who we all strive to be as members of this House.

If someone made a mold that would be used to create members of this House, that mold would be Matt Ryan.

Vision. Fairness. Dignity. Loyalty.

Understanding the issues and the ramifications of the decisions made in this chamber.

Knowing when to wage a battle and knowing when to make peace.

Matt Ryan should be the mold that every legislator is cut from.

At the end of this term, he will become the longest-serving Speaker in the last two hundred years.

With four terms as Speaker, he is the longest serving Republican Speaker since the Republican Party was formed in the middle of the 19th century.

History will record Matt Ryan as one of Pennsylvania's greatest leaders.

Naming the Capitol Annex after our Speaker is probably the least thing Pennsylvania should do to honor his many years of service.

STATEMENT BY MR. TRELLO

The SPEAKER. Mr. Trello.

Mr. TRELLO. Mr. Speaker, a point of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. TRELLO. Mr. Speaker, I would just like to remark that I know exactly how you feel. Back in my little hometown of Coraopolis, they were doing alleys that had no name. So being a

former councilman, I have had the privilege of being nominated to have this little alley named the "Fred A. Trello Way."

Now, let me tell you about this alley.

The SPEAKER. Is this an alley cat?

Mr. TRELLO. No; this alley is a wonderful alley. It is right behind the only grocery store we have, which is called the Cash Market. Nobody lives on that alley, so nobody has to change their address. No businesses have that address, but they named the alley after me, Fred A. Trello, but they have not put up the sign yet. They asked me for an application for a grant so they could buy a sign to name the alley.

So I know how you feel. I have so been honored, and I congratulate you, Mr. Speaker.

The SPEAKER. Thank you.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee.

**BILL ON CONCURRENCE
REPORTED FROM COMMITTEE**

SB 366, PN 1234

By Rep. PERZEL

An Act amending the act of August 9, 1955 (P.L.323, No.130), entitled The County Code, further providing for the definition of "county" for authorization of excise tax; authorizing the imposition of hotel taxes; authorizing counties of the first class to impose an excise tax on vehicle rentals; and providing for establishment of a commission on the status of women.

RULES.

SUPPLEMENTAL CALENDAR F

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

The House proceeded to consideration of concurrence in Senate amendments to House amendments to SB 366, PN 1234, entitled:

An Act amending the act of August 9, 1955 (P.L.323, No.130), entitled The County Code, further providing for the definition of "county" for authorization of excise tax; authorizing the imposition of hotel taxes; authorizing counties of the first class to impose an excise tax on vehicle rentals; and providing for establishment of a commission on the status of women.

On the question,

Will the House concur in Senate amendments to House amendments?

RULES SUSPENDED

The SPEAKER. It will first be necessary to suspend the rules to immediately consider SB 366.

The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of SB 366, PN 1234.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—186

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

NAYS—14

Benninghoff	Hanna	Nickol	Serafini
Freeman	Krebs	Platts	Steelman
Gordner	Maitland	Scrimenti	Steil
Habay	Mercalfe		

NOT VOTING—0

EXCUSED—3

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

On the question recurring,

Will the House concur in Senate amendments to House amendments?

The SPEAKER. Mr. George, do you desire recognition on this question?

Mr. GEORGE. I do indeed.

The SPEAKER. The Chair apologizes to the gentleman.

The Chair recognizes Mr. George.

Mr. GEORGE. Mr. Speaker, I will not be long, but I am going to be very adamant, and I am going to suggest that even though today is a very wonderful day for you because you have been honored not only because of your service but because of your dedication and your terrific attitude toward our democracy, now, I am never going to get a building named after me, but I am going to stand up in this building and I am going to say that I have been very disappointed in this year's legislative business in that I have been told and I had spoken about interdependency and the fact that whether we come from Clearfield or Centre County or wherever, we should be concerned about Philadelphia and about Pittsburgh because we are the Commonwealth, and even though they are not listening, Mr. Speaker, I am going to stay and I am going to say exactly how I feel.

I do not think that what I am going to say is going to defeat this measure. It is a very important measure in that it does things for Philadelphia to be able to bring in moneys, and that is fine, and I supported this bill when it went over to the Senate. I even was the 102d vote on another measure that was applied to the Senate, but there was another amendment, Mr. Speaker, that went into this bill and I think it had 138 or 148 votes, and it made me very happy, almost as proud as you are today, that Republicans and Democrats both agreed that we have a universal problem in the State of Pennsylvania in regard to solid waste, and where we agreed is that we should take care of what is generated in Philadelphia or generated in Pittsburgh or generated in Cambria County. Nevertheless, we are not obligated to take care of what is generated in the Northeast, whether it be Massachusetts or Vermont or wherever. We are obligated to take care of our own family. And so 148 of us said we are going to place an amendment into effect that gives our local counties control when in fact that landfill is not needed and the department cannot prove that we need the additional space. So lo and behold, it goes over to the Senate; they are the upper body; it seems to me they are the only body, and because of the fact that they care very little about the rural area, and most of those Senators live in those rural areas.

And so, Mr. Speaker, I will not influence anyone, but my conscience will be where it ought to be. I am going to vote against this bill.

And just a minute ago, Mr. Speaker, I attempted to put an amendment in in regard to farm preservation, and people jumped up and said, you know, that is going to ruin what we are doing. But that is not true. I was just trying to prevent a double dip. If we are going to preserve land, we cannot saturate it with sludge.

When we had the soil bank from the Federal government, we did not pay these people and then allow them to farm it, but I am going along with these things because this is people in

Pennsylvania; this is my people as well as it is your people. But maybe before we close this year's business, there will be enough Republicans and Democrats, Mr. Speaker, that will say that we are a family; we are going to protect and preserve that that is pristine and left in Pennsylvania; we are going to pass a landfill bill. It does not matter that the Governor says we want a moratorium on other people. It is us that can be faulted because we allow the Senate to do these things.

Mr. Speaker, I apologize for being long, but I do not apologize for being right. Mr. Speaker, I am going to vote "no."

The SPEAKER. The gentleman from Elk, Mr. Surra.

Mr. SURRA. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Senate amendments, because they took out a House amendment that the vast majority of members of this part of the General Assembly thought it was important that we give the county commissioners some local control over the permitting and siting of landfills in Pennsylvania, Mr. Speaker.

Mr. Speaker, I am growing a little tired of listening to the Department of Environmental Protection and the administration explaining they are doing everything they can to curb the onslaught of out-of-State waste and we cannot do anything; we cannot control anything. Well, when the opportunity presents itself, we can control the permitting process, and this House said that that was important, but the Republican-controlled Senate found it important to take that language out.

For that reason alone, Mr. Speaker, I am going to oppose this legislation.

The SPEAKER. The gentleman, Mr. Lynch.

Mr. LYNCH. Thank you, Mr. Speaker.

I am going to rise in opposition to this bill based on the arguments I just heard from the gentleman from Clearfield in Clearfield County.

Something I say often in the speeches back home is that all government power is inherent with the elected officials, and when you take the power away from the elected officials, in this case the county commissioners, you are giving up the right of the people to have a voice. Just on that issue alone, we should vote "no" on this. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

Will the maker of the bill or appropriate person stand for brief interrogation, the appropriate committee chair?

The SPEAKER. Is there a member prepared to stand for interrogation on SB 366? This being a Senate bill, I am not sure just what to do. No one answers the call.

Mr. VITALI. Then perhaps I will just comment briefly.

It is my belief — and I just want to make the members aware regardless of their feelings on whether public money should be used on stadiums — that I believe this bill contains authorization for the city of Philadelphia to impose a tax which would be used to provide public moneys for stadiums. If any member has a reservation about that use, they should be aware of it and take that into consideration when voting on this bill.

The SPEAKER. The gentleman, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

This is the hotel tax bill which originally included Lancaster County, and then Chester County was added, Lycoming County, Mercer, and Dauphin. There were very few changes that were

made in the Senate except technical changes, at least to the hotel tax language.

I think it is imperative that this measure go in, and I ask for a favorable vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Ross, do you desire recognition?

Mr. ROSS. Yes, Mr. Speaker.

I urge my fellow members to support this. It is absolutely critical for Chester County to be able to support the tourism industry. We are at a period of time right now where this is really quite important for us to be able to have sufficient funds available and to qualify for matching funds to properly promote tourism, which is a vital industry in Chester County, and I really would appreciate support from my fellow members on this particular bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady from Montgomery County, Mrs. Cohen.

Mrs. COHEN. Thank you, Mr. Speaker.

May I interrogate Representative Godshall, is it? Who is speaking on behalf of this?

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

Mrs. COHEN. Thank you, Mr. Speaker.

I just have a question about the 2-percent tax on the automobile, the car rentals in the city of the first class, mainly Philadelphia. What if someone is in an automobile accident and has to rent a car for a certain period of time — I believe this says 29 days or less and it talks about fleet rentals — but what if an individual has to rent a car while his own car is being repaired and the rental is done in Philadelphia? Is there a 2-percent tax on that rental?

Mr. GODSHALL. To the best of my knowledge, this was a Philadelphia amendment that was added in by one of the Philadelphia members of the delegation, and I believe that it is a tax on the rental of cars, period, in Philadelphia.

Mrs. COHEN. In Philadelphia.

I think and I am not quite sure that the House had inserted an amendment or something in the original form that would exempt such kinds of car rentals, and I do not see it appearing in what has come back to us from the Senate, because that is of great concern to my constituents.

Mr. GODSHALL. I apologize. It is my understanding that it is a rental on cars. It is a 2-percent tax on a car rental, period. I could be wrong on that, unless somebody from Philadelphia — I think Louise Bishop; it was her original amendment — could maybe help you, and I, unfortunately, do not have the bill here in front of me.

Mrs. COHEN. Okay.

Mr. Speaker, my concern is for not only my constituents, but personally speaking, my husband and I were in a very serious automobile accident about 3 weeks ago. Somebody went through a stop sign and broadsided us. I have been renting a car for the last several weeks at \$39 a day. I would certainly hate to pay an additional 2 percent on that. Thank you, Mr. Speaker.

The SPEAKER. On the question, Mr. Reinard.

Mr. REINARD. Mr. Speaker, just a point of clarification on the last bit of interrogation regarding the rental car. The way the language would read and the way insurance products are sold, you have an option of buying rental reimbursement under your automobile personal auto insurance coverage. Various companies will have various amounts of rental coverage that is available, but

if we use an example of rental reimbursement for a particular company giving you 25 dollars' worth of rental coverage per day, this tax would be on top of that \$25. So in the last example, if she is paying \$39 a day, the 2-percent tax would apply to those rental cars being used in that example, and if you are from the city of Philadelphia, obviously, that will be some concern since automobile insurance rates are as high as they are.

The SPEAKER. On the question of concurrence, the gentleman, Mr. Godshall.

Mr. GODSHALL. Thank you, Mr. Speaker.

The information I gave was correct. It is up to 2-percent tax on the rental of a car and it is for whatever reason you are renting. If you rent a car in Philadelphia, it pertains only to Philadelphia. It is 2 percent of that rental cost of the vehicle, not necessarily a car; I apologize, a vehicle. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—102

Adolph	DiGirolamo	Marsico	Snyder
Allen	Druce	McGeehan	Solobay
Argall	Evans	McGill	Stairs
Armstrong	Fargo	McIlhatten	Stetler
Bard	Feese	McNaughton	Strittmatter
Barley	Flick	Michlovic	Taylor, E. Z.
Bastian	Frankel	Miller, R.	Taylor, J.
Battisto	Geist	Myers	Travaglio
Bishop	Gigliotti	O'Brien	Trello
Blaum	Gladeck	Oliver	Trich
Butkovitz	Godshall	Perzel	Tulli
Buxton	Gruitza	Pesci	Van Home
Caltagirone	Hennessey	Petrone	Veon
Chadwick	Herman	Pistella	Vitali
Civera	Hershey	Preston	Walko
Clymer	Horsey	Ramos	Waters
Cohen, M.	Jadlowiec	Rieger	Williams
Cornell	James	Robinson	Wilt
Corrigan	Josephs	Roebuck	Wojnaroski
Costa	Keller	Ross	Wright
Curry	Kirkland	Rubley	Youngblood
Daley	Lederer	Ruffing	Zimmerman
DeLuca	Lescovitz	Santoni	Zug
Dempsey	Lucyk	Saylor	
Dermody	Major	Schroder	Ryan,
DeWeese	Manderino	Smith, S. H.	Speaker

NAYS—96

Baker	Fleagle	Maitland	Sainato
Barrar	Forcier	Mann	Samuelson
Bebko-Jones	Freeman	Markosek	Sather
Belardi	Gannon	Masland	Schuler
Belfanti	George	Mayemik	Scrimenti
Benninghoff	Gordner	McCall	Semmel
Birmelin	Grucela	McIlhinney	Serafini
Boyes	Habay	Melio	Seyfert
Browne	Haluska	Metcalfe	Shaner
Bunt	Hanna	Miller, S.	Smith, B.
Cappabianca	Harhart	Mundy	Staback
Carn	Hasay	Nailor	Steelman
Casorio	Hess	Nickol	Steil
Cawley	Hutchinson	Orie	Stern

Clark	Kaiser	Petrarca	Stevenson
Cohen, L. I.	Kenney	Phillips	Sturla
Colafella	Krebs	Pippy	Surra
Coy	LaGrotta	Platts	Tangretti
Dailey	Laughlin	Raymond	Tigue
Donatucci	Lawless	Readshaw	True
Eachus	Leh	Reinard	Vance
Egolf	Levdansky	Roberts	Wogan
Fairchild	Lynch	Rohrer	Yewcic
Fichter	Maher	Rooney	Yudichak

NOT VOTING—2

Micozzie	Thomas
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EXCUSED—3

Dally	Harhai	Washington
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

VOTE CORRECTION

The SPEAKER. Does the gentleman, Mr. Vitali, seek recognition?

Mr. VITALI. To correct the record, Mr. Speaker.

The SPEAKER. The gentleman is in order. Go ahead, please.

Mr. VITALI. Thank you, Mr. Speaker.

On HR 183, amendment 2809, I was incorrectly recorded in the negative and I wish to be recorded in the affirmative.

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

CALENDAR CONTINUED

CONSIDERATION OF SB 970 CONTINUED

AMENDMENT A2826 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Rooney, who moves that the vote by which amendment No. 2826 was defeated to SB 970, PN 1100, on the 16th day of June be reconsidered.

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

The following roll call was recorded:

YEAS—198

Adolph	Evans	Manderino	Saylor
Allen	Fairchild	Mann	Schroder
Argall	Fargo	Markosek	Schuler
Armstrong	Feese	Marsico	Scrimenti
Baker	Fichter	Masland	Semmel
Bard	Fleagle	Mayernik	Serafini
Barley	Flick	McCall	Seyfert
Barrar	Forcier	McGeehan	Shaner
Bastian	Frankel	McGill	Smith, B.
Battisto	Freeman	McIlhatten	Smith, S. H.

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

NAYS—2

Sainato	Yewcic
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NOT VOTING—0

EXCUSED—3

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

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

The clerk read the following amendment No. **A2826**:

Amend Title, page 1, lines 1 through 5, by striking out all of said lines and inserting
Amending the act of April 9, 1929 (P.L.177, No.175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative

departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," establishing a bureau within the Department of Corrections; providing for the administration of inmate training and education; establishing an Inmate Education Advisory Committee; providing for the transfer and retirement membership of certain employees; providing for investment powers of the Treasury Department; providing for a supplemental agricultural conservation easement purchase program in the Department of Agriculture; further providing for the powers and duties of the Environmental Quality Board; transferring functions relating to services for individuals who are blind or visually impaired; further providing for utilization of the Capitol Annex; affecting certain reorganization plans; and making repeals.

Amend Bill, page 1, lines 8 through 19; page 2, lines 1 through 30; page 3, lines 1 through 12, by striking out all of said lines on said pages and inserting

Section 1. The act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, is amended by adding sections to read:

Section 900-B. Definitions.—As used in this article:

"Inmate education and training" means the provision of services relating to the academic or vocational instruction, including special education, of inmates incarcerated in a State correctional institution.

"State correctional institution" means a correctional facility, jail or prison owned or operated by the Department of Corrections.

Section 905-B. Establishment of Bureau.—There is hereby established a separate bureau within the Department of Corrections which bureau shall provide centralized administrative services relating to inmate education and training, including:

(1) Provision of education and training.

(2) Staff supervision to include staff discipline in accordance with applicable collective bargaining agreements, department policies and principles of due process.

(3) Curriculum and program development and related matters.

Section 906-B. Responsibilities.—The bureau established under section 905-B shall provide academic education, vocational education, recreation services, library services and special education for school-age inmates and adult inmates incarcerated in State correctional institutions in accordance with law.

Section 907-B. Funding.—Funding for the operation of the bureau established under section 905-B shall be included in the line item for inmate education and training in the General Appropriations Act.

Section 908-B. Transfer and Regulations.—(a) The following shall be included as part of the transfer of responsibilities to the Department of Corrections under this article: all personnel, allocations, unexpended balances of appropriations, fixed assets, equipment, files, records, contracts, agreements, obligations and other materials and supplies owned, employed or expended by the Department of Education in connection with the provision of inmate education and training. All allocations and appropriations shall have the same force and effect as if they had been made to the Department of Corrections for purposes of inmate education and training. All contracts, agreements and obligations shall have the same force and effect as if they had been executed or incurred by the department.

(b) Existing regulations, policies and other documents and all actions of the Department of Education relating to the provision of inmate education and training shall remain in effect until the department amends the regulation, document or other action.

Section 909-B. Certificates of Education Completion.—The Department of Education shall issue all Commonwealth secondary school

diplomas and endorse or sponsor all other academic or vocational certificates of completion for inmates.

Section 910-B. Local Educational Agency.—The bureau established under section 905-B shall be deemed to be a local educational agency for purposes relating to educational services provided for school-age inmates and adult inmates and for purposes of obtaining Federal funding.

Section 911-B. Advisory Committee.—(a) An Inmate Education Advisory Committee is hereby established to advise and make recommendations to the Department of Corrections regarding the provision of inmate education and training.

(b) The committee shall consist of seven members as follows:

(1) The Secretary of Corrections or a designee.

(2) The Secretary of Education or a designee, who shall act as chairman.

(3) One full-time educator who teaches in a State correctional institution appointed by the Secretary of Corrections in consultation with the employe organization representing teachers in the department.

(4) Two members with experience in academic, vocational or special education appointed by the Secretary of Education.

(5) Two members with experience in academic, vocational or special education appointed by the Secretary of Corrections.

Section 912-B. Employment.—(a) All employes of the Department of Education transferred to the Department of Corrections under this article shall, subject to collective bargaining, retain the same pay scales, salaries, wages and seniority and other benefits, except as provided in section 913-B.

(b) (1) Employes who provide inmate education and training to school-age inmates shall hold appropriate State certification as required by Federal and State law.

(2) Notwithstanding any law to the contrary, time spent teaching adults in a State correctional institution shall be applied toward certification for an Instructional II certificate by the holder of an Instructional I certificate.

(c) (1) Teachers and other certified staff providing inmate education and training for school-age and adult inmates shall be considered professional employes working in an educational setting under the act of July 23, 1970 (P.L.563, No.195), known as the "Public Employe Relations Act," and under the internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 403(b)) regarding entitlement to tax benefits.

(2) Teachers and other certified staff providing inmate education and training shall not be considered professional employes under section 1101 or any other provision of the act of March 10, 1949 (P.L.30, No.14), known as the "Public School Code of 1949," unless otherwise specified under this section.

(d) Certified teachers or other certified staff employed to provide inmate education and training shall be subject to section 5(a)(11) of the act of December 12, 1973 (P.L.397, No.141), referred to as the Teacher Certification Law.

(e) All existing civil service classifications relating to the provision of inmate education and training within the Department of Education shall apply to personnel providing inmate education and training within the Department of Corrections.

Section 913-B. Retirement.—(a) An employe who is transferred under section 908-B and who on the effective date of this section participates in an independent retirement program approved by the Department of Education under 24 Pa.C.S. § 8301(a)(1) (relating to mandatory and optional membership) or 71 Pa.C.S. § 5301(a)(12) (relating to mandatory and optional membership) or is a member of the Public School Employees' Retirement System under 24 Pa.C.S. § 8301(a)(1) or 71 Pa.C.S. § 5301(a)(12), shall be deemed to be a school employe under 24 Pa.C.S. Pt. IV (relating to retirement for school employes) or 71 Pa.C.S. Pt. XXV (relating to retirement for State employes and officers) and shall continue to participate in the authorized independent retirement program or the Public School Employees' Retirement System, as the case may be. The Department of Corrections shall approve the program as an independent retirement program under

71 Pa.C.S. § 5301(a)(12) for participating transferred employees. The department shall be considered an employer, as defined under 24 Pa.C.S. § 8102 (relating to definitions), of a transferred employe who is a member of the Public School Employees' Retirement System.

(b) (1) Notwithstanding any other provision of law or any collective bargaining agreement, arbitration award, contract or term or condition or any retirement system or pension plan, an employe who on the effective date of this section is an active member or inactive member of the Public School Employees' Retirement System shall have a one-time election to do one of the following:

(i) Become a member of the State Employees' Retirement System and transfer all credited service and accumulated deductions in the Public School Employees' Retirement System to the State Employees' Retirement System.

(ii) Become a member of the State Employees' Retirement System, retaining credited service and accumulated deductions in the Public School Employees' Retirement System. The employe may elect multiple service at the same time as an election under this subclass.

(2) The election shall be made within ninety (90) days of the effective date of this act, but before termination of school service, by submitting an election form to the personnel officer of the department. The date the election is submitted to the department shall be the effective date of the election. The department shall notify both the Public School Employees' Retirement System and the State Employees' Retirement System of the election.

(3) If a member elects to transfer credited service from the Public School Employees' Retirement System to the State Employees' Retirement System, all classes of school and nonschool service credited in the Public School Employees' Retirement System shall be transferred to the State Employees' Retirement System and credited in the appropriate classes of State and nonstate service, respectively. School service which would have been service as a corrections officer as defined in 71 Pa.C.S. § 5102 (relating to definitions) had the employe been a member of the State Employees' Retirement System at the time it was performed shall be credited as corrections officer service. Transferred service shall no longer be considered school or nonschool service for any purpose, but shall be considered State and nonstate service for all purposes. Within sixty (60) days of an election under this subsection, the Public School Employees' Retirement System shall transfer to the State Employees' Retirement System for each transferred member the total accumulated member contributions and statutory interest, plus an amount equal to the value of all annual employer contributions with interest at the annual rate adopted by the State Employees' Retirement Board for the calculation of the normal contribution rate under 71 Pa.C.S. § 5508(b) (relating to actuarial cost method), from the date of each contribution to the date of the transfer of the funds to the State Employees' Retirement Board. A debt to the Public School Employees' Retirement System shall be transferred to the State Employees' Retirement System and shall be paid in a manner and in accordance with conditions prescribed by the State Employees' Retirement Board.

(4) The State Employees' Retirement Board shall determine the total additional actuarial accrued liability resulting from transfers under this subsection as part of the first annual valuation made after June 30, 1999. The department shall pay the amount of the additional actuarial accrued liability to the State Employees' Retirement Board in one lump sum within ninety (90) days of the board's certification of the amount to the department.

(5) The provisions of 71 Pa.C.S. Pt. XXV shall apply to all benefits, rights and obligations under this article.

Section 914-B. Existing Contracts.—(a) Subject to subsections (b) and (c), nothing in this article shall be construed to supersede or alter any collective bargaining agreement in effect on the effective date of this section or any collective bargaining unit recognition or certification issued by the Pennsylvania Labor Relations Board. References to the Department of Education in a collective bargaining agreement or document recognizing or certifying the collective bargaining unit shall

after the effective date of this section be deemed to refer to the Department of Corrections.

(b) All provisions in the collective bargaining agreement specifically applicable to individuals employed by the Department of Corrections prior to the effective date of this section shall continue to apply to those individuals.

(c) All provisions in the collective bargaining agreement specifically applicable to individuals employed by the Department of Education prior to the effective date of this section shall continue to apply to individuals transferred under this article.

Section 1101.1. Investment Powers.—(a) The power of the Treasury Department to invest moneys, as provided in the act of April 9, 1929 (P.L.343, No.176), known as "The Fiscal Code," shall include the power to hold, purchase, sell, assign, transfer and dispose of any securities, including the following:

(1) Equity securities.

(2) Mutual funds consisting in whole or in part of equity securities.

(b) This section shall expire December 31, 2004.

Section 1716. Supplemental Agricultural Conservation Easement Purchase Program.—(a) There is established the Supplemental Agricultural Conservation Easement Purchase Program. Funds appropriated for the program shall be allocated by the State Agricultural Land Preservation Board in accordance with the following:

(1) Except as provided in clauses (2) and (3), funds may be allocated to eligible counties in accordance with section 14.1(h)(8.1) and (8.2) of the act of June 30, 1981 (P.L.128, No.43), known as the "Agricultural Area Security Law," for any purpose authorized under that act.

(2) For the fiscal year July 1, 1999, to June 30, 2000, up to five hundred thousand dollars (\$500,000) may be allocated to provide technical assistance to eligible counties or groups of eligible counties regarding long-term installment purchases of agricultural conservation easements in this Commonwealth. Eligible counties shall file an application with the State Agricultural Land Preservation Board to receive reimbursement or payment under this clause. Technical assistance may include department contracts with individuals with legal or financial expertise to assist eligible counties under this clause. Funds may be used for administrative expenses of the department incurred under this clause. Funds allocated under this clause may be spent over a period of two (2) years.

(3) For the fiscal year July 1, 1999, to June 30, 2000, up to five hundred thousand dollars (\$500,000) may be allocated to reimburse land trusts for expenses incurred to acquire agricultural conservation easements, as defined in the Agricultural Area Security Law, in this Commonwealth. Eligible expenses shall include the cost of appraisals, legal services, title searches, document preparation, title insurance, closing fees and survey costs. Reimbursement shall be limited to five thousand dollars (\$5,000) per easement. Funds may be used for administrative expenses of the department incurred under this clause. Funds allocated under this clause may be spent over a period of two (2) years. In order to be eligible under this clause, a land trust must:

(i) be a tax exempt institution under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3)) and include the acquisition of agricultural or other conservation easements in its stated purpose;

(ii) register with the State Agricultural Land Preservation Board;

(iii) coordinate with the farmland preservation activities of the county if the farmland preservation activity occurs in an eligible county or coordinate with the activities of the State Agricultural Land Preservation Board if the activity does not occur in an eligible county;

(iv) submit an application to the board with a statement of costs incidental to the acquisition, the deed of easement and any other documentation required by the board within sixty (60) days of closing on the easement.

(b) An account is established in the Agricultural Conservation Easement Purchase Fund created under section 7.2 of the "Agricultural Area Security Law," to be known as the Supplemental Agricultural

Conservation Easement Purchase Account. All funds appropriated to the Supplemental Agricultural Conservation Easement Purchase Program shall be deposited in the account for allocation under this section.

(c) Funds allocated under subsection (a) that are unexpended or unencumbered at the conclusion of two (2) fiscal years shall be restored to the Supplemental Agricultural Conservation Easement Purchase Account. If no funds are appropriated to the program in the two (2) fiscal years prior to the restoration of allocated funds under this subsection, the restored funds shall be transferred to the Agricultural Conservation Easement Purchase Fund for allocation under the "Agricultural Area Security Law."

Section 2. Section 1920-A of the act is amended by adding a subsection to read:

Section 1920-A. Environmental Quality Board.—***

(g.1) The board may adopt such financial responsibility requirements, by regulation, for owners or operators of hazardous waste storage facilities, solid waste treatment, processing and disposal facilities and beneficial use activities, as necessary or desirable for closure of the facility, post-closure monitoring and maintenance and remedial measures, sudden accidental occurrences and nonsudden accidental occurrences. The financial responsibility regulations shall be consistent with the Federal financial responsibility requirements established under sections 3004 and 4004 of the Resource Conservation and Recovery Act of 1976 (Public Law 94-580, 42 U.S.C. § 6924, et seq.). The department may substitute compliance with the financial responsibility requirements established by the board by regulations under this subsection for compliance with the bonding requirements established under section 505(a) of the act of July 7, 1980 (P.L.380, No.97), known as the "Solid Waste Management Act."

Section 3. Article XXII of the act is amended by adding a subarticle heading to read:

ARTICLE XXII

POWERS AND DUTIES OF THE DEPARTMENT OF LABOR AND INDUSTRY, ITS DEPARTMENTAL ADMINISTRATIVE AND ADVISORY BOARDS AND DEPARTMENTAL ADMINISTRATIVE OFFICERS

(a) General Provisions

Section 4. Article XXII of the act is amended by adding subarticles to read:

(b) Services for the Blind and Visually Impaired

Section 2221. Definitions.—As used in this subarticle, the following words and phrases shall have the meanings given to them in this section:

"Advisory committee" shall mean the Advisory Committee for the Blind, established in section 2225.

"Blind person" shall mean a person:

(1) whose central acuity does not exceed 20/200 in the better eye with correcting lenses; or

(2) whose visual acuity, if better than 20/200, is accompanied by a limit of the field of vision in the better eye to a degree that its widest diameter subtends an angle of no greater than twenty (20) degrees.

In determining whether an individual is blind, there must be an examination by a physician skilled in diseases of the eye or by an optometrist.

"Bureau" shall mean the administrative unit in the department which provides services to the blind and visually impaired in accordance with this subarticle or subarticle (c).

"Committee" shall mean the Committee of Blind Vendors established in section 2233.

"Department" shall mean the Department of Labor and Industry of the Commonwealth.

"Fund" shall mean the Employment Fund for the Blind established in section 2223.

"Licensee" shall mean an individual licensed under section 2235.

"Rental fee" shall mean the fee fixed by the bureau and the committee for the rental of the snack bar location and equipment.

"State property" shall mean property owned or leased by the State government or an agency of the State government and designated by the bureau as appropriate for participation in the Business Enterprise Program. The term does not include property which is owned or leased for:

(1) rest, recreation and safety rest areas on the national system of interstate and defense highways;

(2) institutions of higher learning except as provided in section 2239; or

(3) institutions of the Department of Corrections.

"Vending facility" shall mean any automatic vending machine, cafeteria, snack bar, shelter, cart or counter, where food, tobacco, newspapers, periodicals or other articles are offered for sale and dispensed automatically or manually.

"Vending machine income" shall mean either of the following:

(1) Receipts, other than those of a licensee, from the operation of vending machines on State property, after cost of goods sold, where the machines are operated, serviced or maintained by or with the approval of the department and the committee.

(2) Commissions paid other than to a licensee by a commercial vending concern which operates, services or maintains vending machines on State property for or with the approval of the department.

Section 2222. Department.—The department has the following powers and duties:

(1) To collect, systematize and transmit to other agencies relevant information in regard to blind and visually impaired persons in this Commonwealth as necessary to improve programs relating to the blind and visually impaired.

(2) To formulate general policy and establish and operate programs within this Commonwealth to:

(i) assist blind and visually impaired persons to gain employment and become self-sufficient;

(ii) increase economic opportunities for blind and visually impaired persons; and

(iii) increase the number and variety of occupations available to blind and visually impaired persons.

(3) To provide for the delivery of comprehensive vocational rehabilitation services, training and other specialized services to blind and visually impaired persons consistent with Federal and State law.

(4) To establish and operate a business enterprise program for persons who are blind in accordance with this subarticle, subarticle (c) and Federal law.

(5) To participate in programs involving the use of vocational rehabilitation to assist in the transition of blind and visually impaired students from school to work.

(6) To take any action and to adopt regulations necessary to facilitate the operation of this subarticle and subarticle (c) and, in furtherance of those objectives, to accept any grants or contributions from the Federal Government or any Federal agency.

Section 2223. Fund.—(a) There is established in the State Treasury a revolving fund to be designated as the Employment Fund for the Blind.

(b) The fund shall be used by the department in carrying out the purposes specified in this subarticle and subarticle (c). This subsection includes all of the following:

(1) Purchase new equipment and replace existing equipment for new and existing vending facilities, including any construction necessary for the installation of equipment or related renovation.

(2) Purchase initial stock and supplies.

(3) Provide training services.

(4) Establish and maintain retirement funds or other appropriate benefits for licensees.

(5) Pay for necessary program operating expenses, including appropriate expenses for the committee.

(c) Money in the fund is hereby appropriated to the department for such purposes and shall be paid without further appropriations under requisition and warrant drawn on the State Treasurer in the usual manner.

Section 2224. Business Enterprises; Equipment; Leases; Repayment.—(a) The department is authorized to purchase, own, install, maintain, license and lease equipment, accessories and vending machines to be used for suitable business enterprises for or on behalf of the blind and to advance to deserving blind persons out of money in the fund reasonable amounts as proper to enable blind persons to purchase the merchandise, equipment, stock and accessories necessary to put into operation a vending or refreshment stand or other suitable business enterprises in some suitable location to be leased or arranged for by the department. Pennsylvania blind veterans of the world wars shall be given first preference for locations established, in accordance with the provisions of the Randolph-Sheppard Act (49 Stat. 1559, 20 U.S.C. § 107 et seq.), and the regulations pursuant to that act.

(b) Business enterprises under subsection (a) must be approved by the department and shall be supervised periodically by the department.

(c) The leases or permits for the installation and operation of stands or other suitable business enterprises under subsection (a) shall be secured by the department in its own name.

(d) Money advanced to a blind person under this subarticle or subarticle (c) shall be repaid by such person in monthly installments, which shall in no case be less than two per centum (2%) of the gross monthly sales made at the stand or business in question.

(e) Equipment and accessories purchased, owned, installed and maintained by the department may be leased to deserving blind persons for an amount not to exceed four per centum (4%) of the gross monthly sales, except in those locations in which the gross monthly sales do not exceed one thousand dollars (\$1,000). Rental in these locations shall not exceed one per centum (1%) of the gross monthly sales. The department shall periodically regulate the rental fees charged to blind persons in accordance with the regulations, in such a manner as to achieve approximate equality of opportunity to blind persons. The department shall transmit all repayments and rental fees into the State Treasury, where they shall be credited to the fund.

(f) The department is authorized to receive and transmit to the State Treasury for credit to the fund all money received by the Commonwealth on account of contracts between the Commonwealth, acting through the Department of General Services, and vending machine owners, whereby the Commonwealth is to receive a percentage of the profits from vending machines operated in State buildings, except for those vending machines in State buildings in which a restaurant or cafeteria is operated by the Department of General Services.

Section 2225. Advisory Committee for the Blind.—(a) There is established an Advisory Committee for the Blind within the department.

(b) The advisory committee shall consist of the director of the bureau and shall include not less than three nor more than nine members appointed by the Governor. The qualifications of the members of the advisory committee shall be determined by the Governor in consultation with the department. The Governor shall appoint members of the advisory committee to represent the professional and lay groups from fields of interest served by programs administered by the bureau.

(c) The term of office of each member shall be six (6) years. Initial appointments to the advisory committee shall be for terms of six (6), four (4) and two (2) years.

(d) (1) A majority of the advisory committee shall constitute a quorum.

(2) The advisory committee shall elect a chairperson.

(3) The advisory committee shall meet at least four times each year.

(c) Little Randolph-Sheppard

Section 2231. Short Title of Subarticle.—This subarticle shall be known and may be cited as the "Little Randolph-Sheppard Act."

Section 2232. Definitions.—The definitions in section 2221 shall apply to this subarticle.

Section 2233. Committee Established.—The Committee of Blind Vendors is established. The committee shall consist of licensees. The committee shall conduct a biennial election of a president, first vice president and secretary and may conduct elections to fill vacancies in office at any time. The bureau must approve policies, standards and

procedures affecting the operation of vending facilities by licensees in consultation and cooperation with the committee. The committee shall actively participate in administrative policy and program development decisions concerning vending facilities operated by licensees.

Section 2234. Blindness and Visual Services.—(a) The bureau has the following powers and duties:

(1) Survey vending facility opportunities on all State property.

(2) License blind persons for the operation of vending facilities on State property.

(3) Provide vending facility equipment and an adequate initial stock of suitable articles to licensees.

(4) Provide the necessary training and supervision to licensees.

(5) Issue appropriate regulations to carry out the provisions of this subarticle.

(6) Collect rental fees and appropriate vending machine income and transmit them to the Treasury Department for deposit in the fund.

(b) The bureau, with active participation by the committee, has the following powers and duties:

(1) Consider and respond to grievances of licensees.

(2) Develop and administer a Statewide system for the transfer and promotion of licensees.

(3) Develop training and retraining programs for licensees and blind persons interested in obtaining a license to operate a vending facility.

(4) Organize meetings and conferences for licensees in this Commonwealth.

(5) Adopt regulations necessary to insure uniform administration of the vending facilities program for licensees. The regulations shall apply uniformly to vending facilities operated by licensees on Federal as well as other public property.

Section 2235. Licensing.—(a) The bureau may issue a license for the operation of a vending facility only to a blind person who is a resident of this Commonwealth, who qualifies for a license under the Randolph-Sheppard Act (49 Stat. 1559, 20 U.S.C. § 107 et seq.); and who is able, after successfully completing all necessary training, to operate a vending facility. Each license shall be for an indefinite period but may be terminated or suspended if, after affording the licensee an opportunity for an appeal under section 2240 to the bureau and the committee, it is determined that the facility is not being operated in accordance with this subarticle.

(b) A license may be terminated or suspended if any of the following apply:

(1) The licensee shows serious or repeated employment-related misconduct or mismanagement of the facility.

(2) The licensee shows continued indebtedness or delinquency in required reporting.

(3) The licensee is incapacitated for an extended period of time to the extent that the licensee cannot conduct the affairs of the facility.

(4) The licensee shows restoration of sight to better than legal blindness, which is the basis of eligibility for participation in the program.

(5) The licensee voluntarily withdraws or resigns from the program.

Section 2236. Veterans Preference.—Pennsylvania blind veterans shall be given preference in placement at their first vending location. This preference shall be applicable only for entry to the program and only in competition with other entering trainees. It may only be used once under the business enterprises regulations as provided for in section 2222(6).

Section 2237. Operation of Vending Facility.—(a) No person in control of the maintenance, operation and protection of State property may offer or grant to any other party a contract or concession to operate a vending facility unless all of the following apply:

(1) The bureau is properly notified to negotiate an agreement with a licensee to operate a vending facility.

(2) The bureau and the committee are not willing or able to establish a vending facility on the property.

(b) If, on the effective date of this subarticle, a vending facility is being operated on State property by a person other than a licensee, when the present contract expires, is terminated or comes up for renewal or

upon a change of the maintenance, operation and protection of the property, the person in control shall notify the bureau and attempt to make an agreement with the bureau for a licensee to operate the vending facility. If the bureau determines that a vending facility operated by a full-time licensee is not feasible on State property, the business enterprises program may install vending machines on the property with income accruing under section 2234(a)(6). The contract for the operation of a vending facility shall specify that it shall be operated at a reasonable cost consistent with a fair return, high quality food products or service and reasonable prices.

Section 2238. Income.—Income from existing vending machines on State property and from new or replacement vending machines installed on State property shall accrue to the licensee operating a vending facility on the property or, if there is none, to the fund. The licensee or the bureau, as appropriate, shall be responsible for servicing and maintaining the vending machines from which income is received.

Section 2239. Institutions of Higher Learning.—An institution of higher learning which, on the effective date of this subarticle, is a party to a lease or other contract with a Commonwealth agency entered into under section 2224 may, when the present contract expires, is terminated or comes up for renewal, enter into contract with the bureau for the operation of a vending facility under this subarticle. An institution of higher learning may, at any time, voluntarily participate in the program established by this subarticle.

Section 2240. Appeal.—A person aggrieved by a decision of the bureau under this subarticle may appeal under 2 Pa.C.S. Ch. 7 Subch. A (relating to judicial review of Commonwealth agency action).

Section 5. Section 2402.1 of the act, added December 18, 1992 (P.L.1638, No.180), is amended to read:

Section 2402.1. Utilization of Capitol Annex.—(a) The Department of General Services shall hereby grant exclusive use of the Capitol Annex Building, also known as the Old Museum Building, to the House of Representatives.

(b) [The Speaker of the House of Representatives shall allocate the space in the Capitol Annex Building, also known as the Old Museum Building, for such legislative purposes as he deems necessary.] The Bi-partisan Management Committee of the House of Representatives shall hereafter have the authority to change the allocation of space in the Capitol Annex Building and may allocate and reallocate that space for such legislative purposes as it deems necessary.

(c) Notwithstanding any other provision of law to the contrary, the Capitol Annex Building, also known as the Old Museum Building, shall be used for the legislative purposes of the House of Representatives and not for administrative offices.

(d) The Department of General Services shall commence and complete the repair and renovation of the Capitol Annex Building, also known as the Old Museum Building, on an expedited basis.

Section 6. Nothing in the act of May 21, 1943 (P.L.595, No.259), entitled, as amended, "An act authorizing the Department of Property and Supplies to establish, operate and maintain restaurants, as herein defined, creating a revolving fund for this purpose, to be known as The State Restaurant Fund; and providing additional duties for the State Treasurer and the Department of Health in connection therewith," shall be construed to deny or prohibit the operation of any refreshment stand in the State Capitol or other State office building by a blind person under the provisions of subarticle (b) or (c) of Article XXII of the act.

Section 7. (a) The subjects of transfer of the Department of Public Welfare relating to Article VIII of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, and the act of December 16, 1986 (P.L.1641, No.187), known as the Little Randolph-Sheppard Act, are transferred to the Department of Labor and Industry with the same force and effect as if they had originally belonged to the Department of Labor and Industry.

(b) The civil service or other employment status of employees of the Department of Public Welfare transferred by subsection (a) shall not be affected by the transfer.

(c) As used in this section, the term "subjects of transfer" means personnel, appropriations, allocations, documents, records, equipment, materials, rights and obligations, utilized or accruing in connection with transferred functions.

Section 8. (a) Section 2 of Reorganization Plan No. 3 of 1977 (P.L.373), is rescinded.

(b) Section 3 of Reorganization Plan No. 3 of 1977 (P.L.373), is rescinded insofar as it is inconsistent with this act.

Section 9. (a) The following acts and parts are acts are repealed:

Section 301.1(i)(2) of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code.

The second paragraph of section 6 of the act of May 21, 1943 (P.L.595, No.259), entitled, as amended "An act authorizing the Department of Property and Supplies to establish, operate and maintain restaurants, as herein defined, creating a revolving fund for this purpose, to be known as The State Restaurant Fund; and providing additional duties for the State Treasurer and the Department of Health in connection therewith."

Article VIII of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code.

Act of December 16, 1986 (P.L.1641, No.187), known as the Little Randolph-Sheppard Act.

(b) The following acts and parts of acts are repealed to the extent specified:

As much as relates to the Advisory Committee for the Blind in the Department of Public Welfare in sections 203, 448(1) and 2328 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929.

Section 10. This act shall take effect July 1, 1999, or immediately, whichever is later.

On the question recurring,

Will the House agree to the amendment?

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

Mr. CHADWICK. Thank you, Mr. Speaker.

The members will recall that the first time we considered this amendment, the only real objection was to the provisions regarding the Agricultural Easement Purchase Program, objections raised in specific by the lady from Berks County. It is my understanding that that problem has been resolved; that after this amendment is adopted, the lady will have an amendment to offer which will correct the problem. Again, it is my understanding that any questions regarding the environmental aspects are also going to be resolved with a subsequent amendment from the gentleman from Clearfield County.

So I once again urge an affirmative vote on amendment 2826.

The SPEAKER. On the question of the adoption of the amendment, the lady from Berks, Mrs. Miller.

Mrs. MILLER. Thank you, Mr. Speaker.

Mr. Speaker, in the ensuing hours since we first took up this amendment, I received confirmation from Secretary of Agriculture Sam Hayes that the language included in this for the \$500,000 to be used for installment payments and also for the land trust pilot program is truly going to be maintained as a pilot program. I have been assured by the Secretary that he will give this language and this program, this pilot program, great oversight, and in that, I will withdraw my opposition to this amendment.

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

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

The following roll call was recorded:

YEAS—191

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

NAYS—7

Grucela	Steelman	Tigue	Yewwic
Solobay	Thomas	Trich	

NOT VOTING—2

Lawless	Snyder
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EXCUSED—3

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

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. George, for the purpose of a motion.

Mr. GEORGE. Madam Speaker, I move that we suspend the rules for the purpose of inserting A2965. I ask for an affirmative vote.

The SPEAKER pro tempore. The gentleman from Clearfield, Mr. George, moves that the rules be suspended in order for him to be able to offer amendment A2965.

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

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

Mr. CHADWICK. Thank you, Madam Speaker.

We agree with the gentleman's motion and urge an affirmative vote.

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

The following roll call was recorded:

YEAS—197

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

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

NAYS—2

Hanna Platts

NOT VOTING—1

Harhart

EXCUSED—3

Dally Harhai Washington

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

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

Mr. GEORGE offered the following amendment No. A2965:

Amend Title, page 1, lines 30 and 31 (A2826), by striking out all of line 30 and "Environmental Quality Board;" in line 31

Amend Bill, page 6, lines 51 through 59; page 7, lines 1 through 12 (A2826), by striking out all of said lines on said pages

Amend Sec. 3, page 7, line 13 (A2826), by striking out "3" and inserting

2

Amend Sec. 4, page 7, line 21 (A2826), by striking out "4" and inserting

3

Amend Sec. 5, page 12, line 19 (A2826), by striking out "5" and inserting

4

Amend Sec. 6, page 12, line 41 (A2826), by striking out "6" and inserting

5

Amend Sec. 7, page 12, line 52 (A2826), by striking out "7" and inserting

6

Amend Sec. 8, page 13, line 7 (A2826), by striking out "8" and inserting

7

Amend Sec. 9, page 13, line 12 (A2826), by striking out "9" and inserting

8

Amend Sec. 10, page 13, line 33 (A2826), by striking out "10" and inserting

9

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

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

Mr. GEORGE. Madam Speaker, this amendment simply does what the gentleman, Mr. Chadwick, and I had mentioned, that it strikes the Environmental Board language from Mr. Chadwick's amendment. We feel it is proper to do it, and we ask for an affirmative vote.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Chadwick.

Mr. CHADWICK. Thank you, Madam Speaker.

The gentleman from Clearfield is absolutely correct. We agree with this amendment and urge an affirmative vote.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman, Mr. Rooney.

Mr. ROONEY. Thank you, Madam Speaker.

Madam Speaker, I reluctantly rise to oppose the gentleman's amendment A2965.

Madam Speaker, what the gentleman proposes to do is strip out language that we just adopted in the Chadwick amendment that speaks to the issue of financial responsibility. The Solid Waste Act, which was enacted almost 20 years ago, contains inflexible financial responsibility provisions which have proven to be unnecessary and burdensome. The George amendment would remove the language that would permit the Environmental Quality Board to adopt regulations to provide for proof of financial responsibility. It would allow substitution of compliance with financial responsibility regulations for the inflexible bonding requirements presently mandated in Act 97.

Now, let me be very clear and very specific. As written, as written and just adopted, the Chadwick language would allow the EQB to promulgate regulations that mirror the Federal language. This very same language is used in other States, including New York and Maryland. The Chadwick language does not let anybody off the hook. There is no reduction in the amount of surety a company would have to post in order to maintain this. This is wrong. It is a mandate that my good friend and colleague would have us impose that has no place in Pennsylvania law. There would continue to be an annual review of any given entity's financial position. The fact of the matter is, this language does not apply exclusively to the waste industry. Companies like Bethlehem Steel, USX, GPU (General Public Utilities, Inc.), Duquesne, and PP&L (Pennsylvania Power & Light) would be very dramatically adversely affected if the language contained in the gentleman's amendment is adopted by this House.

Please keep a few things in mind. We do a lot in Pennsylvania to encourage smart business growth. We encourage flexibility. We demand accountability and responsibility, and well we should. There is nothing in the language, Mr. Chadwick's language that we just ratified, that would unduly harm the environment, harm any constituency. This language that was embodied in the Chadwick amendment would allow types of financial vehicles that can be used today that were not available when Act 97 was passed almost 20 years ago. The language in Chadwick would allow that to continue and to flourish and to free up cub corporations that are important to this economy and this State. The Chadwick language would allow that. My friend and colleague's amendment would strike that language and do away with it.

This is a very, very important amendment, for those of you who believe in financial responsibility, in allowing companies in this State who are financially responsible, and prove it year after year, to allow them some flexibility that I think they are entitled to, and it certainly is sorely needed.

I ask you, Madam Speaker, to reject the George amendment.

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

Mr. GEORGE. Madam Speaker, nothing in the world do I dislike more than talking against a colleague's position. Tomorrow if a bill was brought forward that was not all encompassing, I would jump over the seat to support the gentleman's purpose. But as Mr. Chadwick will attest, this thing is so broad, what they do, that they have looped and put together all solid waste, all types of ventures, and said, you can self-insure for \$10,000 a landfill that has 10 million tons put in it, and someone who made \$40 or \$50 million need only have a \$10,000 surety bond up for closure, and yet the regulations have not even been adopted yet by the Environmental Board. If they were to come tomorrow, I would work with the gentleman to protect his area, because it is not the culprit. But it is so broad, so effacing, that to allow these special interests to devastate Pennsylvania and walk away and lose \$10,000 is neither responsible or what reasonable people would do.

I ask that you adopt the amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton, Mr. Rooney, for the second time.

Mr. ROONEY. Thank you, Madam Speaker.

And let me say that I very much appreciate my friend and colleague for offering to take into account my concerns. I know he is genuinely sincere and he is, without question in my mind, the State's great environmentalist. Having said that, this issue is very important to those of us who represent constituencies that are employed in many cases by companies like the Bethlehem Steel Corporation, Pennsylvania Power & Light, Duquesne, USX, and what this does, because the language that would be removed serves as potentially being devastating to companies that are trying to reinvest and make things happen — redevelop sites, for example, that have been, if not abandoned, they certainly have a different life expectancy — the fact of the matter is, this legislation is devastating. And while I very much appreciate the sincere offer of my colleague whom I respect immensely, if we vote to adopt this amendment, we are going to do immediate damage to organizations and entities that are held financially responsible.

Let us be very clear about this. For many of these firms, they are reviewed and audited annually. All we are asking them to be able to do is have some flexibility. The liability will not go unsecured. The liability and the amounts that are determined by DEP will remain. We are not sacrificing anything. We are not compromising the public's health or safety. What we are doing, unfortunately, with this amendment is posing a serious hazard to the safety and well-being of companies and employers in this State that I know both Democrats and Republicans care deeply about.

So while again I find it hard to oppose my friend and colleague, I ask the members of this House to vote against the George amendment for the reasons that have been outlined.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Elk County, Mr. Surra.

Mr. SURRA. Thank you, Madam Speaker.

Madam Speaker, I rise to support the George amendment, and I am going to be very brief in my explanation, and I would ask that you listen very closely.

Currently, to get a hazardous waste permit, now the Department of Environmental Protection has modest bonding provisions where a company to get a hazardous waste permit would have to have one of the three: a surety bond, a collateral bond, or a phase collateral bond at an amount set by the department. That is current law. Under the language that Representative George is trying to amend, and currently it would be at least, it says only \$10,000, and if the amendment does not go in what we are going to pass, the new language says that the EQB will determine the amount, and it is silent on the amount. So I think that that should be set by this legislature.

What Representative George is trying to do, rather than be silent on the issue and allow the EQB to set the amount, we go back to the current language, which is very modest and will protect the people of Pennsylvania. We do not want to take that out of our hands, Madam Speaker, or out of the hands of the Department of Environmental Protection. It is a modest, reasonable amendment, and I ask for your support.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Chester County, Mr. Ross.

Mr. ROSS. Thank you, Madam Speaker.

Madam Speaker, I think the whole question of financial security is extremely important and we ought to have viable alternatives, and I certainly respect the idea of considering bonds as an important financial security device. But there are other alternatives out there today in the marketplace, and realistically, the key is not so much whether it is a bond or a letter of credit or some other financial instrument; the important part is the credibility of the institution that is actually providing that security. You can have a good bond and you can have a bad bond. Similarly, you might have a very reliable letter of credit or some other financial device, and realistically what we have to do is have proper regulations to occur later that will make sure that these instruments are reliable.

So I urge the members to come into the 20th century and recognize that there are viable alternatives here to provide financial security that were not perhaps available earlier and recognize that the credibility of the institution is important, not the particular device that is being used. So therefore, I urge the members to defeat this particular amendment.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—156

Allen	Feese	Masland	Serafini
Argall	Fleagle	Mayermik	Shaner
Armstrong	Frankel	McCall	Snyder
Baker	Freeman	McGeehan	Solobay
Bard	Geist	McIlhattan	Staback
Barley	George	McIlhinney	Stairs
Bastian	Gigliotti	Melio	Steelman
Battisto	Godshall	Michlovic	Steil
Bebko-Jones	Gordner	Miller, R.	Stern
Belardi	Grucela	Mundy	Stetler
Belfanti	Gruitza	Myers	Stevenson
Benninghoff	Habay	Nailor	Strittmatter
Bishop	Haluska	Nickol	Sturla

Blaum	Hanna	O'Brien	Surra
Boyes	Harhart	Oliver	Tangretti
Butkovitz	Hasay	Orie	Taylor, J.
Caltagirone	Hershey	Perzel	Thomas
Cappabianca	Hess	Pesci	Tigue
Cam	Horsey	Petrarca	Travaglio
Casorio	Hutchinson	Petrone	Trello
Cawley	James	Phillips	Trich
Chadwick	Josephs	Pippy	True
Clark	Kaiser	Pistella	Tulli
Cohen, M.	Keller	Platts	Vance
Colafella	Kenney	Preston	Van Home
Corrigan	Kirkland	Ramos	Veon
Costa	Krebs	Reinard	Vitali
Coy	LaGrotta	Rieger	Walko
Curry	Laughlin	Roberts	Waters
Daley	Lawless	Robinson	Williams
DeLuca	Lederer	Roebuck	Wogan
Dempsey	Leh	Rooney	Wojnaroski
Dermody	Lescovitz	Ruffing	Yewcic
DeWeese	Levdansky	Sainato	Youngblood
Donatucci	Lucyk	Santoni	Yudichak
Eachus	Maitland	Sather	Zimmerman
Egolf	Major	Schuler	
Evans	Manderino	Scrimenti	Ryan,
Fairchild	Mann	Semmel	Speaker
Fargo	Markosek		

NAYS-44

Adolph	DiGirolamo	Maher	Rubley
Barrar	Druce	Marsico	Samuelson
Birmelin	Fichter	McGill	Saylor
Browne	Flick	McNaughton	Schroder
Bunt	Forcier	Metcalfe	Seyfert
Buxton	Gannon	Micozzie	Smith, B.
Civera	Gladeck	Miller, S.	Smith, S. H.
Clymer	Hennessey.	Raymond	Taylor, E. Z.
Cohen, L. I.	Herman	Readshaw	Wilt
Cornell	Jadlowiec	Rohrer	Wright
Dailey	Lynch	Ross	Zug

NOT VOTING-0

EXCUSED-3

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

On the question recurring,

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

RULES SUSPENDED

The SPEAKER pro tempore. For what purpose does the gentlelady, Mrs. Miller, rise?

Mrs. MILLER. Thank you, Madam Speaker.

I rise to ask for a suspension of the rules in order to offer amendment 2991.

The SPEAKER pro tempore. The lady from Berks County, Mrs. Miller, asks for a suspension of the rules in order to offer an amendment, 2991.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the question of suspension, the Chair recognizes the gentleman, Mr. Chadwick.

Mr. CHADWICK. Thank you, Madam Speaker.

Once again, we agree to the motion and urge an affirmative vote.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-197

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

NAYS-2

Hanna	Readshaw
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NOT VOTING-1

Travaglio

EXCUSED—3

Dally Harhai Washington

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

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

Mrs. MILLER offered the following amendment No. A2991:

Amend Sec. 1 (Sec. 1716), page 6, (A2826), by inserting between lines 50 and 51

(d) Within 60 days of the effective date of this section, and in subsequent years within 60 days of the effective date of any additional appropriations to the program, eligible counties shall be authorized to appropriate additional local moneys for the purchase of agricultural conservation easements for the current county fiscal year. These additional local moneys shall be included when determining each eligible county's share of money allocated under this section for supplemental agricultural easement purchase programs pursuant to methodologies in paragraphs (8.1) and (8.2) of the "Agricultural Area Security Law."

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

The SPEAKER pro tempore. On that question, the Chair recognizes the lady, Mrs. Miller.

Mrs. MILLER. Thank you, Madam Speaker.

A brief explanation of this amendment for the members.

The SPEAKER pro tempore. Would the lady cease a moment.

Would you please clear the aisles in front of the lady that is trying to speak.

The lady may proceed.

Mrs. MILLER. Thank you, Madam Speaker.

The purpose of this amendment is to allow counties the opportunity, once we pass our annual budget for the fiscal year, to be able to contact the Department of Agriculture within 60 days to amend the allocation that they are going to be supplying to their conservation easement program.

Currently under regulation, Madam Speaker, counties must submit to the Department of Agriculture by January 31 the amount of moneys that they are going to put toward this program. I feel that it is important that counties can amend that allocation once the State determines what annual budget they are going to be providing so that counties can make a knowledgeable decision on the amount in order to capture whatever significant amount of their matching funds that they would like to capture.

So that is a brief explanation. It does nothing to the Chadwick amendment that we previously adopted.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Lancaster County, Mr. Barley.

Mr. BARLEY. Thank you, Madam Speaker.

Madam Speaker, I would urge the members to support the gentlelady's amendment. I think it not only provides a good solution to a situation that we may have created because of the supplemental appropriation or the additional appropriation this

year, but it is also something that will be there in successive years that will be an additional tool that counties could utilize in the farmland preservation program.

So I would encourage all members to vote "yes" on the amendment.

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

Mr. CHADWICK. Thank you, Madam Speaker.

As I indicated in my remarks on my own amendment, I think the lady has come up with a good solution. I commend her for it and urge an affirmative vote.

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

Mr. HORSEY. Madam Speaker, the gentlelady has always done her job in the area of agriculture, and I am going to keep it real short and just request that both sides support her in this amendment.

Thank you, Madam Speaker.

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

The following roll call was recorded:

YEAS—193

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

Donatucci	Lynch	Ruffing	Ryan,
Druce	Maher	Sainato	Speaker
Eachus	Maitland	Samuelson	

NAYS—5

George Mann	Solobay	Surra	Veon
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NOT VOTING—2

Vitali	Yudichak
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EXCUSED—3

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

On the question recurring,

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

RULES SUSPENDED

Ms. BARD. Madam Speaker, I would like to make a motion.

The SPEAKER pro tempore. You may proceed.

Ms. BARD. I would like to make a motion to call up amendment 2999 by suspension of the rules.

The SPEAKER pro tempore. The lady from Montgomery County moves that the rules be suspended in order to offer amendment 2999.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the question of suspension, the Chair recognizes the gentleman from Bradford, Mr. Chadwick.

Mr. CHADWICK. Thank you, Madam Speaker.

We agree with the lady's motion and urge an affirmative vote.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. Those wishing to suspend the rules— The Chair recognizes the gentleman, Mr. Gordner. Is the gentleman delegated by the leadership to speak on suspension?

Mr. GORDNER. A parliamentary inquiry.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. GORDNER. Since we do not have the amendment, could we have a brief explanation as to what the amendment would do?

The SPEAKER pro tempore. If the lady from Montgomery County would like to give us a very brief explanation?

Ms. BARD. Thank you, Madam Speaker.

This amendment would provide options for second-class-A counties for acquisition and financing of open-space agricultural conservation, greenway preservation, and community revitalization.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—199

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

NAYS—1

Readshaw

NOT VOTING—0

EXCUSED—3

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

On the question recurring,

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

Ms. BARD offered the following amendment No. A2999:

Amend Title, page 1, line 29 (A2826), by inserting after "Agriculture"

and for open space and revitalization financing
Amend Bill, page 6, (A2826), by inserting between lines 50 and 51
Section 1.1 The act is amended by adding an article to read:

ARTICLE XVII-A

OPEN SPACE AND REVITALIZATION FINANCING

Section 1701-A. Statement of Legislative Intent.—It is the purpose of this article to provide a means by which counties of the second class A may acquire and preserve property for open space, agricultural conservation, greenway preservation and community revitalization. The General Assembly finds that it is important to preserve and use land for these purposes. The incurring of debt or the imposition of taxes to generate funds for the purchase of property in accordance with the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, is declared to be for the public benefit, for the advancement of the public health, safety, morals and general welfare of the citizens of this Commonwealth, and for the promotion of sound land development.

Section 1702-A. Definitions.—The following words and phrases when used in this article shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"County." A county of the second class A.

"Department." The Department of Revenue of the Commonwealth.

"Property." Any interest in real property acquired by a county as authorized by section 1703-A.

Section 1703-A. Acquisition of Property.—A county shall have the power and authority to purchase any of the following:

(1) Open space property interests authorized in the act of January 19, 1968 (1967 P.L.992, No.442), entitled, as amended, "An act authorizing the Commonwealth of Pennsylvania and the local government units thereof to preserve, acquire or hold land for open space uses."

(2) Agricultural conservation easements pursuant to a program authorized by the county governing body and administered in accordance with the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law.

(3) Recreation and park lands, greenways, natural areas and open space consistent with the purposes set forth in the act of July 2, 1993 (P.L.359, No.50), known as the Keystone Recreation, Park and Conservation Fund Act.

(4) Real property, including air rights, water rights and other interests therein, which is:

(i) blighted, deteriorated, deteriorating, undeveloped or inappropriately developed from the standpoint of sound community development and growth;

(ii) appropriate for rehabilitation or conservation activities;

(iii) appropriate for the preservation or restoration of historic sites, the beautification of urban land, the conservation of open spaces, natural resources and scenic areas, the provision of recreational opportunities, or the guidance of urban development; or

(iv) to be used for the provision of public works, facilities and improvements.

Section 1704-A. Incurring Debt; Installment Payments.—(a) A county may incur either electoral or nonelectoral debt under 53 Pa.C.S. Pt.VII Subpt. B (relating to indebtedness and borrowing), for the acquisition of property as set forth in section 1703-A.

(b) Debt referenda shall be as follows:

(1) Electoral debt, for the purpose of acquiring property as set forth in section 1703-A, may be incurred in accordance with 53 Pa.C.S. Ch. 80 Subch. C (relating to procedure for securing approval of electors).

(2) Notwithstanding that nonelectoral debt may be incurred under 53 Pa.C.S. Pt. VII Subpt. B without securing the approval of the electors, an initiative petition of electors submitted in accordance with section 1705-A or an ordinance of the governing body adopted in accordance with section 1706-A may provide for a nonbinding, advisory referendum

on the question of whether nonelectoral debt should be incurred for the purpose of acquiring property in accordance with section 1703-A.

(c) To the extent that the laws enumerated in section 1703-A do not conflict with the exercise of the authority contained in this subsection, the governing body of a county may authorize the establishment of a program for the acquisition of property as set forth in section 1703-A on an installment or other deferred basis. The obligation of the county to make payment on an installment or other deferred basis shall not be subject to the requirements of 53 Pa.C.S. § 8142(b) or (c) (relating to limitations on stated maturity dates).

Section 1705-A. Tax and Debt Initiative; Referendum Petition.—If the initiative procedure authorized by this section is to be utilized, there must be filed with the county board of elections a petition containing a proposal for a referendum on the question of imposing a tax as specified in section 1708-A for the purpose of dedicating the tax revenues for either the acquisition of property as set forth in section 1703-A or repaying debt incurred for that purpose as authorized by section 1704-A. The petition also may contain a proposal for a nonbinding, advisory referendum on the question of whether nonelectoral debt should be incurred, as authorized by section 1704-A, for the acquisition of property as set forth in section 1703-A. The proposal for a nonbinding, advisory referendum on the question of whether nonelectoral debt should be incurred may be the sole subject of the petition or it may be included with a proposal for a referendum on the question of imposing a tax. A petition shall be signed by electors of the county comprising at least two per centum (2%) of the number of electors voting for the office of Governor in the last gubernatorial general election in the county. A referendum petition under this section shall be filed not later than the 13th Tuesday prior to the next primary, general or municipal election at which the referendum will be held. If the petition proposes a referendum on whether a tax should be imposed as specified in section 1708-A, the petition shall identify the tax and the millage or rate at which it will be imposed by the county and the purpose or purposes for which the tax revenues are to be used. If the petition proposes a nonbinding, advisory referendum on whether nonelectoral debt should be incurred, as authorized by section 1704-A, for the acquisition of property as set forth in section 1703-A, the petition shall state the amount of the nonelectoral debt to be incurred and the purpose or purposes for which the debt proceeds are to be used. The petition and the proceedings therein shall be in the manner and subject to the provisions of the election laws which relate to the signing, filing and adjudication of nomination petitions insofar as those provisions are applicable. No referendum petition may be signed or circulated prior to the 20th Tuesday before the election nor later than the 13th Tuesday before the election.

Section 1706-A. Referendum Ordinance.—In lieu of an initiative petition filed by electors pursuant to section 1705-A, the governing body of a county may, by ordinance, provide for a referendum on the question of imposing a tax as specified in section 1708-A for the purpose of dedicating the tax revenues for either the acquisition of property as set forth in section 1703-A or repaying debt incurred for that purpose as authorized by section 1704-A. The ordinance also may contain a proposal for a nonbinding, advisory referendum on the question of whether nonelectoral debt should be incurred, as authorized by section 1704-A, for the acquisition of property as set forth in section 1703-A. The proposal for a nonbinding, advisory referendum on the question of whether nonelectoral debt should be incurred may be the sole subject of the ordinance or it may be included with a proposal for a referendum on the question of imposing a tax. If the ordinance proposes a referendum on whether a tax should be imposed as specified in section 1708-A, the ordinance shall identify the tax and the millage or rate at which it will be imposed by the county and the purpose or purposes for which the tax revenues are to be used. If the ordinance proposes a nonbinding referendum on whether nonelectoral debt should be incurred, as authorized by section 1704-A, for the acquisition of property as set forth in section 1703-A, the ordinance shall state the amount of the nonelectoral debt to be incurred and the purpose or purposes for which the debt proceeds are to be used. The ordinance providing for a referendum on the

question shall be filed with the county board of elections not later than the 13th Tuesday prior to the next primary, general or municipal election at which the referendum will be held.

Section 1707-A. Authorizing Referendum.—A referendum on the question of imposing a tax as specified in section 1708-A for the purpose of dedicating the tax revenues for either the acquisition of property as set forth in section 1703-A or repaying debt incurred for that purpose as authorized by section 1704-A, or a nonbinding, advisory referendum on the question of incurring nonelectoral debt, as authorized by section 1704-A, for the acquisition of property as set forth in section 1703-A, shall be held either if initiated by the electors of the county in accordance with section 1705-A or after adoption of an ordinance by the governing body of the county in accordance with section 1706-A. The referendum shall be governed by the provisions of the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code. Election officials shall cause the question to be submitted to the electors of the county at the next primary, general or municipal election occurring not less than the 13th Tuesday following the filing, with the county board of elections, of either the referendum petition in accordance with section 1705-A or the referendum ordinance in accordance with section 1706-A. At such election, the question shall be submitted to the voters in the same manner as other questions are submitted under the provisions of the Pennsylvania Election Code. Either one or both of the following questions, as directed in the referendum petition or the referendum ordinance are to be placed upon the ballot and shall be framed in the following form:

Do you favor the imposition of a (identify the tax or taxes and the millage or rate or rates at which the tax or taxes will be imposed) by (insert the name of the county) to be used for (identify the purpose or purposes)?

Do you favor incurring nonelectoral debt within the debt limits provided by law for (insert the name of the county) in the amount of (identify the amount of the debt to be incurred) by (insert the name of the county) to be used for (identify the purpose or purposes)?

Section 1708-A. Taxes Authorized.—If approved by a majority of those voting in a referendum authorized by either ordinance or initiative in accordance with this article, a county may impose, by ordinance, any one or more of the following taxes as approved by referendum, not exceeding the millage or rate authorized by the referendum, for the purpose of dedicating the tax revenues for the acquisition of property as set forth in section 1703-A or for repaying debt incurred for that purpose as authorized by section 1704-A:

(1) A tax on real property in addition to other real estate taxes authorized for counties in the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, or any other law. The tax authorized by this clause shall be in addition to, and shall not otherwise affect or prevent an increase in the millage rate for real estate taxes for general county purposes within limits otherwise authorized in section 1970 of the Second Class County Code.

(2) A tax on the transfer of real property, or of any interest in real property, situate within the county, regardless of where the instruments making the transfers are made, executed or delivered or where the actual settlements on such transfer take place, subject to the limitations and restrictions placed on political subdivisions imposing a tax on the transfer of real property in accordance with the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act. The tax authorized by this clause may be imposed at a maximum rate of one per centum (1%), in increments of one half of one per centum (.5%), but not exceeding the rate authorized by the referendum, and shall be in addition to the realty transfer tax authorized by either The Local Tax Enabling Act or the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

(3) A dedicated county sales and use tax as authorized in section 1709-A.

Section 1709-A. Dedicated County Sales and Use Tax.—(a) The tax imposed by the governing body of a county under this section shall be in

addition to any tax imposed by the Commonwealth under Article II of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971. Except for the differing situs provisions under subsection (c), the provisions of Article II of the Tax Reform Code of 1971 shall apply to the tax.

(b) Imposition shall be as follows:

(1) The governing body of a county may levy and assess upon each separate sale at retail of tangible personal property or services, as defined in Article II of the Tax Reform Code of 1971, within the boundaries of the county, a tax on the purchase price. The tax shall be collected by the vendor from the purchaser and shall be paid over to the Commonwealth as provided in this section. The sales tax shall not be paid to the Commonwealth by any person who has paid the tax imposed under Chapter 5 of the act of June 5, 1991 (P.L.9, No.6), known as the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class, or subdivision (e) of Article XXXI-B of the act of July 28, 1953 (P.L.723, No.230), known as the Second Class County Code, equal to or greater than the tax imposed under this clause.

(2) In any county within which the tax authorized in clause (1) is imposed, there shall be levied, assessed and collected upon the use, within the county, of tangible personal property purchased at retail and on services purchased at retail, as defined in Article II of the Tax Reform Code of 1971, a tax on the purchase price. The tax shall be paid over to the Commonwealth by the person who makes the use. The use tax imposed under this clause shall not be paid over to the Commonwealth by any person who has paid the tax imposed under:

(i) Clause (1).

(ii) This clause to the vendor with respect to the use.

(iii) Chapter 5 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class, equal to or greater than the tax imposed under either clause (1) or this clause.

(iv) Subdivision (e) of Article XXXI-B of the Second Class County Code, equal to or greater than the tax imposed under either clause (1) or this clause.

(3) In any county within which a tax authorized by clause (1) is imposed, there shall be levied, assessed and collected an excise tax on the rent upon every occupancy of a room or rooms in a hotel in the county. The tax shall be collected by the operator or owner from the occupant and paid over to the Commonwealth.

(4) Rate and uniformity shall be as follows:

(i) The tax authorized by clauses (1), (2) and (3) shall be imposed at a maximum rate of one per centum (1%), in increments of one-half of one per centum (.5%), but not exceeding the rate authorized by the referendum.

(ii) The tax imposed by clauses (1), (2) and (3) shall be uniform.

(5) The tax imposed under this subsection shall be computed in the manner set forth in section 503(e)(2) of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class.

(c) Situs shall be as follows:

(1) Except as provided in clauses (2) and (3), the situs of sales at retail or uses, including leases, of motor vehicles, aircraft, motorcraft and utility services shall be determined in the manner specified by section 504 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class, as well as the Tax Reform Code of 1971.

(2) The sale or use of premium cable service shall be deemed to occur at the service address in the county which is the address where the customer cable connection is located. This clause shall determine the situs of premium cable service for the purpose of all local sales taxes, including those imposed pursuant to Chapter 5 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class and pursuant to subdivision (e) of Article XXXI-B of the Second Class County Code.

(3) The situs of telecommunications service under this section shall be determined in accordance with regulations adopted by the department, which shall be uniform among all counties, and shall be consistent with regulations promulgated under subdivision (e) of Article XXXI-B of the Second Class County Code; Article 11 of the Tax Reform Code of 1971;

and Chapter 5 of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class.

(d) A license for the collection of the tax authorized by this section shall be issued in the same manner as is provided for in section 505 of the act of June 5, 1991 (P.L.9, No.6), known as the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class. Licensees shall be entitled to the same discount as provided in section 227 of the Tax Reform Code of 1971.

(e) Regulations and collection costs shall be as follows:

(1) Regulations shall be applicable to the taxes imposed under subsection (b) in the same manner as is provided for in section 506(1) and (2) of the Pennsylvania Intergovernmental Cooperation Authority Act for Cities of the First Class.

(2) The department, to cover its costs of administration under this article, shall be entitled to retain a sum equal to the costs of administration. When the annual operating budget for the department is submitted to the General Assembly, the department shall also submit to the chairman and minority chairman of the Appropriations Committee of the Senate and to the chairman and minority chairman of the Appropriations Committee of the House of Representatives a report of the actual sums retained for costs of collection in the preceding fiscal year, together with all supporting details.

(f) Procedure and administration shall be as follows:

(1) In addition to any other requirements imposed by this article or any other law relating to the adoption by a county of an ordinance imposing a tax, the governing body of the county desiring to impose the tax authorized in subsection (b) shall, prior to adopting an ordinance imposing the tax, give public notice of its intent to adopt the ordinance in the manner provided by section 4 of the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act and shall conduct at least one public hearing regarding the proposed adoption of the ordinance. The notice and ordinance shall state the tax rate and refer to this article and section. The ordinance shall authorize the imposition of all taxes provided for in subsection (b).

(2) A certified copy of the county ordinance shall be delivered to the department by June 1 of the year prior to the effective date thereof. The county ordinance shall become effective on January 1 following at least seven months after the date of enactment of the county ordinance.

(3) A certified copy of a repeal ordinance shall be delivered to the department at least one hundred twenty (120) days prior to the effective date of the repeal.

(g) There is created for each county levying the tax under subsection (b) a county sales and use tax fund. The State Treasurer shall be custodian of the funds which shall be subject to the provisions of law applicable to funds listed in section 302 of the act of April 9, 1929 (P.L.343, No.176), known as The Fiscal Code. Taxes imposed under subsection (b) shall be received by the department and paid to the State Treasurer and, along with interest and penalties, less any collection costs allowed under this article and any refunds and credits paid, shall be credited to the funds not less frequently than every two weeks. During any period prior to the credit of money to the funds, interest earned on money received by the department and paid to the State Treasurer under this article shall be deposited into the funds. All money in the funds, including, but not limited to, money credited to the funds under this subsection, prior year encumbrances and the interest earned thereon, shall not lapse or be transferred to any other fund, but shall remain in the funds. Pending their disbursement, money received on behalf of or deposited into the funds shall be invested or reinvested as are other money in the custody of the State Treasurer in the manner provided by law. All earnings received from the investment or reinvestment of the money shall be credited to the respective funds. The Auditor General shall periodically audit the records of the department relative to its duties under this subsection and shall furnish the results of such audit to any county levying the sales and use tax under subsection (b).

(h) Disbursements shall be as follows:

(1) On or before the tenth day of every month, the State Treasurer shall make the disbursements on behalf of the county imposing the tax out

of the money which are, as of the last day of the previous month, contained in the respective county sales and use tax fund.

(2) The State Treasurer shall disburse to a county imposing the tax authorized under subsection (b) an amount of money equal to one hundred per centum (100%) of the tax collected in that county and remitted to the department and deposited in the respective county sales and use tax fund. The county shall deposit the revenue from the respective county sales and use tax fund into a special county conservation, open space, recreation and revitalization property acquisition fund created pursuant to section 1710-A, and all appropriations from such fund are to be used exclusively for carrying out the purposes of this article.

Section 1710-A. County Conservation, Open Space, Recreation and Revitalization Property Acquisition Fund.—Each county imposing a tax or incurring debt in accordance with this article shall establish a county conservation, open space, recreation and revitalization property acquisition fund and all money received by a county from the imposition of any tax, including interest and penalties, or the proceeds of debt incurred, in accordance with this article, shall be deposited in the county conservation, open space, recreation and revitalization property acquisition fund. Appropriations from the county conservation, open space, recreation and revitalization property acquisition fund shall be used solely and exclusively for the acquisition of property as set forth in section 1703-A or repaying debt incurred for that purpose as authorized by section 1704-A.

Section 1711-A. Continuity of Tax; Tax Increases.—(a) Continuity.—Every tax levied under this article shall continue in force on a calendar or fiscal year basis, as the case may be, without annual reenactment unless the rate of tax is increased or the tax is subsequently repealed by an ordinance of the governing body of the county, except that a tax levied under this article shall not be repealed within five years following its imposition unless the repeal is first approved by a majority of those voting on a referendum on the question of repeal, which may be presented to the voters in accordance with the procedures set forth in this article for the referendum on the question of levying the tax.

(b) A governing body of a county which has levied a tax in accordance with this article shall not increase the rate or millage of the tax, except for any increase in millage required to equalize revenues after a countywide reassessment, without first obtaining the approval of a majority of those voting in a referendum on the question of increasing the rate or millage. A referendum under this subsection shall be governed by the provisions of the act of June 3, 1937 (P.L.1333, No. 320), known as the Pennsylvania Election Code. Election officials shall cause the question to be submitted to the electors of the county at the next primary, general or municipal election occurring not less than the 13th Tuesday following the filing, with the county board of elections of an ordinance of the governing body proposing to increase the rate or millage of the tax and proposing a referendum on that question. At such election, the question shall be submitted to the voters in the same manner as other questions are submitted under the provisions of the Pennsylvania Election Code. The question to be placed upon the ballot shall be framed in the following form:

Do you favor an increase in the (insert the millage or rate) of (identify the tax or taxes) previously approved by the voters and imposed by (insert the name of the county) for (identify the purpose or purposes for which the tax had been imposed) from (insert the current millage or rate) to (insert the proposed millage or rate)?

Section 1712-A. Preemption.—No act of the General Assembly will vacate or preempt any ordinance adopted under this article providing for the imposition of a tax by a county unless the act of the General Assembly expressly vacates or preempts the authority to adopt the ordinance.

Section 1713-A. Construction of Article.—The power and authority granted to a county under this article shall be in addition to, and not in limitation of, any other power or authority heretofore or hereafter granted to a county by any other law, and shall be construed to enlarge and not to reduce or limit the power and authority of counties.

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

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

Ms. BARD. Thank you, Madam Speaker.

As I stated previously, this provides options for 2-A counties, and the legislation preserves existing powers of governing bodies and provides for initiative and referendum for financing.

The SPEAKER pro tempore. On the question of the amendment, the Chair recognizes the gentlelady from Berks County, Mrs. Miller.

Mrs. MILLER. Thank you, Madam Speaker.

I would like to interrogate the sponsor of this amendment.

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

Mrs. MILLER. Madam Speaker, for the purposes of clarifying the legislative intent of your amendment, I am asking whether or not the intention is to open up the agricultural security area funds for conservation easement purchases to include what you have included in your amendment, which is open-space, recreation, and revitalization in the second-class-A counties.

Ms. BARD. Thank you, Madam Speaker.

The purpose of this amendment is not to withdraw moneys from the ag security provisions currently in effect. The purpose of this amendment is to provide additional financing options which actually could be used as matching money for ag purchases. As the fiscal note states, there will be no cost to the Commonwealth.

Mrs. MILLER. Thank you, Madam Speaker.

On the amendment?

The SPEAKER pro tempore. You may proceed.

Mrs. MILLER. Madam Speaker, with that clarification I would urge my colleagues to support this amendment.

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

The following roll call was recorded:

YEAS—198

Adolph	Evans	Mann	Saylor
Allen	Fairchild	Markosek	Schroder
Argall	Fargo	Marsico	Schuler
Armstrong	Feese	Masland	Scrimenti
Baker	Fichter	Mayernik	Semmel
Bard	Fleagle	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	Haiuska	Nailor	Strittmatter
Butkovitz	Hanna	Nickol	Sturla
Buxton	Harhart	O'Brien	Surra
Caltagirone	Hasay	Oliver	Tangretti
Cappabianca	Hennessey	Orie	Taylor, E. Z.
Carn	Herman	Perzel	Taylor, J.
Casorio	Hershey	Pesci	Thomas

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

NAYS—0

NOT VOTING—2

Flick	Tulli
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EXCUSED—3

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

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

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

The following roll call was recorded:

YEAS—199

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

SUPPLEMENTAL CALENDAR B CONTINUED

CONSIDERATION OF HB 10 CONTINUED

On the question recurring,
Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER pro tempore. Returning to supplemental calendar B, HB 10 on concurrence in Senate amendments as amended, the Chair recognizes the gentleman from Allegheny County, Mr. Markosek.

Mr. MARKOSEK. Thank you, Madam Speaker.

Madam Speaker, if you recall, we were debating HB 10. It seems like ancient history now, but we are back, and this is in regard to the teenage driving bill.

I guess, very briefly, I wanted to say that I rise in favor of HB 10. There were quite a few folks that spoke before about many of the negative features to HB 10, and some of those I would have to agree with. However, I think the bottom line with HB 10 is it will save lives. I think we can talk about some of the added costs that may or may not be involved with the insurance and some of the inconvenience, but the bottom line is, none of those factors are as important as saving young lives and perhaps even older lives, and I think that in and by itself is the reason that we should support HB 10.

I also think that most parents will support HB 10. Most of the parents that I have talked to have said that they support this. I think if we go back to our districts, even though, yes, there will be some that will find out perhaps later that there is some inconvenience with this particular bill, I think that most parents, if you talk to them and you say that we are providing a plan here that will make better drivers of young drivers, that will make them practice more, that will make them do more to get their driver's license, I think most parents would certainly agree with that.

I also think that young people are not opposed to this bill, in spite of what was said by some of the previous speakers. When I approached people back in my district at high schools, youngsters who were going to get their license soon or in that mid-teenage-year area of their lives, most of them, they say to me, are you going to raise the driving age, and when I tell them no, they are basically happy with that. But I also add that we are going to put some additional restrictions in there; we are going to put a few more obstacles; we are going to make you do a few more things to make you more responsible. None of them that I approached, none of them that I talked to, objected to that. So I think some of the arguments about the parents not liking this or even the kids not liking this are really not well founded.

And I also would repeat what one of the previous speakers said, that driving is in Pennsylvania a privilege and not a right. We as the legislature do have the right to restrict driving in ways that will create a better safety situation, in ways that will save lives.

So for all of those reasons I would rise in support of HB 10, and I would also add my congratulations to both the minority and majority chairmen of the Transportation Committee for their stewardship of this legislation while it was in the House, and I would urge all of my colleagues to support HB 10. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe County, Mr. Battisto.

NAYS-0

NOT VOTING-1

Tulli

EXCUSED-3

Dally Harhai Washington

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

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

VOTE CORRECTION

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Rooney, rise?

Mr. ROONEY. To correct the record, Madam Speaker.

The SPEAKER pro tempore. You may proceed.

Mr. ROONEY. On SB 970, amendment A2826, the amendment that I vigorously opposed, somehow I inadvertently voted for it. I would like the record to reflect that I intended to vote "no."

The SPEAKER pro tempore. The gentleman's remarks will be cast upon the record.

Mr. BATTISTO. Madam Speaker, I would allow the Representative to speak ahead of me if that is possible — okay? — and wait till toward the end.

The SPEAKER pro tempore. We will go to the next person on the list then.

Mr. BATTISTO. Yes.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington County, Mr. Solobay.

Mr. SOLOBAY. Thank you, Madam Speaker.

I rise in support of concurrence of this bill. Examples given throughout the course of the day are dealing basically with a small minority of individuals. I feel very confident that the majority of the people are going to adhere to what this bill asks for, and it truly is a bill about safety, and it deserves a “yes” vote. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Kaiser.

Mr. KAISER. Thank you, Madam Speaker.

I rise in support of HB 10. I know it will increase the number of safe drivers in Pennsylvania, which is very important, but I did want to comment on one of my colleagues earlier in the day that had mentioned about having trucks on the road. What that language in the bill basically does is it will permit PPG Industries, Pittsburgh Plate Glass Industries, whose headquarters is in Pittsburgh, it will allow them to pay one amount for a yearly permit instead of every time they put a vehicle on the road paying for a permit. As you know, PPG provides employment opportunities for thousands of people in western Pennsylvania, and what happens is, Madam Speaker, they need this permit to transport their windshields and their other glass products to Canada. There is a need for PPG products in Canada. So when you vote for HB 10, not only are you helping young people to become safe drivers but you are also helping PPG Industries.

Thank you, Madam Speaker.

MOTION TO SUSPEND RULES

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

Mr. GANNON. Thank you, Madam Speaker.

Madam Speaker, we have heard a lot of comments about saving young lives and that we have to act expeditiously here and get this bill back over to the Senate so we can save lives, and I believe very strongly that we should do whatever we can in this House to save the lives of young drivers. And in light of that, Madam Speaker, I would like to make a motion to suspend the rules to offer an amendment which provides that other than the spouse or the parent or person in loco parentis, that anyone else who would ride next to that driver would be someone certified in driver education, someone certified to provide driver education, and I would ask the rules be suspended so that we can put more teeth in this bill and save those lives.

The SPEAKER pro tempore. The gentleman from Delaware County moves that the rules be suspended in order to offer an amendment.

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

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

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

I rise to oppose any suspension of the rules. We have been at this now for quite a long time. It is time to get to final passage. Vote this and get it to the Senate and the Governor so he can sign it into law.

I would oppose suspension of the rules.

The SPEAKER pro tempore. Is the gentleman, Mr. Battisto, speaking for the leadership on suspension?

Mr. BATTISTO. Yes.

The SPEAKER pro tempore. You may proceed.

Mr. BATTISTO. Madam Speaker, I also rise to oppose suspension of the rules. The issue about driver education is something that is in this bill. We create a task force in the bill to study that issue. It is an important issue. We can deal with that at that time. Right now we have to deal with the essence of this bill. Therefore, I oppose suspension of the rules.

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

The following roll call was recorded:

YEAS—69

Barrar	Freeman	Mundy	Shaner
Bastian	Gannon	Myers	Staback
Bebko-Jones	Gordner	Pesci	Steelman
Belardi	Grucela	Petrarca	Stetler
Belfanti	Gruitza	Petrone	Surra
Birmelin	Haluska	Pistella	Tangretti
Boyes	Hanna	Preston	Thomas
Buxton	Horsey	Ramos	Tigue
Cappabianca	James	Raymond	Trich
Clark	Kirkland	Readshaw	Van Home
Cohen, M.	Laughlin	Roberts	Veon
Corrigan	Lescovitz	Robinson	Vitali
Curry	Levdansky	Rooney	Walko
Daley	Lucyk	Ruffing	Williams
DeWeese	Manderino	Sainato	Wojnaroski
Druce	McIlhinney	Schroder	Yewcic
Eachus	Michlovic	Seyfert	Yudichak
Evans			

NAYS—127

Adolph	Fairchild	Major	Santoni
Allen	Fargo	Mann	Sather
Argall	Feese	Markosek	Saylor
Armstrong	Fichter	Marsico	Schuler
Baker	Fleagle	Masland	Scriminti
Bard	Flick	Mayemik	Semmel
Barley	Forcier	McCall	Serafini
Battisto	Frankel	McGeehan	Smith, B.
Benninghoff	Geist	McGill	Smith, S. H.
Bishop	George	McIlhattan	Snyder
Blaum	Gigliotti	McNaughton	Solobay
Browne	Gladeck	Melio	Stairs
Bunt	Godshall	Metcalfe	Steil
Butkovitz	Habay	Micozzie	Stern
Caitagirone	Harhart	Miller, R.	Strittmatter
Carn	Hasay	Miller, S.	Sturla
Casorio	Hennessey	Nailor	Taylor, E. Z.
Cawley	Herman	Nickol	Taylor, J.
Chadwick	Hershey	O'Brien	Travaglio
Civera	Hess	Oliver	Trello
Clymer	Hutchinson	Orie	True
Cohen, L. I.	Jadlowiec	Perzel	Tulli
Colafella	Josephs	Phillips	Vance

Cornell	Kaiser	Pippy	Waters
Costa	Krebs	Platts	Wilt
Coy	LaGrotta	Reinard	Wright
Dailey	Lawless	Rieger	Youngblood
DeLuca	Lederer	Roebuck	Zimmerman
Dempsey	Leh	Rohrer	Zug
Dermody	Lynch	Ross	
DiGirolamo	Maher	Rublely	Ryan,
Donatucci	Maitland	Samuelson	Speaker
Egolf			

NOT VOTING—4

Keller	Kenney	Stevenson	Wogan
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EXCUSED—3

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

On the question recurring,
Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Bucks County, Mr. Druce. The gentleman waives off.

Again on the amendment, the Chair recognizes the gentleman from Monroe County, Mr. Battisto.

Mr. BATTISTO. Thank you, Madam Speaker.

Madam Speaker, I am speaking on concurrence, right? Okay; yeah.

Madam Speaker, I rise to concur on Senate amendments to HB 10. The essence of the Senate amendments deals with hauling certain materials — pulpwood and raw water and other items like that. They are allowed to be hauled on Pennsylvania highways today, but now if they are oversized or overweight vehicles, they have to get a number of single permits. What the Senate amendments do is simply to allow for annual permits to help certain industries in Pennsylvania. That is fair, and I support that.

There were other comments about the amendment inserted about driving on the right-hand side of the road. I do not particularly like that amendment, but that pales compared to the importance of this entire bill. This bill focuses on instructing young people how to drive. When we are dealing with other kinds of instruction, when we are trying to teach somebody mathematics and we find people not learning very well, we consider that a failure. Therefore, we try to revise our methods; we try to refine the process, and that is what we are doing with respect to the licensing of young drivers. We are trying to improve the process — improve the time for instruction, the quality of instruction.

So I urge us to concur with Senate amendments and vote this bill. Thank you.

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The question is, will the House concur in the amendments inserted by the Senate as amended by the House?

For what purpose does the gentleman from Delaware County, Mr. Gannon, rise?

Mr. GANNON. Madam Speaker, I was not finished when I was cut off in the prior discourse.

The SPEAKER pro tempore. Certainly no intention to cut you off.

Mr. GANNON. I understand that now.

The SPEAKER pro tempore. It was a motion for suspension, which failed.

Mr. GANNON. Yes, but that was part of my recognition, to offer other motions to suspend on some other amendments as well as make comment on the bill.

The SPEAKER pro tempore. The gentleman is recognized for the purpose of suspending the rules. You may proceed.

Mr. GANNON. Thank you, Madam Speaker.

Madam Speaker, one of my concerns about HB 10 and the problem that we do not have here in the Commonwealth of Pennsylvania today but which I believe HB 10, amendment A2983, addresses would be a concern with respect to racial profiling.

In the State of New Jersey, they have had a terrible problem with that. In fact, high officials have had to resign. The seatbelt language in HB 10 provides opportunity for racial profiling in Pennsylvania, and I would like to suspend the rules to offer this amendment, A2983, which takes out the seatbelt language, which will then eliminate opportunity for racial profiling in Pennsylvania.

The SPEAKER pro tempore. The gentleman from Delaware County, Mr. Gannon, moves that the rules be suspended in order to offer amendment A2983.

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

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

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

I rise once again to urge a “no” vote on suspension of the rules to offer that amendment. We have been around this before, and I would suggest that we all vote “no.”

The SPEAKER pro tempore. On the question of suspension, the Chair recognizes the gentleman from Monroe County, Mr. Battisto.

Mr. BATTISTO. Thank you, Madam Speaker.

I likewise urge that we oppose suspension of the rules. Thank you.

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

The following roll call was recorded:

YEAS—67

Bard	DeWeese	Levdansky	Ruffing
Bastian	Eachus	Manderino	Sainato
Bebko-Jones	Evans	McGeehan	Seyfert
Belardi	Freeman	McIlhinny	Shaner
Belfanti	Gannon	Michlovic	Staback
Birmelin	Gordner	Myers	Stetler
Bishop	Gruitza	Petrarca	Surra
Boyes	Haluska	Petrone	Tangretti
Butkovitz	Hanna	Pistella	Thomas
Buxton	Horsey	Preston	Vitali

Clark	James	Raymond	Waters
Cohen, M.	Josephs	Readshaw	Williams
Corrigan	Kaiser	Reinard	Wojnaroski
Costa	Keller	Roberts	Yewcic
Coy	Kirkland	Robinson	Youngblood
Curry	Lawless	Rooney	Yudichak
Daley	Lederer	Rubley	

NAYS—127

Adolph	Fleagle	Mayernik	Scrimenti
Allen	Flick	McCall	Semmel
Argall	Forcier	McGill	Serafini
Armstrong	Frankel	McIlhattan	Smith, B.
Baker	Geist	McNaughton	Smith, S. H.
Barley	George	Melio	Snyder
Barrar	Gigliotti	Metcalfe	Solobay
Battisto	Godshall	Micozzie	Stairs
Benninghoff	Grucela	Miller, R.	Steelman
Blaum	Habay	Miller, S.	Stern
Browne	Harhart	Mundy	Stevenson
Bunt	Hasay	Nailor	Strittmatter
Caltagirone	Hennessey	Nickol	Sturla
Carn	Herman	O'Brien	Taylor, E. Z.
Cawley	Hershey	Oliver	Taylor, J.
Chadwick	Hutchinson	Orie	Tigue
Civera	Jadlowiec	Perzel	Travaglio
Clymer	Kenney	Pesci	Trello
Cohen, L. I.	Krebs	Phillips	Trich
Colafella	LaGrotta	Pippy	True
Cornell	Laughlin	Platts	Tulli
Dailey	Leh	Ramos	Vance
DeLuca	Lescovitz	Rieger	Veon
Dempsey	Lucyk	Roebuck	Walko
Dermody	Lynch	Rohrer	Wilt
DiGirolamo	Maher	Ross	Wogan
Donatucci	Maitland	Samuelson	Wright
Druce	Major	Santoni	Zimmerman
Egolf	Mann	Sather	Zug
Fairchild	Markosek	Saylor	
Fargo	Marsico	Schroder	Ryan,
Feese	Masland	Schuler	Speaker
Fichter			

NOT VOTING—6

Cappabianca	Gladeck	Steil	Van Home
Casorio	Hess		

EXCUSED—3

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

On the question recurring,

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. The Chair again recognizes the gentleman from Delaware County, Mr. Gannon.

Mr. GANNON. Thank you.

Madam Speaker, we have heard a lot of discussion about insurance in the course of debating the amendments inserted by the Senate. However, this bill as it now stands does absolutely nothing

with respect to insurance for young drivers, and I would like to make a motion to suspend the rules to offer amendment A2981, which would provide for a reduction in insurance costs to young drivers and their parents where they meet the requirements of HB 10 with respect to all the restrictions that it places on their driving ability and all the penalties that they would have to incur.

The SPEAKER pro tempore. The gentleman from Delaware County, Mr. Gannon, moves that the rules of the House be suspended in order to offer amendment 2981.

On the question,

Will the House agree to the motion?

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

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

I rise to urge a "no" vote on this motion and would ask my colleagues to stay the course.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Monroe County, Mr. Battisto, on the question of suspension.

Mr. BATTISTO. Thank you, Madam Speaker.

I again rise to oppose suspension of the rules. Thank you.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—74

Barrar	Evans	Manderino	Serafini
Bastian	Freeman	McGeehan	Seyfert
Bebko-Jones	Gannon	McIlhinney	Shaner
Belardi	Gordner	Michlovic	Staback
Belfanti	Habay	Myers	Stetler
Birmelin	Haluska	Orie	Surra
Bishop	Hanna	Petrarca	Tangretti
Boyes	Hasay	Petrone	Thomas
Butkovitz	Horsey	Pistella	Tigue
Buxton	James	Preston	Van Home
Cappabianca	Josephs	Ramos	Vitali
Carn	Keller	Raymond	Walko
Clark	Kirkland	Readshaw	Waters
Cohen, M.	Laughlin	Robinson	Williams
Corrigan	Lawless	Roebuck	Wojnaroski
Costa	Lederer	Rooney	Yewcic
Curry	Levdansky	Ruffing	Youngblood
Daley	Lucyk	Sainato	Yudichak
Eachus	Maher		

NAYS—124

Adolph	Feese	Mayernik	Schuler
Allen	Fichter	McCall	Scrimenti
Argall	Fleagle	McGill	Semmel
Armstrong	Flick	McIlhattan	Smith, B.
Baker	Forcier	McNaughton	Smith, S. H.
Bard	Frankel	Melio	Snyder
Barley	Geist	Metcalfe	Solobay
Battisto	George	Micozzie	Stairs
Benninghoff	Gigliotti	Miller, R.	Steelman
Blaum	Gladeck	Miller, S.	Steil
Browne	Grucela	Mundy	Stern
Bunt	Gruitza	Nailor	Stevenson
Caltagirone	Harhart	Nickol	Strittmatter
Cawley	Hennessey	O'Brien	Sturla
Chadwick	Herman	Oliver	Taylor, E. Z.
Civera	Hershey	Perzel	Taylor, J.

Clymer	Hess	Pesci	Travaglio
Cohen, L. I.	Hutchinson	Phillips	Trello
Colafella	Jadlowiec	Pippy	Trich
Cornell	Kaiser	Platts	True
Coy	Kenney	Reinard	Tulli
Dailey	Krebs	Rieger	Vance
DeLuca	LaGrotta	Roberts	Veon
Dempsey	Leh	Rohrer	Wilt
Dermody	Lescovitz	Ross	Wogan
DeWeese	Lynch	Rubley	Wright
DiGirolamo	Maitland	Samuelson	Zimmerman
Donatucci	Major	Santoni	Zug
Druce	Mann	Sather	
Egolf	Markosek	Saylor	Ryan.
Fairchild	Marsico	Schroder	Speaker
Fargo	Masland		

NOT VOTING--2

Casorio Godshall

EXCUSED--3

Dally Harhai Washington

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

On the question recurring,

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

The SPEAKER pro tempore. Does the gentleman, Mr. Gannon, have some other amendment to offer?

Mr. GANNON. I have no other amendments or motions to suspend the rules, but I would like to comment on the bill on final.

The SPEAKER pro tempore. You may proceed.

Mr. GANNON. Thank you, Madam Speaker.

PARLIAMENTARY INQUIRY

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. DeLuca, rise?

Mr. DeLUCA. Am I correct that you are only allowed to speak on this issue twice, and did not Representative Gannon already speak twice?

The SPEAKER pro tempore. I have checked with the Parliamentarian, and he has said that Mr. Gannon may yet speak.

Mr. DeLUCA. Thank you.

Mr. GANNON. Thank you, Madam Speaker.

Just briefly, Madam Speaker, the amendments inserted by the Senate did absolutely nothing to make a bad bill any better. This is still a bad piece of legislation. It does not do anything with respect to saving lives. It penalizes young drivers simply because they are young. It is not remedial, and I would ask for a "no" vote on concurrence.

Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Cambria County, Mr. Haluska.

Mr. HALUSKA. Thank you, Madam Speaker.

I have to rise to oppose HB 10. I opposed it the last time we brought this measure through the House; I will oppose it again. I think we are doing a great injustice to teenage drivers, especially the junior drivers. In HB 10 we have 10 pages of House material and 17 pages of an insert from the Senate, and once again, the Senate basically takes care of our business.

Representative Gannon said it best: This is a bad bill with a lot of goodies in it for certain people. After the people that are going to turn 16 read what is in this bill, they are going to wonder why they are second-class citizens and why they are being punished so bad, because they have not done anything yet but actually apply to get a driver's license. There is nothing in this bill that says if you take a driver's ed course and you spend time behind the wheel, we will lower your insurance rates or we will allow you to take your test in 3 months rather than 6 months. There is no incentive whatever in this bill to help drivers be better drivers. If they get 6 points on their license, they automatically have a 90-day suspension. If a junior driver's license holder goes out on a slippery day and slides into a guide rail and his car can no longer move and there is some slight damage to the car and the guide rail, and it is a reportable accident because there is some physical damage, they are going to lose their license for 90 days because they got on a slippery road.

This bill has some weird things in it, and I just cannot let it go by without commenting on it, because when I talk to the parents and to the students that approach me after this thing passes, I thought Act 50 was the worst piece of legislation we pushed out of this House, but I think we have outdone ourselves. I cannot believe that we are going to go ahead and we are going to pass a bill that says you cannot drive in the left lane of a superhighway, and you are going to punish junior drivers before they even do anything wrong.

So I would recommend and I hope that a lot of people oppose this bill, and I certainly hope it does not pass. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. DeLuca.

Mr. DeLUCA. Thank you, Madam Speaker.

Madam Speaker, you know, we keep hearing about how terrible this bill is and the previous speaker said the worst legislation that we passed pertaining to Act 50. I cannot disagree with him more. This is a very vital piece of legislation that other States are adopting. The statistics have shown this legislation is effective in saving lives. You cannot argue with some of the other States who have passed this legislation. The AAA (American Automobile Association) has endorsed this legislation along with other groups because they know how important it is in saving lives, and to come up with some of the arguments that we are trying because we want to defeat this legislation certainly does not do any good out there.

I have talked to numerous parents who are in favor of this legislation, and yes, I also talked in some of our school districts in trying to explain it to them, and I have not heard that much opposition from some of the students in the schools and especially — let me reiterate — the parents who are in favor of this legislation, mainly because of the fact that they are interested in their children and in saving their children's lives, and that is what we are talking about today, how experience could be a bad thing. We serve in this House, and the more we serve, I hope that we all become more knowledgeable. I have said many times that when I stop learning in this job, I will quit the job. It is the same way there. Experience

pays off, and that is what we are trying to do, is trying to save lives by giving them the experience before they go out there and, God forbid, harm themselves or harm another person.

This is a good piece of legislation. Again, I want to commend the chairmen, the majority chairman and the minority chairman, and the committee members of the Transportation Committee for the fine job they have done in putting this piece of legislation together, and let us pass it and get it down to the Governor so that we can save lives in this Commonwealth, and let us get rid of some of these ridiculous arguments if we want to defeat this bill. Thank you, Madam Speaker.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne County, Mr. Yudichak.

Mr. YUDICHAK. Thank you, Madam Speaker.

I rise in opposition to HB 10, and I would like to submit my remarks for the record.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Thank you, Madam Speaker.

I am in opposition to HB 10 for a number of reasons, but in the interest of brevity, I will only speak of the main reasons.

This bill includes two amendments that concern me very much.

If we approve this bill with the amendments added by the Senate, we are going to also approve amendments that will allow large trucks that carry water and wood and wood pulp to apply for annual permits to travel on our State roads at weights up to 95,000 pounds.

It needs to be noted that trucks at this weight cannot travel on interstate highways. Federal law limits these trucks to 80,000 pounds.

Residents of Nanticoke, Newport Township, and Hanover Township in my district have had too much experience with large truck traffic to date and do not want the safety of their families jeopardized any further by the increased activities of these monster trucks on our State roads.

I am going to vote "no" on HB 10, and I urge my colleagues in this House to do the same.

Thank you, Madam Speaker.

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

Mr. BATTISTO. Thank you, Madam Speaker.

Madam Speaker, as I said before, the essence of this bill deals with improving the licensing process for young drivers. This bill was hatched in the House Transportation Committee. The things added in the Senate, as I said, are incidental things dealing with the hauling of certain materials and with driving on the right-hand side of the road. The fact of the matter is, there is nothing, and I reiterate, nothing punitive. I am astounded that people talk about the punitive things in this bill.

Like other Representatives, I actually used this bill to teach a couple of classes on the legislative process. I literally was before a number of classes. It is amazing how they understood it. It is amazing that they understood that it takes only 1 month now to get your license — not enough time for instruction, not enough experiences to be able to learn how to drive. They understand that 6 months is longer, there is more time for instruction, and there is a greater variety of experiences students can have during that

6-month period, and they amazingly understood that and so did the parents. I am astounded.

Nobody set out to develop this bill to punish children. That was not the point. The point was that we saw that we are failing somehow, that we are failing with respect to teaching young people how to drive well. So we tried to improve the process, and that is what this bill is about, improving the process, doing something good for young people, and saving lives.

I urge concurrence in the Senate amendments.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne County, Mr. Tigie.

Mr. TIGUE. Thank you, Madam Speaker.

Madam Speaker, I stand to ask for nonconcurrence in HB 10, and I did not support HB 10 when it passed here.

I am amazed at what I hear about parents and I hear members standing up. Well, I am a parent; I have four children who all have their licenses, and of course, we all were teenagers. I do not think we were any better than my children who are over 16 or any better than kids who are 16 now, and this is a punishment on those kids who have not done anything wrong.

This is called massive punishment: Somebody steps out of line, so we punish everyone. It is ridiculous. But the amazing part of it is that what we are doing is we are going to allow the parents, and I keep hearing about parental responsibility — it is the responsibility of the parents for education, for teaching values, for teaching everything — and now we are going to say to these parents, you are not responsible, so now you have to wait; we will tell you when your child is ready to drive; and if you are irresponsible, you can certify to that. Responsible parents do what is right. They determine when a young person under 18 can get a permit. You cannot get a permit in Pennsylvania unless you have a signed affidavit by a parent or a guardian. So now we are saying, let us add another 50 hours. So if I am irresponsible as a parent and I am going to let one of my children go and take an exam, a driver exam, when they are not ready, do you think I am going to be responsible enough to make sure that I or someone 21 years of age spends 50 hours in the car? What I will do as an irresponsible parent, because I do not care when they get their license, is I am going to falsify an affidavit, go to a notary and sign it and say, here it is. We can do that.

But that is what we are doing. Right now, who determines whether or not a child, a 16-year-old, gets their license? The answer is the parent. Who determines when they can go and take the test? The parent. So now we are saying, let us put this on the parent's back so those parents who are irresponsible and let kids drive when they cannot, when they are not able to, we are going to allow those people to certify. Absolutely ridiculous.

And again, as it was said earlier today, once again we take young people who ironically — or maybe we should pay attention to it — do not have the right to vote and we pick on them. We constantly do that. We have double standards for young people. If we want to teach young people responsibility, you do not teach them responsibility by saying, before you ever drive, you are guilty of something and you cannot get your driver's license. That is ridiculous.

Young people today are no more irresponsible than young people of yesteryear or yesterday, and we have to start standing up and saying to young people, you have a responsibility and we will work with you. And the parents are responsible just like they are under the current law to allow you to get your license, and if they

cannot do that, they are not going to do it under this ridiculous law that we are going to pass, if we pass it. And then we say we have different reasons, different standards, so that if your child, as it was brought up earlier, is speeding, he or she may lose their license, and therefore, the whole family suffers because your insurance premiums go up. You go into assigned risk, but not only that driver; everybody in that household goes under assigned risk because that person's license is suspended because of a dual set of standards.

So I would ask you to think about this and please give our kids the chance that they deserve, and let them show that they are responsible; they can drive like many of us did. And maybe some of us had accidents, maybe it was not our fault, but the point is, let us give them the same opportunity we had, and if they are responsible young adults, let them be responsible young adults and do not punish them because they are 16 years old. So I would ask you to nonconcur. Thank you, Madam Speaker.

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

Mr. DRUCE. Thank you, Madam Speaker.

I just want to make one comment listening to a lot of the members who are opposing this bill, and they are talking about either the punitive measures that affect the children who are going to be driving or the parents who are dealing with these young drivers, but nowhere in this debate have I heard anyone talk about all the other Pennsylvania drivers who are on the road with these same young people, who are often in the accidents with these young people. The statistics bear it out completely. This age group represents less than 7 percent of the driving population, but they account for 14 percent of the accidents. And last year alone, driving fatalities were down while the 16-year-olds, they were up some 15 percent. The statistics speak for themselves.

I am not going to cast my vote today based on whether I think I am being punitive to young drivers or whether I think I am going to require mom and dad to now have 50 hours of driving with their kids, which might be the best 50 hours they ever spent with their kids. But we ought to put a vote up for everybody else in Pennsylvania who is not part of this debate, who drives an automobile and may one night find themselves in an accident with a young, inexperienced driver because we did not do something here today on this floor to make them better drivers and make Pennsylvania highways safe.

So I would urge all our members to concur on HB 10. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lawrence County, Mr. LaGrotta.

Mr. LaGROTTA. Thank you, Madam Speaker.

Madam Speaker, I did not intend to speak on this bill, but listening to some of the arguments, I felt compelled to get up, and let me begin by saying I strongly support this legislation, and I think it is important that every member of this House get right to the gist of what this bill does. What this bill does is says that the General Assembly of the Commonwealth of Pennsylvania recognizes that driving is a privilege and that a car is every bit as dangerous a weapon as a gun or a knife or anything else that young people are being harmed with in 1999.

Now, even though I am not a parent, I come to this issue with some experience, because my niece was 16 years old about 4 weeks ago and is just learning how to drive, and, Madam Speaker, I think it is important that the members of this

General Assembly know that she and all of her 16-year-old friends, when they first get behind the wheel of a car, they are scared to death. They are scared to death. They are intimidated by the car, and it is only with experience do they learn how to use the vehicle, how to maneuver the vehicle, and how to drive safely so that their life and my life, if I am on the road in another vehicle, are safe.

Madam Speaker, the Commonwealth of Pennsylvania says that in 8 days, my niece is entitled to her driver's license. If her mother signs that paper, she can go up, and if she can pass that test, she can get her driver's license, and, Madam Speaker, I am here to tell you she is not ready to drive; she is not ready to have a license. And neither, Madam Speaker, are a lot of her friends that the Commonwealth of Pennsylvania has given driver's licenses to, and every one of their parents, Madam Speaker, has asked me to come to Harrisburg and to do something about the pressure that all these young people feel to get their license 30 days after their 16th birthday.

Madam Speaker, as far as the penalties and the punishment that everyone is talking about and punishing kids that have not done anything wrong, as far as I can read in this bill, Madam Speaker, nothing will happen to anyone if they do not break the law. Nothing will happen to anyone. No punishment will be levied if no one breaks the law. Perhaps what this legislation will do, Madam Speaker, is give kids experience behind the wheel, make them better drivers before we give them a license to drive, and make them and their parents or guardians think twice before they let them have the car without some restriction.

Madam Speaker, I strongly recommend that we pass this bill and we help make the road and our teenage drivers a little safer. Thank you.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Warren County, Mr. Lynch.

Mr. LYNCH. Thank you, Madam Speaker.

I hear a lot of people making a discussion or trying to make an attempt to make a discussion on the statistics, how these young people are 7 percent of the drivers and yet they constitute, whatever it was, 14 or 15 percent of the accidents. Well, I submit to you that those statistics are only meaningful if they have changed. But I will bet you that those statistics are the same now as they were 10 years ago, 15 years ago. So I know what we are going to do. We will take them out, and let us go up to the next 3- or 4-year group, and then we will go up some more; then we will get to that descending curve where we will start taking the older people out. Pretty soon we are going to be like an insurance company, and the only people that are going to be allowed to drive are going to be men between 35 and 42 years old or something stupid like that.

This is a bad bill, and the people that use the statistics to support this legislation are in error in their philosophies, and we should vote this thing down. Thank you, Madam Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Rohrer, from Berks County is recognized.

Mr. ROHRER. Thank you, Madam Speaker.

I just want to add one thing to this debate. I am not in favor of this bill either, and I am going to vote against it. A couple of the reasons that have been given I think have been very valid.

I believe as a— I am a parent of six children. I have three, of whom two are driving, one is about to drive, so I am right in this, and I believe with Representative Tigue, what he says, that to a large extent we are saying that the parent is not capable of making

the determination; we are going to put it in the law. I think we can determine as good as anybody else when our children are ready to drive.

We have heard these statistics given about the number of accidents caused by young people. I think that is true. I do not think anybody can dispute that. But the part that is not put into that is that a great majority of these are caused by kids who are drinking alcohol and/or influenced by drugs.

The SPEAKER pro tempore. The gentleman is reminded this is on concurrence in Senate amendments.

Mr. ROHRER. Okay; I am sorry. But nonetheless, I mean that— Okay; I am sorry, but that happens to be a part of it. If somebody is going to cite the numbers, as has been done before me, that cannot be left out. And I believe, because of those and other things that the Senate has added, and some may say they are not a big deal, but I do think that thing of driving on a turnpike or on a road you cannot drive on the left-hand side, I think that is going to be an item that is both nonenforceable, will make people breakers of the law when they do not know, is something that if it is an issue, we should have taken care of it by education and not law.

As a result, I think because of all of these things, I do not believe this bill is in the interests of really what we are trying to solve, and I am going to vote against it, too. Thank you.

The SPEAKER pro tempore. On concurrence, the Chair recognizes the gentleman from Blair County, Mr. Geist.

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

I am not going to belabor the arguments any longer. I want to thank Representative DeLuca for his diligence over the past 4 years, I believe it has been since he put a bill in. I want to praise Representative Battisto and his staff. They have been absolutely a joy to work with as we have gone about collecting reams of information from the experts in this field. And I want to thank the members of my committee who have worked so hard through all the hearings to bring what we feel is an excellent bill to the floor of the House.

This is not about punishing kids. This is about loving children. This is about us trying to save lives, and I believe that the formula that we have put together, when executed by the Department of Transportation, will drive that scale down and we will have safer, more responsible drivers who are not just trained to pass a driving exam but will be out there making responsible decisions. I would urge a "yes" vote.

On the question recurring,

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

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

The following roll call was recorded:

YEAS—110

Adolph	Fichter	McIlhattan	Schroder
Allen	Freeman	McNaughton	Schuler
Argall	Geist	Melio	Semmel
Armstrong	Gigliotti	Micozzie	Serafini
Bard	Gladeck	Miller, R.	Smith, B.
Barrar	Godshall	Miller, S.	Smith, S. H.
Battisto	Grucela	Nailor	Snyder
Benninghoff	Habay	Nickol	Solobay
Browne	Harhart	O'Brien	Stairs

Bunt	Hasay	Orie	Steil
Buxton	Hennessey	Perzel	Stern
Caltagirone	Herman	Petrone	Stevenson
Cawley	Hershey	Phillips	Strittmatter
Chadwick	Hess	Pippy	Tangretti
Clymer	Kaiser	Pistella	Taylor, E. Z.
Cohen, L. I.	Krebs	Platts	Taylor, J.
Colafella	LaGrotta	Preston	Trich
Cornell	Laughlin	Raymond	True
Corrigan	Leh	Readshaw	Tulli
Dailey	Lescovitz	Roberts	Vance
Dailey	Maitland	Robinson	Williams
DeLuca	Major	Rooney	Wilt
Dempsey	Mann	Ross	Wright
DiGirolamo	Markosek	Rublely	Zimmerman
Druce	Marsico	Samuelson	Zug
Egolf	Masland	Santoni	
Fairchild	Mayemik	Sather	Ryan,
Feese	McGill	Saylor	Speaker

NAYS—86

Baker	Evans	Lynch	Seyfert
Barley	Fargo	Maher	Shaner
Bastian	Fleagle	Manderino	Staback
Bebko-Jones	Forcier	McCall	Steelman
Belardi	Frankel	McGeehan	Stetler
Belfanti	Gannon	McIlhinney	Sturla
Birmelin	George	Metcalfe	Surra
Bishop	Gordner	Michlovic	Thomas
Blaum	Gruitza	Mundy	Tigue
Boyes	Haluska	Myers	Travaglio
Butkovitz	Hanna	Oliver	Trello
Cappabianca	Horsey	Pesci	Van Horne
Carn	Hutchinson	Petrarca	Veon
Casorio	Jadlowiec	Ramos	Vitali
Cohen, M.	James	Reinard	Walko
Costa	Josephs	Rieger	Waters
Coy	Keller	Roebuck	Wogan
Curry	Kenney	Rohrer	Wojnaroski
Dermody	Kirkland	Ruffing	Yewcic
DeWeese	Lawless	Sainato	Youngblood
Donatucci	Lederer	Scrimenti	Yudichak
Eachus	Levdansky		

NOT VOTING—4

Civera	Clark	Flick	Lucyk
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EXCUSED—3

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

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

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

SUPPLEMENTAL CALENDAR E

RULES SUSPENDED

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

Mr. **SNYDER**. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of SB 209, PN 1235.

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

The following roll call was recorded:

YEAS—195

Adolph	Evans	Manderino	Santoni
Allen	Fairchild	Mann	Sather
Argali	Fargo	Markosek	Saylor
Armstrong	Feese	Marsico	Schroder
Baker	Fichter	Masland	Schuler
Bard	Fleagle	Mayernik	Semmel
Barley	Flick	McCall	Serafini
Barrar	Forcier	McGeehan	Seyfert
Bastian	Frankel	McGill	Shaner
Battisto	Freeman	McIlhattan	Smith, B.
Bebko-Jones	Gannon	McIlhinney	Smith, S. H.
Belardi	Geist	McNaughton	Snyder
Belfanti	George	Melio	Solobay
Benninghoff	Gigliotti	Metcalfe	Staback
Birmelin	Gladeck	Michlovic	Stairs
Bishop	Godshall	Micozzie	Steelman
Blaum	Gordner	Miller, R.	Stern
Boyes	Grucela	Miller, S.	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Habay	Myers	Strittmatter
Butkovitz	Haluska	Nailor	Sturla
Buxton	Hanna	Nickol	Tangretti
Caltagirone	Harhart	O'Brien	Taylor, E. Z.
Cappabianca	Hasay	Oliver	Taylor, J.
Cam	Hennessey	Orie	Thomas
Casorio	Herman	Perzel	Tigue
Cawley	Hershey	Pesci	Travaglio
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	Waters
Coy	LaGrotta	Reinard	Williams
Curry	Laughlin	Rieger	Wilt
Dailey	Lawless	Roberts	Wogan
Daley	Lederer	Robinson	Wright
DeLuca	Leh	Roebuck	Yewcic
Dempsey	Lescovitz	Rohrer	Youngblood
Dermody	Levdansky	Rooney	Yudichak
DeWeese	Lucy	Ross	Zimmerman
DiGiroliamo	Lynch	Rubley	Zug
Donatucci	Maher	Ruffing	
Druce	Maitland	Sainato	Ryan,
Eachus	Major	Samuelson	Speaker
Egolf			

NAYS—5

Krebs	Steil	Surra	Wojnaroski
Scrimenti			

NOT VOTING—0

EXCUSED—3

Dally Harhai Washington

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 209, PN 1235**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton.

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

The **SPEAKER**. The Chair's calendar, I believe the calendar to be mismarked. Are there any amendments to be offered to SB 209? Mr. Smith? Mr. Smith, do you have amendments?

Mr. **SMITH**. Yes; one amendment.

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

Mr. **S. SMITH** offered the following amendment No. **A3017**:

Amend Title, page 1, line 4, by removing the period after "County" and inserting

; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situated in the Borough of Indiana, County of Indiana, Pennsylvania.

Amend Bill, page 5, by inserting between lines 1 and 2

Section 2. (a) The State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, are hereby authorized and directed, on behalf of the Commonwealth, to grant and convey to the Historical and Genealogical Society of Indiana County, for consideration of the conveyance of land provided for in section 2, the following tract of land, together with the armory thereon erected, situated in the Borough of Indiana, County of Indiana, Pennsylvania, bounded and described as follows:

Beginning at a post at the intersection of Washington Street and Sixth Street; thence along the West side of Sixth Street, North 2 degrees 48 minutes East 75 feet to a post; thence along other land of or formerly of the County of Indiana of which the lot hereby conveyed is a part, North 89 degrees 33 minutes West 100.00 feet to a post on Wayne Avenue; thence along the eastern side of Wayne Avenue, South 35 degrees 11 minutes West 91.13 feet to a post corner of Wayne Avenue and Washington Street; thence along the North side of Washington Street, South 89 degrees 33 minutes East 184 feet to a post on Sixth Street the place of beginning containing .5 acres according to a survey of said lot made by Thomas Peslor on January 11, 1917.

(b) The conveyance shall be made under and subject to easements, servitudes, rights, interests, estates or tenancies, whether or not appearing of record, for any portion of the land or improvements erected thereon.

(c) The deed of conveyance must be approved as provided by law and shall be executed by the Adjutant General for the State Armory Board of the Department of Military and Veterans Affairs and the Secretary of General Services in the name of the Commonwealth.

(d) The costs and fees incidental to this conveyance shall be borne by the grantee.

Section 3. The conveyance authorized in section 1 is subject to the conveyance by the Indiana County Airport Authority to the Commonwealth of Pennsylvania by general warrant deed, good and marketable fee simple title, free and clear of all liens and encumbrances the following described tract of land:

The True Point of Beginning being a PT. IN CL GEESEY RD; thence S 28 degrees 53 minutes 36 seconds E for 46.7700 Feet to a PT. IN CL GEESEY RD; thence along a 244.2700 Feet radius curve to the Right (chord bears S 22 degrees 54 minutes 11 seconds E 66.3800 Feet) 66.5860 Feet to a PT. IN CL GEESEY RD; thence N 83 degrees 50 minutes 00 seconds W for 207.6100 Feet to a FOUND IRON PIN; thence S 10 degrees 41 minutes 00 seconds W for 198.9200 Feet to a FOUND IRON PIN; thence S 04 degrees 10 minutes 00 seconds W for 594.7900 Feet to a PT. IN CL STORMER ROAD; thence N 86 degrees 17 minutes 26 seconds W for 252.8282 Feet to a PT. IN CL STORMER ROAD; thence N 3 degrees 58 minutes 12 seconds E for 307.0400 Feet to a FOUND IRON PIN; thence N 86 degrees 01 minutes 48 seconds W for 635.0000 Feet to a FENCE CORNER; thence N 03 degrees 58 minutes 12 seconds E for 574.7400 Feet to a SET IRON PIN; thence S 86 degrees 09 minutes 04 seconds E for 1065.1972 Feet to a PT. IN CL GEESEY RD, to the True Point of Beginning, the Area being 14.03 ACRES, all in White Township, Indiana County, Pennsylvania, end of description.

Amend Sec. 2, page 5, line 2, by striking out "2" and inserting 4

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

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

Mr. S. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, this is a simple land transfer. It has gone through all the normal procedures, and I would appreciate the support of amending it into this bill, which is also a land transfer bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

Table listing names of those in favor (Yeas): Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Bastian, Battisto, Bebkco-Jones, Belardi, Belfanti, Fairchild, Fargo, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gigliotti, Mann, Markosek, Marsico, Masland, Mayernik, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Seyfert, Shaner, Smith, B., Smith, S. H., Snyder, Solobay, Staback

Table listing names of those present or voting: Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caltagirone, Cappabianca, Cam, Casorio, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Cornell, Corrigan, Costa, Coy, Curry, Dailey, Daley, DeLuca, Dempsey, Dermody, DeWeese, DiGiroIamo, Donatucci, Druce, Eachus, Eglolf, Evans, Gladeck, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhart, Hasay, Hennessey, Herman, Hershey, Hess, Horsey, Hutchinson, Jadowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lucyk, Lynch, Maher, Maitland, Major, Manderino, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Orie, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Pistella, Platts, Preston, Ramos, Raymond, Readshaw, Reinard, Rieger, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Sather, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigue, Travaglio, Trello, Trich, True, Tulli, Vance, Van Horne, Veon, Vitali, Walko, Waters, Williams, Wilt, Wogan, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker

NAYS—0

NOT VOTING—1

Wojnaroski

EXCUSED—3

Dally Harhai Washington

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

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

Mr. FRANKEL offered the following amendment No. A3010:

Amend Title, page 1, line 4, by removing the period after "County" and inserting ; and to convey to the trustees of the University of Pittsburgh, certain land situate in the City of Pittsburgh, Allegheny County.

Amend Sec. 1, page 1, line 7, by inserting after "Section 1." East Allen Township, Northampton County

Amend Bill, page 5, by inserting between lines 1 and 2 Section 2. City of Pittsburgh, Allegheny County.

(a) Authorization.—The Department of General Services, with the approval of the Governor, is hereby authorized and directed on behalf of the Commonwealth of Pennsylvania to grant and convey to the trustees of the University of Pittsburgh, for the consideration of \$1, the tracts of land described in subsection (b).

(b) Description.—The property to be conveyed pursuant to subsection (a) is the following tracts of land situate in the Fourth Ward, City of Pittsburgh, Allegheny County, bounded and described as follows:

TRACT 1

BEGINNING on the Southwesterly side of Bouquet Street on line of land now or late of Matgouranis; thence extending Southeastwardly along the said side of Bouquet Street, 50.84 feet to a point on the land now or late of J. V. Wilson; thence extending Southwestwardly along said Wilson's line 109.25 feet to line of land now or late Politis and Orsini; thence Northwestwardly along said last mentioned line 50 feet to the line of Matgouranis aforesaid; thence Northeastwardly along said Matgouranis line 100 feet to the place of beginning. BEING designated as Block 28-C, Lot No. 304 in the records of the Deed Registry Office of Allegheny County, Pennsylvania.

TRACT 2

BEGINNING at a point in the Southwesterly side of South Bouquet Street (50.06 feet wide), said point being in the line dividing lands herein described and lands now or late of James Economos et ux; said point also being South 53 degrees 37 minutes 17 seconds East a distance of 330.75 feet from the Southeasterly side of Forbes Avenue; thence along the Southwesterly side of South Bouquet Street South 53 degrees 37 minutes 17 seconds East a distance of 25.42 feet to lands now or late of Ernest Quinque et ux; thence along said dividing line South 46 degrees 55 minutes 03 seconds West a distance of 117.67 feet to lands now or late of Agnes Cronin; thence along said dividing line North 43 degrees 06 minutes 51 seconds West a distance of 25.00 feet to lands now or late of James Economos et ux; thence along said dividing line North 46 degrees 55 minutes 03 seconds East a distance of 113.05 feet to the point of beginning. BEING designated as Block 28-C, Lot 305 in the Deed Registry Office of Allegheny County, Pennsylvania.

TRACT 3

BEGINNING at the corner of Bouquet Street and Sennott Street; thence Southwestwardly along Sennott Street a distance of 108 feet; thence Southeastwardly and parallel with Oakland Avenue, a distance of 25 feet; thence Northeastwardly and parallel with Sennott Street, a distance of 112 feet, more or less, to Bouquet Street; and thence Northwestwardly along Bouquet Street, a distance of 25 feet 5-1/16 inches to Sennott Street, the place of beginning. BEING designated as Block 28-C, Lot No. 306 in the Record of the Deed Registry Office of Allegheny County.

TRACT 4

BEGINNING at a point in the Northeasterly side of Oakland Avenue (50.06 feet wide) said point being S 43 degrees 06 minutes 51 seconds E a distance of 50.00 feet from the Southeasterly side of Sennott Street (50.06 feet wide); said point also being in the line dividing lands herein described and lands now or late of Charles Orsini et ux; thence along the Northeasterly side of Oakland Avenue 43 degrees 06 minutes 51 seconds a distance of 25.54 feet to a point; thence along the line dividing lands herein described and lands now or late of Jennie Cronin and Julia Cronin N 46 degrees 55 minutes 03 seconds E a distance of 108.42 feet to lands now or late of James Economos, et ux; thence along the line dividing lands herein described, and lands now or late of Marinos G. Matgouranis, et ux, S 43 degrees 06 minutes 51 seconds E a distance of 25.54 feet to lands now or late of Charles Orsini, et ux; thence along said dividing line S 46 degrees 55 minutes 03 seconds W a distance of 108.42 feet to the point of beginning. BEING designated and known as Block 28-C, Lot No. 308.

TRACT 5

BEGINNING at the intersection of the Southeasterly side of Sennott Street (50.06 feet wide) and the Northeasterly side of Oakland Avenue (50.06 feet wide); thence along the Northeasterly side of Oakland Avenue S 43 degrees 06 minutes 51 seconds E a distance of 24.46 feet to lands now or late of Agnes Cronin, unmarried; thence along said dividing line N 46 degrees 55 minutes 03 seconds W a distance of 108.42 feet to land now or late of James Economos, et ux; thence along said dividing line N 43 degrees 06 minutes 51 seconds W a distance of 24.46 feet to the Southeasterly side of Sennott Street; thence along

Sennott Street S 46 degrees 55 minutes 03 seconds W a distance of 108.41 feet to the point of beginning. BEING designated and known as Block 28-C, Lot No. 309.

TRACT 6

BEGINNING on the Eastwardly side of Oakland (formerly Charlotte) Avenue at the corner of land now or formerly owned by Ernest F. Rousch and extending thence in front along said Avenue, Southeastwardly 25 feet to a point; and thence in depth with the line of said Rousch property, and property now or late of D. Kenzer, as the northern boundary thereof, and preserving the same width of 25 feet, extending back Northeastwardly 138 feet, more or less, to line of property now or formerly of one Hoch. BEING designated and known as Block 28-C, Lot No. 310 in the records of the Deed Registry Office of Allegheny County.

TRACT 7

BEGINNING at a point in the Northeasterly side of Oakland Avenue (50.06 feet wide) said point being South 43 degrees 06 minutes 51 seconds East a distance of 75 feet from the Southeasterly side of Sennott Street, said point also being in the line dividing lands herein described and lands now or late of Charles Orsini et ux; thence along said dividing line, North 46 degrees 55 minutes 03 seconds East a distance of 126.11 feet to lands now or late of Ernest Quinque et ux; thence along said dividing line, South 43 degrees 06 minutes 51 seconds East a distance of 25 feet to lands now or late of Tesse Copetas; thence along said dividing line South 46 degrees 55 minutes 03 seconds West a distance of 126.11 feet to the Northeasterly side of Oakland Avenue, thence along said side of Oakland Avenue, North 43 degrees 06 minutes 51 seconds West a distance of 25 feet to the point of beginning. BEING designated as Block 28-C, Lot 311 as recorded in the Deed Registry Office of Allegheny County.

(c) Easements.—The conveyance shall be made under and subject to all easements, and rights of others, including, but not confined to, streets, roadways and rights of any telephone, telegraph, cable, water, electric, sewer, gas or pipeline companies, as well as under and subject to any interest, estates or tenancies vested in third persons, whether or not appearing of record, for any portion of land or improvements erected thereon.

(d) Execution.—The deed of conveyance shall be approved as provided by law and shall be executed by the Secretary of General Services in the name of the Commonwealth of Pennsylvania.

(e) Costs.—All other costs and fees, including, but not limited to, appraisal fees, title insurance, and surveys, incidental to this conveyance shall be borne by the Grantee.

(f) This conveyance shall be exempt from all taxes, imposts, fees and costs relating to such conveyances which are levied, imposed or chargeable by any taxing authority.

Amend Sec. 2, page 5, line 2, by striking out "2" and inserting

3

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

The SPEAKER. The gentleman, Mr. Frankel, is recognized on the amendment.

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to offer amendment A3010. Again, similar to the last bill, this is simply a conveyance of several properties to the University of Pittsburgh.

Thank you. I ask for approval.

The SPEAKER. For what reason does the gentleman, Mr. Samuelson, rise?

Mr. SAMUELSON. Seeking a copy of the amendment or seeking it on the computer. It was not on the computer a minute ago.

The SPEAKER. Would one of the pages take a copy of the amendment to Mr. Samuelson.

Mr. Frankel, do you have an extra copy of the amendment? You have it? Thank you.

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Dally Harhai Washington

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

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

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

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

The following roll call was recorded:

YEAS—200

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

NAYS—0

NOT VOTING—0

EXCUSED—3

Dally Harhai Washington

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

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

The SPEAKER. The Chair is about to declare a recess.

VOTE CORRECTION

The SPEAKER. Mr. Flick.

Mr. FLICK. Mr. Speaker, to correct the record.

I was temporarily off the floor when the concurrence vote on HB 10 was taken. I would like to be recorded in the affirmative.

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

Any further corrections of the record?

Will the gentleman yield a moment.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. May I have your attention.

During the summer months, all the desks in the House will be removed. We are doing that so that new carpeting might be installed. Accordingly, if you have any personal items in your desk, take them with you. Any—I did not prepare this memo—any trash can be thrown on the floor, and the cleaning staff will see that it is properly disposed of. That is not my doing. I just read.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Lucyk.

Mr. LUCYK. To correct the record, Mr. Speaker.

The SPEAKER. Mr. Lucyk.

Mr. LUCYK. On HB 10 my switch malfunctioned. I want to be reported in the negative, please.

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

The gentleman, Mr. Yudichak.

Mr. YUDICHAK. Thank you, Mr. Speaker.

I would like to correct the record on SB 970, amendment 2991. I would like to be in the affirmative.

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

Mr. Tulli.

Mr. TULLI. Thank you, Mr. Speaker.

To correct the record.

On SB 970 I wish to be recorded in the affirmative.

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

The gentleman, Mr. Godshall, asks that the record reflect that on HB 10, the motion to suspend the rules to consider amendment A2981, the switch was not operative, and he would have voted in the affirmative.

STATEMENT BY MRS. COHEN

The SPEAKER. The Chair recognizes the lady, Mrs. Cohen, for unanimous consent.

Mrs. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, Monday, August 2, is National Night Out, but it is also a celebration of the City Avenue Special Services District, and I would like to invite you and all of the members of the House of Representatives to celebrate with us the first special services district in the nation that exists between two municipalities. We have had the support of Governor Ridge in this endeavor, which many of us have been working on for at least 10 years.

What makes this effort, this special services district, unique is that because it is the first-in-the-nation special services district between two municipalities—that is, the city of Philadelphia and the township of Lower Merion in Montgomery County—we have shown the nation that suburbs adjacent to cities can not only exist but coexist. What we have done by establishing this special services district is not only beautify the area but we have brought crime down to below 1970 levels. On the Philadelphia side of this district, this part of Philadelphia is the safest and most crime-free part of the city, and the same is true of the Lower Merion side.

So I invite my fellow Representatives to come and celebrate with us on Monday evening, August 2, to show them and show the nation that suburbs adjacent to cities can do well and can thrive. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

VOTE CORRECTION

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

Mr. BAKER. Thank you, Mr. Speaker.

I would like to correct the record.

On HB 10 I would like to be recorded in the affirmative.

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

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, under a personal privilege.

Since the desks are all going to be removed, I would like to make a small suggestion, that these dinky little telephone lights they put in be removed and replaced with something that the members can see, because our staff are always trying to call us and we can never see these little lights. The old big style that sat up on the top worked real well.

So I would like you to take that under advisement, since it was your big day today on Capitol preservation.

The SPEAKER. Now I am going to pay.

Mr. Belfanti, the Chief Clerk is here. He has heard your request and will look into it.

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Clark.

Mr. CLARK. Mr. Speaker, I would like to correct the record.

On final passage of HB 10, my switch failed to register my vote, and I would like to be voted against HB 10. Thank you.

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

DEMOCRATIC CAUCUS

The SPEAKER. Mr. Cohen, the gentleman from Philadelphia.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to call a meeting of the Democratic Caucus for 8:30 tonight. There will be informal discussions before then. I would urge everybody to report to the caucus room; caucus at 8:30.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. Mr. Fargo.

Mr. FARGO. The Republicans will caucus at 9 o'clock and plan on being back on the floor at 9:30; at 9 o'clock.

The SPEAKER. The Chair thanks the gentleman.

Mr. FARGO. Thank you.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Rooney.

Mr. ROONEY. Mr. Speaker, on SB 366 my vote was recorded incorrectly. I would like the record to reflect an affirmative vote on that legislation.

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

The lady from Berks, Mrs. Miller.

Mrs. MILLER. Mr. Speaker, to correct the record.

On SB 209 I would like to be voted in the negative.

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

Any further announcements, corrections? Republican or Democratic floor leaders?

There will be no further votes until 9:30. The House will shortly recess, and we will return to the floor at 9:30. The Chair has several housekeeping chores, but there will be no recorded votes taken till 9:30.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 157, PN 2109**; and **HB 779, PN 2111**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 365, PN 1240**.

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

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1520, PN 1992**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 852, PN 1216**.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 371, PN 2058**; and **HB 773, PN 2027**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE BILLS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 17, PN 1961**; **HB 197, PN 188**; **HB 528, PN 1663**; and **HB 979, PN 1891**, with information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER

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

HB 17, PN 1961

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.

HB 197, PN 188

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for the valuation of persons and property.

HB 528, PN 1663

An Act reenacting the act of July 5, 1989 (P.L.166, No.31), known as the Phosphate Detergent Act, making editorial changes and eliminating sunset provisions.

HB 979, PN 1891

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, further providing for auxiliary appeal boards.

SB 309, PN 1187

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, further providing for creditable nonschool service, for eligibility for limited early retirement, for contributions for purchase of credit for creditable nonschool service and for exceptions to termination of annuities.

SB 442, PN 1195

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

SB 900, PN 1111

An Act providing for scholarships for persons entering into the field of science and technology.

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

RECESS

The SPEAKER. Do the floor leaders have any further business? Hearing none, this House will stand in recess until 9:30 p.m., unless sooner recalled by the Chair or extended by the Chair.

RECESS EXTENDED

The time of recess was extended until 10 p.m.

AFTER RECESS

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

SENATE MESSAGE**AMENDED HOUSE RESOLUTION
RETURNED FOR CONCURRENCE AND
REFERRED TO COMMITTEE ON RULES**

The clerk of the Senate, being introduced, informed that the Senate has concurred in **HR 13, PN 2113**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILLS SIGNED BY SPEAKER

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

HB 1520, PN 1992

An Act authorizing the release of Project 70 restrictions on certain lands owned by the borough of Downingtown, Chester County, in return for imposition of Project 70 restrictions on other lands owned or to be obtained by the Borough of Downingtown, Chester County; and authorizing the release of Project 70 restrictions on certain land owned by the Township of Silver Spring, Cumberland County, in return for the imposition of Project 70 restrictions on certain land to be obtained by the Township of Silver Spring, Cumberland County.

SB 366, PN 1234

An Act amending the act of August 9, 1955 (P.L.323, No.130), entitled The County Code, further providing for the definition of "county" for authorization of excise tax; authorizing the imposition of hotel taxes; authorizing counties of the first class to impose an excise tax on vehicle rentals; and providing for establishment of a commission on the status of women.

SB 852, PN 1216

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for written or telephonic price quotations from contractors and for the imposition of an amusement or admission tax on certain facilities.

SB 1000, PN 1203

An Act designating the Capitol Annex Building as the Speaker Matthew J. Ryan Legislative Office Building and providing for its use; and making a repeal.

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

CALENDAR CONTINUED**RESOLUTION**

Mr. PERZEL called up **SR 8, PN 1032**, entitled:

A Concurrent Resolution directing the Joint State Government Commission to create a bipartisan task force to study the feasibility of changing the date of general primary elections and municipal primary elections to September.

On the question,
Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—1

Herman

EXCUSED—3

Dally Harhai Washington

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the majority whip, who asks that the gentleman, Mr. HERMAN, be placed on leave for the balance of today's session. Without objection, the leave will be granted. The Chair hears no objection.

FILMING PERMISSION

The SPEAKER. The Chair advises the members that permission has been granted to John Zeedick of the Associated Press to take still photographs of the House floor proceedings.

HR 183 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Mr. Vitali, who moves that the vote by which HR 183, PN 1770, passed on the 16th day of June be reconsidered.

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

The following roll call was recorded:

YEAS—188

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

Druce	Major	Saylor	
Eachus	Manderino	Schroder	Ryan,
Egolf	Mann	Schuler	Speaker
Evans	Markosek		

NAYS—10

Adolph	Lawless	Micozzie	Rohrer
Cawley	Leh	Raymond	Steil
Flick	McNaughton		

NOT VOTING—1

Argall

EXCUSED—4

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

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

The SPEAKER. On the question of the adoption of the resolution, the Chair recognizes the gentleman from Delaware County, Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

For the information of the members, this is the Rohrer pedophile resolution. I have reconsidered it because I am aware that at least some members were not aware—

The SPEAKER. Will the gentleman yield.

Staff personnel having no business on the floor should at least be quiet.

Mr. Vitali.

Mr. VITALI. Thank you, Mr. Speaker.

I have asked that this be reconsidered because it has come to my attention that some members did not cast the vote they wanted to, including myself, and I wanted to give another opportunity to make sure the record reflected their views.

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

The following roll call was recorded:

YEAS—191

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

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

NAYS—7

Cohen, L. I.	Josephs	Melio	Vitali
Curry	Manderino	Thomas	

NOT VOTING—1

Williams

EXCUSED—4

Dally	Harhai	Herman	Washington
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The majority having voted in the affirmative, the question was determined in the affirmative and the resolution was adopted.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee. It is to take place at the majority leader's desk.

BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE

HB 157, PN 2109

By Rep. PERZEL

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for auditor's compensation.

RULES.

HB 371, PN 2058

By Rep. PERZEL

An Act amending the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, adding a definition; and further providing for assistance to volunteer fire companies.

RULES.

HB 773, PN 2027

By Rep. PERZEL

An Act amending the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, further providing for definitions and for funds for payment; and making a repeal.

RULES.

HB 779, PN 2111

By Rep. PERZEL

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for police animals; and providing penalties.

RULES.

SB 365, PN 1240

By Rep. PERZEL

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

RULES.

FILMING PERMISSION

The SPEAKER. The Chair wishes to advise the members that permission has been given to Jeremy Diller of WGAL-TV to videotape floor proceedings. The gentleman is permitted on the floor for a period of 15 minutes.

SUPPLEMENTAL CALENDAR G

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments **HB 157, PN 2109**, entitled:

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for auditor's compensation.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—195

Adolph	Fairchild	Markosek	Saylor
Allen	Fargo	Marsico	Schroder
Argall	Feese	Masland	Schuler

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

NAYS—4

Casorio	Lynch	Smith, S. H.	Vance
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NOT VOTING—0

EXCUSED—4

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

Ordered, That the clerk inform the Senate accordingly.

The SPEAKER. Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, the pages are just passing out the calendar which carries HB 157. If at all possible, could we make sure that we are in possession of the calendar or the appropriate bills prior to being asked to vote on them?

The SPEAKER. The Chair apologizes to the gentleman and advises him that the House calendar supplemental G is in the

PC system so that you can call that calendar up on your laptop computer.

Mr. Pistella.

Mr. PISTELLA. Mr. Speaker, please, on that point, I attempted to get that bill on my screen, on my laptop, and was unable to, up to and including the time the vote was actually taken. Is there a delay that is occurring with the equipment that we cannot get that, or is there a better system to use to access that information by the computers?

The SPEAKER. I have had a confession from one of the members of the staff here, saying he was a little slow on that one, but you will have the next one.

Mr. PISTELLA. I thought it might have been an operator malfunction at my desk, Mr. Speaker. Thank you.

The SPEAKER. Yes. I am pleased to say that about this particular person.

Mr. Gordner.

Mr. GORDNER. Mr. Speaker, for an alternative way, if you go on the PC and hit "Calendar," it will list all of the supplemental calendars, and if you hit "SUPPLEMENTAL G," you can then use that to go directly to the bill. That is what I just did.

The SPEAKER. This modern age of technology. Thank you.

The House proceeded to consideration of concurrence in Senate amendments to **HB 371, PN 2058**, entitled:

An Act amending the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, adding a definition; and further providing for assistance to volunteer fire companies.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 773, PN 2027**, entitled:

An Act amending the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, further providing for definitions and for funds for payment; and making a repeal.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Eachus. Will the gentleman yield.

Conferences, please. There are entirely too many conferences from time to time in the vicinity of the majority and minority leaders' desks.

Mr. Eachus.

Mr. EACHUS. Thank you, Mr. Speaker.

Mr. Speaker, this is a much different bill, sir, than we sent to the Senate. We all may remember that we passed 199 to 0 HB 773 when it left the House, which included an amendment which eliminated the PACENET (Pharmaceutical Assistance Contract for the Elderly Needs Enhancement Tier) Program and increased the PACE (Pharmaceutical Assistance Contract for the Elderly) income limits up to the PACENET threshold. The Aging and Youth Committee in the Senate removed those very important

pieces of legislation supporting senior citizens' health-care issues, and it deeply concerns me. It concerns me because the PACENET Program has not worked. Only 16,000 people of the 49,000 seniors signed up for the PACENET Program, and to date, only 9,000 people total have ever received that benefit. It is clear to us that the PACENET benefit has not worked. It has not worked because senior citizens will not pay \$500 cash deductibles in order to be part of this PACENET Program.

We have urged Secretary Browdie and the administration to stay the course, do away with the PACENET Program and include the PACE Program as the cornerstone of our senior citizens' pharmaceutical drug program. Much to our chagrin, both the administration and the Senate have removed that language from this bill, and that disturbs us deeply.

On the front page of the New York Times today, you may have noticed a great debate in Washington over pharmaceutical drug programs for senior citizens. This debate is taking place not only here but in Washington as well. It concerns me, and what I would like to do at this moment is ask to revert to the prior printer's number. That is 1665.

The SPEAKER. It will be necessary for the gentleman to suspend the rules of the House in order to permit him to make such a motion.

MOTION TO SUSPEND RULES

Mr. EACHUS. Yes, sir, Mr. Speaker, and I would like to make a motion to that effect.

The SPEAKER. The gentleman, Mr. Eachus, moves that the rules of the House be suspended to permit the motion to return to a prior printer's number immediately.

On the question,

Will the House agree to the motion?

The SPEAKER. On the question of suspension of the rules, Mr. Barley is recognized.

Mr. BARLEY. Thank you, Mr. Speaker.

Mr. Speaker, I oppose the motion to suspend the rules. We have a good bill before us, and we should get on with passing that.

The SPEAKER. On the question, Mr. Eachus, anything further?

Mr. EACHUS. Yes. I believe that our side opposes the majority's position on this bill, and we urge members to support suspension. Thank you.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—102

Bard	Evans	Mayernik	Shaner
Battisto	Frankel	McCall	Solobay
Bebko-Jones	Freeman	McGeehan	Staback
Belardi	George	Melio	Stairs
Belfanti	Gigliotti	Michlovic	Steelman
Bishop	Gordner	Mundy	Stetler
Blaum	Crucela	Myers	Sturla
Butkovitz	Gruitza	Oliver	Surra
Buxton	Hafuska	Pesci	Tangretti
Caltagirone	Hanna	Petrarca	Thomas
Cappabianca	Horsey	Petrone	Tigue

Cam	James	Pistella	Travaglio
Casorio	Josephs	Preston	Trello
Cawley	Kaiser	Ramos	Trich
Cohen, M.	Keiler	Readshaw	Tulli
Colafella	Kirkland	Rieger	Van Home
Corrigan	Krebs	Roberts	Veon
Costa	LaGrotta	Robinson	Vitali
Coy	Laughlin	Roebuck	Walko
Curry	Lederer	Rooney	Waters
Daley	Lescovitz	Ruffing	Williams
DeLuca	Levdansky	Sainato	Wojnaroski
Dermody	Lucyk	Samuelson	Yewcic
DeWeese	Manderino	Santoni	Youngblood
Donatucci	Mann	Scrimenti	Yudichak
Eachus	Markosek		

NAYS—97

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

NOT VOTING—0

EXCUSED—4

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

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Adolph.

Mr. ADOLPH. Thank you, Mr. Speaker.

Mr. Speaker, one of the top priorities of our caucus this past year was to give property tax and rent rebate relief to the senior citizens. This has really been a bipartisan effort in order to expand the current program. We are all familiar with the current program, and as we all know and the residents of Pennsylvania also realize, over the last decade, as a result of increases in Social Security and dividends and interest, many of our senior citizens became ineligible for this program. By expanding the program to eliminate reporting of 50 percent of your

Social Security and your railroad retirement benefits, we will bring in an extra 181,000 senior citizens back into this program. The average rebate will be increased from \$263 a year to \$363 a year. Also, many of the eligible senior citizens under this program now will receive the maximum of \$500. This is an existing program, and we will put back into the senior citizens' hands needed income in order to pay necessary bills.

I want to thank the Senate for moving this bill back, and I want to thank my colleagues for their support, and I urge a positive vote on HB 773. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the gentleman, Mr. Sainato.

Mr. SAINATO. Mr. Speaker, I rise this evening to support HB 773. As a cosponsor of this bill, I think this is a bill whose time has come. Many of our senior citizens were very concerned about property tax reductions. It has been an issue for House Democrats for this term, and I think it is an issue which we need. Many of our senior citizens throughout the Commonwealth have trouble paying their property taxes. I think this bill goes a long way in helping them with their property taxes. By allowing them to take 50 percent of their Social Security or railroad retirement and deducting it will make a big difference and put at least 100,000 Pennsylvanians into the program. It is important for our senior citizens, and it is important we do that.

As we move forward, this is an important step. Our next step is to help what my colleague from Luzerne County said was dealing with the PACE Program. I think that should be our next priority, to work to eliminate the PACENET, to make more people eligible. This is a first step tonight, but this is a very important step for the senior citizens of Pennsylvania. I urge all my colleagues to support this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support this motion to concur and certainly ask that the members on the Democratic side of the aisle vote to concur.

Mr. Speaker, I want to just note for the record, certainly for my colleagues here, that the Democratic Caucus in this House of Representatives takes great pride in having moved the issue of property tax reduction in this legislature in this year, and I think that we all well understand that because of the aggressive action of members on this side of the aisle, Democrats calling for property tax cuts, from the very beginning of this year, 10 percent a year for 5 years, 50-percent tax cuts, Mr. Speaker, we have not been able to accomplish that as we recess here this summer, but we are taking a small step in the right direction with the legislation that has been authored by the gentleman, Mr. Adolph, and we are very pleased to join with him and others in taking that small step in the right direction.

Mr. Speaker, while we concur in this bill, we do want to note that we will be back; we will be back asking for real tax cuts for middle-income, middle-class Pennsylvanians — 50-percent tax cut, 10 percent a year for 5 years. But today we will take this small step and cut property taxes for senior citizens, and I again would ask for a "yes" vote on concurrence. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes the lady, Mrs. Harhart.

Mrs. HARHART. Thank you, Mr. Speaker.

Sorry; I have a little problem with my throat.

I am pleased to see this important, long-overdue expansion of the property tax relief for senior citizens finally become a law. Representative Adolph has worked very hard all year to get this bill passed, and it is gratifying to see that it finally will become law.

The bill would add more than 6,000 new claimants from Lehigh and Northampton Counties, increasing the total enrollment in the region to over 17,000 participants.

I thank you, and I urge support on both sides of the aisle. Thank you very much.

The SPEAKER. The Chair thanks the lady.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Dally Harhai Herman Washington

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

Ordered, That the clerk inform the Senate accordingly.

The House proceeded to consideration of concurrence in Senate amendments to **HB 779, PN 2111**, entitled:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for police animals; and providing penalties.

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

The SPEAKER. It is the understanding of the Chair that Mr. Rooney and Mr. Evans have amendments for this bill. It will be necessary to suspend the rules in order to consider the amendments.

The Chair recognizes the gentleman, Mr. Rooney.
Mr. ROONEY. Thank you, Mr. Speaker.

Mr. Speaker, as the members know, those of us who feel strongly about the issue of gun safety in Pennsylvania have looked at Title 18 vehicles as a possibility to advance what we view to be reasonable, rational gun safety measures in this State.

Having said that, I would like to ask the distinguished chairman of the Judiciary Committee, Mr. Gannon, if he would stand for a brief interrogation.

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

Mr. ROONEY. Mr. Speaker, I know that you share in some respects our concerns, those of us who are members of the firearm safety caucus and those of us who believe in reasonable gun safety measures. I am curious to inquire as to whether or not the Judiciary Committee would hold hearings on the issue of firearms over the summer months.

Mr. GANNON. Yes, we would, Mr. Speaker.

Mr. ROONEY. And obviously I do not want to impose upon the chairman at this late hour to get into any specifics, but just so it is understood, for those of us who feel strongly, the standing committee, the Judiciary Committee, would entertain various legislative initiatives that had been advanced.

Mr. GANNON. The Judiciary Committee seriously considers any legislation that is referred to that committee by the Speaker.

Mr. ROONEY. I am concluded with my interrogation, Mr. Speaker.

The SPEAKER. Does the gentleman desire recognition on the point before the House?

Mr. ROONEY. Mr. Speaker, the issue of firearm safety in Pennsylvania is one that will not go away, and I am very grateful

for the opportunity to engage the chairman of the committee, because again, we do not feel good about having to take Title 18 bills and try to amend them. Our preference is most certainly to work the traditional process of, you know, moving legislation in this House.

So having a commitment from the chairman that we will receive fair hearings on the issues that are important to many of us, I will withdraw the amendment that I intended to offer.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Thomas. For what reason does the gentleman rise?

Mr. THOMAS. Mr. Speaker, I rise to support HB 779, but I also want to rise to say thank you to the chairman of Judiciary for his willingness and his commitment to hold public hearings on the whole issue of firearm safety. I do not think that I need to correct the record, but since 1994, there have been a number of us who have called for reasonable, reasonable measures as it relates to the accessibility of guns on the street and to the liability that arises out of this whole problem of accessibility.

So I just want to thank the chairman for that. I am not a member of the Judiciary Committee, but I would like to get notice of upcoming hearings and would like to contribute what I can to those hearings and ultimately to progressive legislation around this issue. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Rooney, desire further recognition?
The Chair thanks the gentleman.

Mr. Phillips.

Mr. PHILLIPS. Thank you, Mr. Speaker.

I would ask that we concur with the Senate amendment on HB 779.

To explain the Senate amendment, in the definition of "police animal" in the one section, the bill said "...a county correctional facility..." That has been changed to "...a county facility OR OFFICE..." and the purpose for that is, there were certain sheriff departments that felt they were not included in the legislation, and this would take care of that. So I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

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

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

The following roll call was recorded:

YEAS—199

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

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Dally Harhai Herman Washington

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

Ordered, That the clerk inform the Senate accordingly.

LEAVE OF ABSENCE

The SPEAKER. The Chair at this time returns to leaves of absence and recognizes the Democratic whip, who requests that the gentleman, Mr. MAYERNIK, be placed on leave temporarily. Without objection, leave will be granted. The Chair hears no objection.

MOTION TO SUSPEND RULES

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

Mr. BARLEY. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of SB 572, PN 1236.

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

(Members proceeded to vote.)

Mr. VEON. Mr. Speaker? At your convenience.
The SPEAKER. There is really nothing in order but the taking of the vote now.

VOTE STRICKEN

The SPEAKER. It has come to the attention of the Chair that the Democratic leaders wish this bill to go over temporarily for the purpose of caucusing.

The clerk will strike the board, rather than go through two or three votes to get to the same place.

Mr. VEON. Mr. Speaker, if we could for the benefit of the members, just to let them know that this is the capital budget authorization bill.

The SPEAKER. This is the capital budget authorization bill. SB 572 is over temporarily.

SUPPLEMENTAL CALENDAR H

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

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 365, PN 1240**, entitled:

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

On the question,

Will the House concur in Senate amendments to House amendments?

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, when this came up last week, I said I supported it in large measure because of the amendments that had been inserted in the Agriculture Committee. The amendments inserted in the Agriculture Committee, among other things, gave the members of the House of Representatives and the Senate who serve as leaders of the Agriculture Committee a vote on the interstate commission that is going to be set up to regulate the sale and distribution of milk. The leaders on both sides of the aisle expressed great understanding of the balance that has to be struck between the interests of the consumers and the interests of the milk producers and the other interested people within the milk industry, and I felt that with them on the Interstate Compact Commission, we could rest assured that there would be a fair balance applied.

The Senate took out all the legislative appointees. They put in "...AN INDIVIDUAL APPOINTED BY THE GOVERNOR, FROM A LIST OF NO MORE THAN THREE INDIVIDUALS NOMINATED BY DAIRY COOPERATIVES DOING BUSINESS IN THIS COMMONWEALTH." They put in "...AN INDIVIDUAL APPOINTED BY THE GOVERNOR, FROM A LIST OF NO MORE THAN THREE INDIVIDUALS NOMINATED BY THE STATEWIDE GENERAL FARM ORGANIZATIONS." They put in "...AN INDIVIDUAL, APPOINTED BY THE GOVERNOR, FROM A LIST OF NO

MORE THAN THREE INDIVIDUALS NOMINATED BY ASSOCIATIONS OF MILK DEALERS IN THIS COMMONWEALTH." So the Milk Marketing Board, as before, has a member; the milk dealers have a member; the general farm organizations have a member; the dairy cooperatives have a member; and there is now one lone consumer member. The consumer member has to be somebody who is not tied in with the milk industry, but there is no requirement that the consumer member be recommended by any consumer organizations. It is one of anywhere— Probably 11.8 million Pennsylvanians are probably eligible to be the consumer representative on this Interstate Compact Commission, so there is nobody who has any particular expertise on consumer issues who has to be appointed to this commission.

With this in mind, with only basically one side of the equation being represented, with only the different elements of the milk industry being represented, I tend reluctantly to concur with the editorial that appeared in the Philadelphia Inquirer on June 15, which said that "Consumers here who consistently pay more for milk than in neighboring states should wince at the prospect of a regional price-fixing body imposing still higher prices." The Inquirer editorial goes on to say that "Already the Northeast compact has raised milk prices by almost 20 cents a gallon since its inception. By federal and state law, the compact could raise milk prices in Pennsylvania by... about 70 cents a gallon, consumer groups warn." Now, generally the consensus seems to be that the milk prices will go up at least from 12 to 20 cents a gallon. Different people in the field have different estimates as to what it is.

Before the Senate amendments, I was willing to give this a try, feeling that the legislative leaders being on the board and representing the entire public interest — Mr. Cappabianca and Mr. Bunt in the House, their counterparts in the Senate — would provide a fair balance for consumers across the State of Pennsylvania, balancing the interests of the milk industry and the consumers. Without their presence, I reluctantly agree with the Inquirer editorial that the risks outweigh the benefits, that all that is going to happen likely is that milk prices will go up, that the interests of consumers are unlikely to be served, and therefore, I would urge a "no" vote on the concurrence to the Senate amendments of this bill.

The SPEAKER. The Chair thanks the gentleman.

On the question of concurrence, the gentleman, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

I will be very brief.

I just wanted to stand up and praise Ray Bunt a little bit on this whole issue. I think he has done yeoman work for the farm community in Pennsylvania, and as Joe Schultz, the old manager of the Gashouse Gang, would say, Ray, you are the best milker on the farm.

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair returns to leaves of absence and notes the presence on the floor of the House of the gentleman, Mr. Mayernik, and advises the clerk to put him back on the master roll call.

CONSIDERATION OF SB 365 CONTINUED

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

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

Mr. Speaker, for those of us who travel the byways and roads of Pennsylvania, I think we have viewed some billboards throughout the Commonwealth where our Governor is featured at his mother's side with a milk mustache, if you can recall. I might add, Mr. Speaker, given his lack of involvement in support of this dairy compact bill, one must wonder what that really is on the Governor's face.

From day one, Mr. Speaker, the farmers have been asking the Governor for support, especially our dairy farmers, I might add. I might add, Mr. Speaker, that the Senate held a hearing and the Governor said nothing; the Senate passed a bill and the Governor said nothing; the House held a hearing and the Governor said nothing. Mr. Speaker, he did not say boo about this bill until he forced the Pennsylvania Farm Bureau, believe it or not, to support his voucher plan, and I think we might be voting on that tonight. Well, however, for that, Mr. Speaker, for that, they get lip service from a spokesman who had the audacity to say it was time to get the bill moving. Well, Pennsylvania farmers need a Governor who will take agriculture to heart, Mr. Speaker, not take it for granted.

A recent survey, I might add, conducted by the conservative Lincoln Institute showed that 60 percent of Pennsylvania farmers and agribusinesses rate the current climate for agriculture as below average or poor.

That is no leadership on those billboards, and that is not milk, I might add, on the Governor's lips. Some might say it is egg on his face for the way he has mishandled SB 365 and misled—

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

Mr. CAPPABIANCA. I am almost finished, Mr. Speaker. I am about to tell you I support this legislation.

The SPEAKER. I am about to interrupt you.

The question before the House is one of concurrence—

Mr. CAPPABIANCA. And I am about to support it.

The SPEAKER. —not Governor-bashing.

Mr. CAPPABIANCA. Well, the Governor has to sign this bill, I would believe, would he not?

The SPEAKER. Well, he is not going to do you any favors if he is listening to us now.

Mr. CAPPABIANCA. Well, then if he does not sign it, we are just spinning our wheels here.

The SPEAKER. Follow the rules, please.

Mr. CAPPABIANCA. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Do you have more to say on the subject before the House?

Mr. CAPPABIANCA. The subject is the dairy compact, Mr. Speaker.

The SPEAKER. The subject is the amendments inserted by the Senate to the House amendments.

Mr. CAPPABIANCA. That is right, Mr. Speaker. You are absolutely correct.

The SPEAKER. Just stay on that, and we can get home tonight.

Mr. CAPPABIANCA. And I am about to say, Mr. Speaker, despite the Governor's inaction, we have worked in a bipartisan spirit to move quickly and compromise on this bill, and for that, I congratulate the chairman of the Ag Committee, Mr. Bunt, for the

fine leadership that he showed, and I rise here to support concurrence in Senate amendments to SB 365.

Mr. Speaker, let us give Pennsylvania's working family farmers a fighting chance to earn a fair living. Just like we believe in the minimum wage, we believe farmers, dairy farmers, should have a minimum living standard.

This bill, in my opinion, Mr. Speaker, would not go to the Governor's desk tonight had it not been for the bipartisan cooperation between the four Ags and Rural Affairs chairs. To a person, we want to promote farmers and protect consumers in this Commonwealth, and the Senate amendments, I believe, will do that to my satisfaction, and therefore, I am asking both sides of the aisle to concur on SB 365 in the amendments placed there by the Senate.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery on the question of concurrence in the Senate amendments to House amendments.

Mr. BUNT. Thank you, Mr. Speaker.

The previous speaker thanked the chairmen of the Agriculture Committee, and the gentleman, Mr. Cappabianca, is a good judge of character, or characters.

Mr. Speaker, the gentleman is correct. All the members of the House Ag Committee worked in a bipartisan fashion to take care of an issue that was very dear to the 10,000 dairy farmers across this Commonwealth, and when I say 10,000 dairy farmers across this Commonwealth, I also speak to those members that represent those dairy farmers. They worked very hard to get us to where we are right now. And the gentleman, Mr. Cappabianca, is correct; we did not have a whole heck of a lot of help getting there. But through the work, the hard work of our staffs, our respective staffs, and also the fine assistance that was given to me and to the entire Agriculture Committee by Senator Slocum, Senator Madigan, Senator Wenger, we would not have arrived at where we are this evening.

I would concur with the gentleman, Mr. Cappabianca, that all the members concur with the Senate amendments, and I might add, Mr. Speaker, as well, in order to get this issue off dead center, it was we that suggested this new language. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—171

Adolph	Fairchild	Markosek	Schuler
Allen	Fargo	Marsico	Scrimenti
Argall	Feese	Masland	Semmel
Armstrong	Fichter	McCall	Serafini
Baker	Fleagle	McGeehan	Seyfert
Bard	Flick	McGill	Shaner
Barley	Forcier	McIlhattan	Smith, B.
Barrar	Frankel	McIlhinney	Smith, S. H.
Battisto	Freeman	McNaughton	Snyder
Bebko-Jones	Gannon	Melio	Solobay
Belardi	Geist	Michlovic	Staback
Belfanti	George	Micozzie	Stairs
Benninghoff	Gigliotti	Miller, R.	Steelman

Birmelin	Gladeck	Miller, S.	Steil
Bishop	Godshall	Mundy	Stern
Blaum	Gordner	Myers	Stritmatter
Boyes	Grucela	Nailor	Sturla
Browne	Gruitza	Nickol	Surra
Bunt	Haluska	O'Brien	Tangretti
Butkovitz	Hanna	Oliver	Taylor, E. Z.
Buxton	Harhart	Orie	Taylor, J.
Caitagirone	Hasay	Perzel	Tigue
Cappabianca	Hennessey	Pesci	Travaglio
Carn	Hershey	Petrarca	Trello
Casorio	Hess	Petrone	Trich
Cawley	Horsey	Phillips	True
Chadwick	Hutchinson	Pippy	Tulli
Civera	Jadlowiec	Pistella	Vance
Clark	James	Platts	Van Home
Clymer	Keller	Preston	Veon
Colafella	Kenney	Ramos	Walko
Cornell	Kirkland	Raymond	Waters
Corrigan	LaGrotta	Reinard	Williams
Costa	Laughlin	Roberts	Wilt
Coy	Lawless	Rooney	Wogan
Dailey	Lederer	Ross	Wright
Daley	Leh	Rubley	Yewcic
DeLuca	Lescovitz	Sainato	Yudichak
Dempsey	Lucyk	Samuelson	Zimmerman
Dermody	Lynch	Santoni	Zug
DeWeese	Maitland	Sather	
DiGirolamo	Major	Saylor	Ryan,
Druce	Mann	Schroder	Speaker
Eachus			

NAYS—27

Bastian	Habay	Metcalfe	Stetler
Cohen, L. I.	Josephs	Readshaw	Stevenson
Cohen, M.	Kaiser	Rieger	Thomas
Curry	Krebs	Robinson	Vitali
Donatucci	Levdansky	Roebuck	Wojnaroski
Egolf	Maher	Rohrer	Youngblood
Evans	Manderino	Ruffing	

NOT VOTING—1

Mayernik

EXCUSED—4

Dally	Harhai	Herman	Washington
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 652, PN 1215**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for Commonwealth payments for basic education grants, intermediate units, community colleges, secondary vocational education subsidies, small district assistance and basic education, and for transportation; and authorizing area vocational-technical boards to establish capital reserve funds.

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

Mr. TIGUE offered the following amendment No. A2841:

Amend Title, page 1, line 9, by striking out "and"
Amend Title, page 1, line 10, by removing the period after "funds"
and inserting

; and establishing a select committee to assess
school choice and school vouchers.

Amend Bill, page 22, by inserting between lines 27 and 28

Section 16. (a) The House of Representatives shall establish a
select committee to assess the types of school choice and school voucher
programs that have been proposed in this Commonwealth during the past
five years before it authorizes funding for any such proposals. The select
committee shall:

(1) Analyze the experience of other states and
municipalities with school choice programs.

(2) Study and evaluate the likely effects that would result
from the migration of pupils from public to private schools.

(3) Study and evaluate the migration of pupils within the
public school system.

(4) Determine whether school choice and school voucher
proposals would improve the Commonwealth's public school
system.

(b) The select committee shall report its findings, conclusions
and recommendations to the House of Representatives no later than
March 31, 2000.

(c) The select committee shall be composed of 15 members, eight
members to be appointed by the Speaker of the House of Representatives
and seven members to be appointed by the Minority Leader of the
House of Representatives.

(d) The select committee shall be empowered to issue subpoenas
under the hand and seal of its chairperson commanding any person to
appear before the select committee and to answer questions touching
matters properly being inquired into by the select committee and to
produce records and documents the select committee deems necessary.
Subpoenas shall be able to be served upon any person and have the same
effect as subpoenas issued out of the courts of this Commonwealth, and
any person who willfully neglects or refuses to testify before the select
committee or to produce records or documents shall be subject to the
penalties provided by the laws of this Commonwealth in such case.

(e) The expenses incurred by the select committee in carrying out
its responsibilities, including per diem and travel expenses incurred by
members and regular staff, stenographic charges and other incidental
expenses, shall be paid from appropriate accounts under the control of the
Chief Clerk of the House of Representatives and be in addition to any
other amount authorized for expenses for contractors, consultants and
staff.

Amend Sec. 16, page 22, line 28, by striking out "16" and inserting
17

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

AMENDMENT WITHDRAWN

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

The gentleman indicates his amendment is to be withdrawn.
The Chair thanks the gentleman.

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

The SPEAKER. The Chair recognizes the gentleman,
Mr. Belfanti, who has, according to the Chair's records, three
amendments. Are you withdrawing one of those?

Mr. BELFANTI. Yes, Mr. Speaker.

The SPEAKER. Which amendment do you want called up first,
Mr. Belfanti?

Mr. BELFANTI. I would like to call up amendment 2847 first,
please.

The SPEAKER. The clerk will read the amendment.

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

Mr. BELFANTI offered the following amendment No. A2847:

Amend Title, page 1, line 5, by inserting after "for"

distressed school districts of the first class, for

Amend Bill, page 1, lines 13 through 16, by striking out all of said
lines and inserting

Section 1. Sections 696(k), 917.1-A(h) and 919.1-A(e) of the act
of March 10, 1949 (P.L.30, No.14), known as the Public School Code of
1949, added April 27, 1998 (P.L.270, No.46), are amended to read:

Section 696. Distress in School Districts of the First Class.—* * *

(k) Collective bargaining between employees, excluding
nonprofessional employees, and the school district of the first class shall
be conducted in accordance with this subsection.

(1) Whether or not a declaration of distress has been made under
section 691(c), a collective bargaining agreement in effect on the effective
date of this section shall not be extended and shall have no force or effect
beyond the existing term of the contract, notwithstanding any other law
to the contrary.

(2) No distressed school district of the first class shall be required
to engage in collective bargaining negotiations or enter into memoranda
of understanding or other agreements regarding any of the following
issues:

(i) Contracts with third parties for the provision of goods or
services, including educational services or the potential impact of such
contracts on employees.

(ii) Decisions related to reductions in force.

(iii) Staffing patterns and assignments, class schedules, academic
calendar, places of instruction, pupil assessment and teacher preparation
time.

(iv) The use, continuation or expansion of programs designated by
the chief executive officer as pilot or experimental programs.

(v) The approval or designation of a school as a charter or magnet
school.

(vi) The use of technology to provide instructional or other
services.

(3) A collective bargaining agreement for professional employees
entered into after the expiration of the agreement in effect on the date of
the declaration of distress shall provide for the following:

(i) A school day for professional employees that is equal to or
exceeds the State average as determined by the department. An extension
of the school day resulting from this requirement shall be used exclusively
for instructional time for students.

(ii) The number of instructional days shall be equal to or exceed the
State average number of instructional days.

(iii) The chief executive officer and the commission shall not
increase compensation for employees solely to fulfill the requirements
under subparagraphs (i) and (ii).

(4) A provision in any contract in effect on the date of the
declaration of distress under this subsection that is in conflict with this
subsection shall be discontinued in any new or renewed contract.

(5) Nothing in this subsection shall eliminate, supersede or preempt any provision of an existing collective bargaining agreement until the expiration of the agreement unless otherwise authorized by law.

(6) If upon the termination of a collective bargaining agreement in effect on the date of the declaration of distress under this section a new collective bargaining agreement has not been ratified, the Secretary of Education shall establish a personnel salary schedule to be used until a new agreement is ratified.

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

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

Mr. BELFANTI. Thank you, Mr. Speaker.

I believe this amendment is agreed to. It would exclude nonprofessional employees, such as custodial and cafeteria workers, from the collective-bargaining restrictions added to the Public School Code as part of Act 46 of 1998.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

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

Dermody	Lucyk	Rubley	Youngblood
DeWeese	Lynch	Ruffing	Yudichak
DiGirolamo	Maher	Sainato	Zimmerman
Donatucci	Maitland	Samuelson	Zug
Druce	Major	Santoni	
Eachus	Manderino	Sather	Ryan,
Egolf	Mann	Saylor	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

The SPEAKER. Will the gentleman give us the number of his second amendment.

Mr. BELFANTI. A2846, Mr. Speaker.

The SPEAKER. The clerk will read the amendment.

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

Mr. BELFANTI offered the following amendment No. A2846:

Amend Title, page 1, line 5, by inserting after "for"
distressed school districts of the first class, for

Amend Title, page 1, line 9, by striking out "and"

Amend Title, page 1, line 10, by removing the period after "funds"
and inserting

; and making a repeal.

Amend Bill, page 1, lines 13 through 16, by striking out all of said
lines and inserting

Section 1. Sections 696(k), 917.1-A(h) and 919.1-A(e) of the act
of March 10, 1949 (P.L.30, No.14), known as the Public School Code of
1949, added April 27, 1998 (P.L.270, No.46), are amended to read:

Section 696. Distress in School Districts of the First Class.—***

(k) Collective bargaining between employees and the school district
of the first class shall be conducted in accordance with this subsection.

[(1) Whether or not a declaration of distress has been made under
section 691(c), a collective bargaining agreement in effect on the effective
date of this section shall not be extended and shall have no force or effect
beyond the existing term of the contract, notwithstanding any other law
to the contrary.]

(2) No distressed school district of the first class shall be required
to engage in collective bargaining negotiations or enter into memoranda
of understanding or other agreements regarding any of the following
issues:

(i) Contracts with third parties for the provision of goods or
services, including educational services or the potential impact of such
contracts on employees.

(ii) Decisions related to reductions in force.

(iii) Staffing patterns and assignments, class schedules, academic calendar, places of instruction, pupil assessment and teacher preparation time.

(iv) The use, continuation or expansion of programs designated by the chief executive officer as pilot or experimental programs.

(v) The approval or designation of a school as a charter or magnet school.

(vi) The use of technology to provide instructional or other services.

(3) A collective bargaining agreement for professional employees entered into after the expiration of the agreement in effect on the date of the declaration of distress shall provide for the following:

(i) A school day for professional employees that is equal to or exceeds the State average as determined by the department. An extension of the school day resulting from this requirement shall be used exclusively for instructional time for students.

(ii) The number of instructional days shall be equal to or exceed the State average number of instructional days.

(iii) The chief executive officer and the commission shall not increase compensation for employees solely to fulfill the requirements under subparagraphs (i) and (ii).

(4) A provision in any contract in effect on the date of the declaration of distress under this subsection that is in conflict with this subsection shall be discontinued in any new or renewed contract.

(5) Nothing in this subsection shall eliminate, supersede or preempt any provision of an existing collective bargaining agreement until the expiration of the agreement unless otherwise authorized by law.

(6) If upon the termination of a collective bargaining agreement in effect on the date of the declaration of distress under this section a new collective bargaining agreement has not been ratified, the Secretary of Education shall establish a personnel salary schedule to be used until a new agreement is ratified.

Amend Bill, page 22, by inserting between lines 27 and 28

Section 16. Nothing contained in the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, and in particular sections 691(c) and 696 shall be construed to effect, supersede or preempt any provision of the act of July 23, 1970 (P.L.563, No.195), known as the Public Employee Relations Act, or any right, obligation or procedure arising thereunder, including those rights, duties and obligations concerning good faith bargaining and negotiation of a new collective bargaining agreement. In all such cases, the procedures arising under the Public Employee Relations Act and Article XI-A of the Public School Code of 1949 shall be deemed to control negotiations by a school district, intermediate unit or area vocational-technical school and an employee organization.

Section 17. Section 28(a) of the act amending the act entitled "An act amending the act of March 10, 1949 (P.L.30, No.14), entitled 'An act relating to the public school system, including certain provisions applicable as well to private and parochial schools; amending, revising, consolidating and changing the laws relating thereto,' further providing for auxiliary services and for the definitions of "school year" and "children in low-income families"; authorizing school districts to impose dress codes and require students to wear standard dress or uniforms; further providing for distressed school districts and for basic education grants and higher education grants for the Link-to-Learn Program; providing for certain procedures relating to management of distressed first class school districts and for technology grants to nonpublic and private schools; further providing for community college reimbursements, small school district assistance, basic education funding payments to intermediate units, special education payments to school districts, school performance incentives and charter school grants; providing for community education councils, for the operation of the State System of Higher Education, for payments on account of transportation of nonpublic school pupils, for temporary special aid to school districts suffering loss of tax revenue due to reduction in assessed valuation of taxable property

and for incentives for administrative and instructional consolidation; and making repeals," is repealed.

Section 18. Section 17 of this act shall be retroactive to April 27, 1998.

Amend Sec. 16, page 22, line 28, by striking out "16" and inserting 19

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

This amendment deletes section 696, subsection (k)(1), from the Public School Code that prohibits extending existing labor agreements beyond the present term of the contract. The section being deleted was a provision contained in Act 46 of 1998, the Philadelphia takeover legislation.

And I am not certain whether this amendment has been agreed to or not. However, many members of both sides of the aisle have asked that this particular section of the Philadelphia takeover legislation be removed from Act 46.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—174

Adolph	Egolf	Marsico	Schroder
Allen	Feese	Masland	Scrimenti
Argall	Fichter	Mayemik	Semmel
Baker	Flick	McCall	Serafini
Bard	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	Michlovic	Staback
Birmelin	Gladeck	Micozzie	Stairs
Bishop	Godshall	Miller, R.	Steelman
Blaum	Gordner	Mundy	Steit
Boyes	Grucela	Myers	Stern
Browne	Gruitza	Nailor	Stetler
Bunt	Habay	Nickol	Stevenson
Butkovitz	Haluska	O'Brien	Sturla
Buxton	Hanna	Oliver	Surra
Caltagirone	Harhart	Orie	Tangretti
Cappabianca	Hasay	Perzel	Taylor, J.
Carn	Hennessey	Pesci	Thomas
Casorio	Hershey	Petrarca	Tigue
Cawley	Horsey	Petrone	Travaglio
Civera	Jadlowiec	Phillips	Trello
Clymer	James	Pippy	Trich
Cohen, L. I.	Josephs	Pistella	Tulli
Cohen, M.	Kaiser	Platts	Van Home
Colafella	Keller	Preston	Veon
Cornell	Kennedy	Ramos	Vitali
Corrigan	Kirkland	Raymond	Walko
Costa	Krebs	Readshaw	Waters
Coy	LaGrotta	Reinard	Williams
Curry	Laughlin	Rieger	Wilt
Dailey	Lawless	Roberts	Wogan
Daley	Lederer	Robinson	Wojnaroski
DeLuca	Leh	Roebuck	Wright
Dempsey	Lescovitz	Rooney	Yewcic
Dermody	Levdansky	Rubley	Youngblood
DeWeese	Lucyk	Ruffing	Yudichak
DiGirolamo	Maher	Sainato	Zug
Donatucci	Manderino	Samuelson	

Druce	Mann	Santoni	Ryan,
Eachus	Markosek	Saylor	Speaker

NAYS—25

Armstrong	Fargo	Major	Schuler
Barley	Fleagle	Metcalfe	Strittmatter
Benninghoff	Hess	Miller, S.	Taylor, E. Z.
Chadwick	Hutchinson	Rohrer	True
Clark	Lynch	Ross	Vance
Evans	Maitland	Sather	Zimmerman
Fairchild			

NOT VOTING—0

EXCUSED—4

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

On the question recurring,

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

The SPEAKER. The Chair recognizes the gentleman, Mr. DeWeese, who advises that the amendment presently held in the name of Mr. Evans is withdrawn. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Grucela, who offers the following amendment— The gentleman, Mr. Grucela, withdraws his amendment. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. George, who has three amendments. Will the gentleman advise us which amendment he wishes called up first.

Mr. GEORGE. A couple of minutes.

The SPEAKER. The gentleman, Mr. George, temporarily withdraws any amendments he has. If this is all right with you, we will continue on to the next half dozen amendments to this bill and return to the gentleman.

On the question recurring,

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

Mr. EGOLF offered the following amendment No. A2879:

Amend Title, page 1, line 9, by striking out “and”
Amend Title, page 1, line 10, by removing the period after “funds” and inserting

; and providing for restrictions on benefits for domestic partners.

Amend Bill, page 22, lines 28 and 29, by striking out all of said lines and inserting

Section 16. The act is amended by adding an article to read:

ARTICLE XXVI-I.
MISCELLANEOUS.

Section 2601-I. Restriction on Domestic Partner Benefits.—(a) No State-owned college or university or community college shall provide health insurance or other health care benefits to an individual who lives together with an employe of the college or university unless the individual is a spouse or child of the employe.

(b) No State-related university shall receive or expend any funds for any purpose out of any nonpreferred appropriation of the Commonwealth during any time that the university is providing health insurance or other employment benefits to an individual who lives together with an employe of the university unless the individual is a spouse or child of the employe.

(c) Nothing in this section shall require any college or university to offer the full range of benefits referred to in subsection (a) or (b).

(d) This section shall not be construed to supersede or preempt a collective bargaining agreement or other contract in effect on the effective date of this section which specifically provides for any benefits prohibited under this section, but this section shall apply to any renewals of the agreement or contract.

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

“Child” shall mean any of the following:

(1) A blood descendant of the first degree.

(2) A legally adopted child, including a child living with the adopting parents during the period of probation.

(3) A stepchild.

(4) A child who is solely supported by the employe if the employe is the child’s legal guardian or if the employe is related to the child by blood or marriage.

“Spouse” shall mean a current spouse under a legally existing marriage between individuals of the opposite sex or a former spouse who is entitled to support from the employe under a court order.

Section 17. This act shall take effect as follows:

(1) The addition of Article XXVI-I of the act shall take effect immediately.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect July 1, 1999, or immediately, whichever is later.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

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

Is this a technical change, Mr. Egolf?

The gentleman, Mr. Egolf, withdraws the amendment read by the clerk and submits the following amendment, which the clerk will read.

On the question recurring,

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

Mr. EGOLF offered the following amendment No. A2994:

Amend Title, page 1, line 9, by striking out “and”
Amend Title, page 1, line 10, by removing the period after “funds” and inserting

; and providing for restrictions on benefits for domestic partners.

Amend Bill, page 22, lines 28 and 29, by striking out all of said lines and inserting

Section 16. The act is amended by adding an article to read:

ARTICLE XXVI-I.
MISCELLANEOUS.

Section 2601-I. Restriction on Domestic Partner Benefits.—(a) No State-owned college or university or community college shall provide health insurance or other health care benefits to an individual who lives

together with an employe of the college or university unless the individual is a spouse or child of the employe.

(b) No State-related university shall receive or expend any funds for any purpose out of any nonpreferred appropriation of the Commonwealth during any time that the university is providing health insurance or other health care benefits to an individual who lives together with an employe of the university unless the individual is a spouse or child of the employe.

(c) Nothing in this section shall require any college or university to offer the full range of benefits referred to in subsection (a) or (b).

(d) This section shall not be construed to supersede or preempt a collective bargaining agreement or other contract in effect on the effective date of this section which specifically provides for any benefits prohibited under this section, but this section shall apply to any renewals of the agreement or contract.

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

“Child” shall mean any of the following:

(1) A blood descendant of the first degree.

(2) A legally adopted child, including a child living with the adopting parents during the period of probation.

(3) A stepchild.

(4) A child who is solely supported by the employe if the employe is the child’s legal guardian or if the employe is related to the child by blood or marriage.

“Spouse” shall mean a current spouse under a legally existing marriage between individuals of the opposite sex or a former spouse who is entitled to support from the employe under a court order.

Section 17. This act shall take effect as follows:

(1) The addition of Article XXVI-I of the act shall take effect immediately.

(2) This section shall take effect immediately.

(3) The remainder of this act shall take effect July 1, 1999, or immediately, whichever is later.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Egolf.

Mr. EGOLF. Thank you, Mr. Speaker.

This amendment does two things: Number one, it prohibits State-owned colleges and universities and community colleges from providing health insurance and other health benefits to the domestic partners of university employees; and number two, it cuts off the receiving or spending of nonpreferred appropriation funding for any State-related university that adopts a domestic partners benefit program.

The Commonwealth has a big enough funding stake in these institutions to justify a say in how they structure their employee benefit programs. We have seen substantial controversies at Pitt and Penn State on this issue, where those institutions are under heavy pressure from some of their faculty members to adopt such a policy, and thus far, both institutions have wisely resisted this pressure.

This amendment will not affect existing contracts that provide domestic partner benefits such as the one in place at the University of Pennsylvania.

This amendment will limit our State and State-related colleges and universities to the same kind of employment benefits that we in the Commonwealth and the General Assembly apply to our staff employees, and that is what this amendment does.

And I believe that the amendment furthers an important Commonwealth interest in promoting legally cognizable family relationships, especially the legal institution of marriage. This amendment does that by according preference to marital relationships over nonmarital relationships.

In addition, this amendment will protect our taxpayers against the prospect of absorbing a significant part of the cost of an expensive new entitlement program of debatable merit. In this regard, I would like to quote the comments of Mr. Jerry Cochran, the executive vice chancellor of the University of Pittsburgh, and he was expressing his concern about a lawsuit that was brought by a former employee that seeks to overturn the university’s decision not to provide these benefits, and he said, and I quote: “The state Insurance Department has indicated that if we gave health benefits to same-sex partners, we would also have to provide them to opposite-sex partners.” And he said, “We now have 3,292 employees receiving ‘individual’ benefits at the university. So if only 10 percent of those who now have single coverage said, ‘I want benefits for either my same-sex or my opposite-sex partner,’ we estimate the cost to the university of over \$750,000. If it was 25 percent,” it would be “\$2 million. At 50 percent, \$4 million, and if it was all 3,292, more than \$7 million” would be the cost.

So frankly, Mr. Speaker, I think there are better ways that we can spend our education money. I urge an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman from Perry consent to interrogation?

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

Mr. COHEN. Mr. Speaker, this amendment applies to heterosexual couples as well as homosexual couples?

Mr. EGOLF. Yes, it does.

Mr. COHEN. And what it does is it bans any State-owned or State-related institution from extending health-care benefits to unmarried, unrelated people who live together?

Mr. EGOLF. That is correct.

Mr. COHEN. Thank you, Mr. Speaker.

I have no further questions of the gentleman.

Mr. Speaker, I have no idea why we want to get involved in regulating collective bargaining in institutions and why we want to pick on potentially unpopular people. It would seem to me that there are various reasons why people live together and do not get married and there are various reasons why universities would agree to giving this as a benefit. They might see giving this as a benefit instead of giving something else as a benefit. If they do not have this on the bargaining table to give to unmarried people, some other benefit will be demanded. It might be cheaper for the universities to give benefits to unmarried people than to give some other kind of benefits or some other kind of salary increases. This is really micromanaging the universities of Pennsylvania in a manner that just arbitrarily hurts some people.

Whether we would make the decisions these people make to live together without being married or not, there are a significant number of people in this society today who live together without the benefit of marriage. I think they ought to have the right to have their demands included in a collective-bargaining contract. I think

the universities ought to have the right to accept such demands, and I personally, while I recognize that many people in both parties would not feel comfortable voting against this amendment, I personally will vote against this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Curry. Will the gentleman yield.

Conversations on the floor, please cease.

Mr. Curry.

Mr. CURRY. Thank you, Mr. Speaker.

Would the gentleman, Mr. Egolf, stand for interrogation?

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

Mr. CURRY. Mr. Speaker, I do not have a copy of amendment 2994, but I do have a copy of 2879, and I think the language in section 2601, subsection (a), is the same. Is that correct?

Mr. EGOLF. Yes, that is correct. That is the same.

Mr. CURRY. Okay. Well, that section reads that "No State-owned college or university or community college shall provide health insurance or other health care benefits to an individual who lives together with an employee of the college...."

Now, suppose we have two young instructors coming into a State-related university and they have plans in the future to be engaged; they are engaged to be married 2 years down the road but to save on money they decide to rent an apartment together. Does this language not prohibit that and deny them benefits?

Mr. EGOLF. You are saying that they are both employees?

Mr. CURRY. Well, yes; an employee.

Mr. EGOLF. If they are both employees, then they would each get their individual benefits. That is correct.

Mr. CURRY. Or one is a relative and not an employee, but they find it cheaper to rent an apartment together than to rent separately.

Mr. EGOLF. In other words, if one, even though they are relatives, only one is an employee and the other is not? Is that what you are saying?

Mr. CURRY. Either way. They are either both employees or one is an employee and one is not.

Mr. EGOLF. The one who is not an employee would not get the benefits, and that is one of the problems that the universities have, because you could have anybody claiming they live together. It could be friends just living together or could even claim they were just to get the benefits and not. So these are the kinds of problems that they run into.

Mr. CURRY. But if they are both employees, then this amendment does not touch them.

Mr. EGOLF. That is right.

Mr. CURRY. And they would continue to get benefits.

Mr. EGOLF. That is correct.

Mr. CURRY. Thank you.

The SPEAKER. The gentleman, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Will the gentleman, Mr. Egolf, rise for brief interrogation?

The SPEAKER. He indicates that he will. You may begin.

Mr. STURLA. Mr. Speaker, if I have remarried and my wife's children are living with me and they are not my children but they are my dependents; they are technically not my child as defined in that bill, would I be able to have them on my insurance policy if I was a teacher at a State college?

Mr. EGOLF. But you say they are your dependents?

Mr. STURLA. They are my dependents, but they are not my children. It says that unless they are a spouse or a child. They are not my children, but they are my dependents.

Mr. EGOLF. Under section (e), subsection (3) or (4) I think would cover that. One is for a stepchild; the other one is for a child who is solely supported by the employee.

Mr. STURLA. So if they are a child that is solely supported.

If they are an elderly person that I solely support and they are my dependent; I claim them on my tax forms as my dependent but they are not a child or my spouse, do they qualify or do I qualify?

Mr. EGOLF. I am not quite sure I understand. You might have to repeat it.

But in any case, if they would qualify under our State plan that we have here, they would qualify there. So it is the same thing that we have in the State plan.

Mr. STURLA. Okay. Do you know what we have in the State plan?

Mr. EGOLF. Repeat the relationship there.

Mr. STURLA. If somebody is my dependent but they are not my spouse or my child, do they qualify?

Mr. EGOLF. In any case, it would be subsection (4) there. If they meet that criteria, they would. If they do not meet the criteria that is listed there, then they would not.

Mr. STURLA. Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question of agreeing to the amendment, the gentleman, Mr. Roebuck.

Mr. ROEBUCK. Thank you, Mr. Speaker.

I wondered if the maker of the amendment would stand for interrogation?

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

Mr. ROEBUCK. Thank you, Mr. Speaker.

Mr. Speaker, I wondered if you could explain to me if the intent of your amendment is to in fact only apply to health benefits.

Mr. EGOLF. That is correct.

Mr. ROEBUCK. So it would not affect any other benefits that might be claimed under as a domestic partner other than health benefits; any other thing that is granted as a domestic partner is not affected.

Mr. EGOLF. It does not affect anything else; that is right. Just medical and health benefits.

Mr. ROEBUCK. Just health benefits.

Also, I note that in the language of the amendment, Mr. Speaker, you reference State-owned universities and community colleges. Is it also your intent—I know you referenced it would not affect existing domestic partner benefits that have been given in reference to the University of Pennsylvania—does that also apply to other colleges that have given those benefits to date?

Mr. EGOLF. Yes; that is correct.

Mr. ROEBUCK. So wherever there are benefits already given, they are not affected by your amendment.

Mr. EGOLF. Under the current contract, that is right. If they have a current contract at this time, they would not be affected by this.

Mr. ROEBUCK. Thank you.

Mr. EGOLF. Now, once the contract expires, then they would.

Mr. ROEBUCK. I am sorry, Mr. Speaker. Could you clarify that? If the right is already given in a contractual arrangement as

of this day, does that right then at any point— You are saying the right comes into jeopardy at some point?

Mr. EGOLF. It would only apply during the life of that contract.

Mr. ROEBUCK. So that if in the renewing of the contract it was the desire to continue that benefit, are you saying that your amendment would prohibit that?

Mr. EGOLF. That is right.

Mr. ROEBUCK. Well, I guess I am confused, Mr. Speaker. I do not understand that if the right has already been given and it is agreed to; there is no problem with it, why we should proscribe that right continuing into the future. The colleges agree to it, the parties to the agreement agree to it, and that we here in Harrisburg are saying, oh, gee, we do not like that; we are going to take that away. I do not understand that, Mr. Speaker.

Mr. EGOLF. Are you posing that as a question?

Mr. ROEBUCK. I am asking you why, if the right has already been given, there is a desire to take that right away. We are not asking to get anything else. What you are saying is that we are going to take back something that has already been given, and I am unclear unto why you would want to take that right back.

Mr. EGOLF. Well, for one thing, this is going to make it consistent for all the universities. Another reason is that, again, this is a cost that they have to incur, and as I mentioned earlier, a number of the universities are under pressure now to do this, although they prefer not to because of the cost, and so this allows, if a university has been pressured into it for whatever reason, that will be in effect during that contract, but once the contract goes out, they all become equal just as we are with our employees under the system that we have now here in the legislature.

Mr. ROEBUCK. But, Mr. Speaker, are they not equal now? They have the right to do it or they have the right not to do it. Is that not equality? Why is that not equal?

Mr. EGOLF. Well, it will apply evenly to all universities that come under this then at that point once that contract runs out.

Mr. ROEBUCK. But it is equal now, Mr. Speaker. I am afraid I do not understand. As of now, it is equal. What you are doing in effect is making it unequal.

The SPEAKER. Will the gentleman yield.

The gentleman is getting into the argument on the merits of the amendment rather than interrogation, and I would ask the gentleman to restrict his remarks to interrogation.

Mr. ROEBUCK. Thank you, Mr. Speaker. I will do that.

One further clarification, if I might, Mr. Speaker. I want to understand clearly what we are doing here. If indeed, at this point, as of this day, the right has already been granted in a contractual arrangement, as it has at a college at which I am a trustee, I am unclear why that college should now be required to rescind that grant. It is contractually into the agreement with the employees; it is budgeted; that is an accepted responsibility. I am unclear as to the reasoning why that somehow should be rescinded under your proposal.

Mr. EGOLF. Well, if it were not, for example, the next time around they could even press further to have it for any live-in relationship, and again, that is where our big problem comes, because you could have — how do you define who is living together, whether it is heterosexual or same sex? It really opens it up wide at that point to have anybody that is living together, whether just friends sharing the apartment, sharing the cost, whatever. It just goes on and on. So how do you stop it? So this

then makes it, defines exactly what they can and cannot do, except, though, that it does not abrogate the current contract.

Mr. ROEBUCK. Okay. Thank you, Mr. Speaker.

I wonder if I might speak to the amendment.

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

Mr. ROEBUCK. Thank you, Mr. Speaker.

I stand here somewhat perplexed at this proposal. If we were dealing with something that was a dominating issue that faced colleges and universities with a major degree of crisis, perhaps this would be necessary, but I fail to see any urgency in the demand for this particular proposal.

As I noted, I serve on the board of a college, and that college has granted domestic partner benefits to the employees. It has not cost the college a great amount of money; it has not caused a great moral crisis on that campus. It has not, indeed, affected the fabric of life in a significant way.

There is, however, this image that somehow now we are opening up some great moral chasm here in Pennsylvania, right here in Pennsylvania, Mr. Speaker. I think that is an illusion; it is an appeal to fear; it is an appeal to bigotry that in a sense demeans this body. If a college campus or any other group chooses in the process of negotiating on a fair and equal basis with its employees to get certain rights, why should we here in Harrisburg suggest that that grant of rights is wrong? Why should we here in Harrisburg say that we somehow have superior knowledge over those who are in that process of negotiation? Why should we go about that as if we have a monopoly on truth and virtue? I suggest, Mr. Speaker, that is wrong.

If you want to create inequality, then that is what we do when we adopt this particular amendment. It does not equal the playing field, because in fact it takes back something that in some cases has been given to certain individuals. It does not create a level playing field, Mr. Speaker; it creates an unlevel playing field. It is wrong. It should not be done.

I would call upon the good judgment of my colleagues not to give in to the sentiment that might appear to be virtuous and indeed produce something that is patently unfair and patently wrong. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Michlovic, desires recognition on the subject?

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Would the gentleman stand for interrogation?

The SPEAKER. The gentleman will. You may begin.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, if a couple were a gay couple, were married in another country, Denmark, or I am not sure where such unions are legal, but in an offshore nation, moved to the United States, got a job with one of our universities, would they, under this amendment, be able to share health-care benefits if one of them — if one of them — worked for the college or university?

Mr. EGOLF. They would not be— Since Pennsylvania does not recognize those types of marriages, they would not be — in other words, same-sex marriage — so the partner would not be able to collect the benefits.

The SPEAKER. Will the gentleman yield.

Conferences on the floor, please. Will the conferees retreat to the coffee room.

The gentleman may continue.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

So, Mr. Speaker, the quote that you gave from the administrator from the University of Pittsburgh about recognizing couples, heterosexual couples as opposed to homosexual couples, sort of ignores the fact that in our State, the homosexual couples cannot be recognized by our law, and so they are prohibited from furthering, you know, legally prescribing their union in law, and we are giving them no option to become a legally recognized marriage.

Mr. EGOLF. That is correct.

Mr. MICHLOVIC. That is correct. Okay.

So there is, within this amendment, there is a natural prejudice toward heterosexual couples and that union.

Mr. EGOLF. No, because unmarried heterosexual couples also will not be able to benefit from or get these benefits. The partner, the nonemployee, unmarried partner, would not get the benefits either, whether it is heterosexual or homosexual. So it is not—

Mr. MICHLOVIC. However, if that couple wishes to get married, they may not in Pennsylvania. We have already established that. So they have no choice. Even if they wish to get married and wish to become legal, in this State and under your amendment, there is no way they can correct that problem. I just want to get this on the record so that when the courts review this whole discussion, they understand that there is a natural prejudice here; there is a discrimination here in this—

The SPEAKER. Will the gentleman yield.

The gentleman is making argument, and I think it is more properly done in connection with the amendment's defeat or agreement on it.

Mr. EGOLF. If I may, I could—

The SPEAKER. Will the gentleman yield.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

That was the interrogation. I thank the gentleman. I will have some comments.

The SPEAKER. The gentleman is recognized.

Mr. MICHLOVIC. Thank you.

Mr. Speaker, I asked those questions, and as uncomfortable as they may be for some of us, I am trying to establish on the record here that in this State, that couple has no choice, that homosexual couple. That is their sexual orientation, their preference, and whether you feel that is perverse or not, they have no choice to get into a legal arrangement to get those benefits. A heterosexual couple does. They get married; they share the benefits. And so my point is that there is a natural prejudice or a discrimination in this amendment that favors heterosexual couples over homosexual couples in those benefits, one that they cannot in any way amend, one that they cannot change, because we have them totally boxed in with our law and the things that we do in this State.

For that reason I think this is a very bad idea. For that reason I think that this discussion will be in front of the courts time and time again, because we give that couple no option to correct their difficulty of lack of benefits, to give them no way to achieve the same equity and fairness that everybody else, all their other colleagues do, and that is even the case for somebody that has a prior experience of a marriage that is recognized in another country, comes to this country, and now is not recognized.

I think it is a bad vote. I think we should vote against it, and I urge my colleagues to do that. Thank you, Mr. Speaker.

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

Mr. FRANKEL. Thank you, Mr. Speaker.

I rise to oppose the Egolf amendment, because one of the things that we talk about, both in this House and throughout the State of Pennsylvania, is an issue of competitiveness. How can we, our institutions of learning, our corporations, how can we be competitive in this world? And one of the issues, I think, deals with the types of benefits that our companies, our universities are able to provide and what is competitive in this world. I mean, to the sound of this discussion here that this is such outrageous policy for our universities to provide benefits for domestic partners is a noncompetitive policy for our universities and it is a noncompetitive policy for corporations around our State.

Every Ivy League university provides this benefit. Five out of ten Big 10 universities, including the University of Iowa, Michigan State, the University of Michigan, provide this benefit. Dozens and dozens of Fortune 500 companies and more and more every day provide this benefit, including cutting-edge corporations like Microsoft and corporations that are recognized to be among the leading conservative companies in America like Adolph Coors Company. If we expect our institutions of higher learning to be competitive with other institutions in other States, with other institutions recognized as being at the cutting edge, we cannot tie their hands. This is a policy that our institutions of higher learning need to make on their own, and we should not be tying their hands and making them noncompetitive.

This is where it is at today. If these universities, these outstanding universities of higher learning, these outstanding corporations that are leading the cutting edge of what is going on in this country competitively, if Pennsylvania is not to be the backwater of the United States both academically and in business, we need to be able to untie their hands and not provide these provisions, to allow them to make these decisions on their own, to decide if they are going to be competitive, to get the best staff available for their universities, and let them make those decisions. We should not be making those decisions here, and I urge my colleagues to oppose this outrageous amendment.

The SPEAKER. The Chair recognizes the lady, Ms. Josephs.

Ms. JOSEPHS. Thank you, Mr. Speaker.

I would ask for interrogation of the maker of this amendment.

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

I am looking— I have a question about a definition of a word, and I want to do a little backup before I get to the question, but it will not be long.

As I understand your amendment, no health insurance or health benefits can be provided by these institutions, these universities, unless the individual is a spouse or a child. That is true. Okay.

Then we come down to subsection (e), and we are defining "child." Can you tell me, is there a definition in Pennsylvania law of "stepchild," and if so, what would that be?

Mr. EGOLF. I cannot answer that, whether there is a definition somewhere, but it is the same definition that we use for our own House employees' benefits. So it is the same definition there as we have here, but I do not know further if there is a definition actually of "stepchild," but I guess it is understood enough that—

Ms. JOSEPHS. So it is kind of understood.

Mr. EGOLF. Yeah.

Ms. JOSEPHS. But so far as you know and so far as I know — because I have not had a chance to do this research — there is no statute anywhere that says a stepchild is this but not that.

Mr. EGOLF. I am not aware that there is, but it does follow, as I said, the same guidelines that we have here for the benefits for our House employees, for example, and I am assuming that it is, you know, traditionally understood what it means. And obviously, you know, it has not been challenged, so I would assume it is—

Ms. JOSEPHS. Thank you. Thank you, Mr. Speaker.

If I might debate on this issue, Mr. Speaker, I would appreciate the opportunity to do that now.

The SPEAKER. The Chair apologizes to the lady. Would she make that statement again.

Ms. JOSEPHS. I am asking permission to debate on the issue. My interrogation is complete.

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

Ms. JOSEPHS. Thank you, Mr. Speaker.

It seems to me I asked the question, is there a definition of “stepchild,” because if you are an employee of one of these State-related, State-owned institutions and you have a stepchild, your stepchild can receive health insurance or health benefits through a collective-bargaining unit.

Now, let us entertain a little hypothetical. I am an employee of one of these universities, colleges, community colleges, or, indeed, of this House. I am living, hypothetically, with a woman who is my significant other. I just consider her my stepchild. There is no definition that we know of except as the maker of the amendment who put this in said that, well, we all understand kind of what a stepchild is. Okay. I understand that the woman I am living with, who is not an employee of the university or of State government here, is my stepchild. Now, we are going to have under this amendment, I imagine, a lot of couples who are suddenly becoming stepparents and stepchildren. So, you know, truly, I do not know whether I ought to vote for this or against this, because I do not think it is going to make any difference.

However, obviously, not only because it evidences just a mean-spirited approach to kicking people who already have very few rights in this State and making sure they stay down and they get treated like dirt and because it is just not written in any way that makes any sense and because the arguments that have been made before against this bill are absolutely valid and quite logical, sensible, and represent very good public policy, I would ask anybody, everybody here who has a sense of fair play and respect for what goes on on the level of universities, not to micromanage, not to show the ugly side of this legislature, but to stand up like the men and women, brave men and women, that we are and vote “no.” Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Tioga, Mr. Baker.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support the Egolf amendment.

When this story first broke about Penn State considering these kinds of benefits being offered to their faculty, et cetera, this created a firestorm of concern and controversy in my legislative district. I started receiving phone calls, faxes, and people are adamantly opposed to this kind of benefit being used and helped to be financed by public dollars, and I think this Commonwealth has a legitimate concern about how we spend hundreds of millions of dollars and that some of that money could potentially be spent on these kinds of benefits. And I think if nothing else, this is a

health issue, it is a cost-containment issue, and it is a lot of other kinds of issues that I do not want to go into tonight because the hour is late, but I have a whole file of letters and concerns about this, and I can tell you from the 68th Legislative District, we strongly support this amendment, and I urge my colleagues to support it as well.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the lady, Ms. Steelman.

Ms. STEELMAN. Thank you, Mr. Speaker.

Will the maker of the amendment stand for brief interrogation?

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

Ms. STEELMAN. Looking at the first section of your amendment, what the language says is that no State-owned college or community college shall provide health insurance or health-care benefits to an individual who lives together with an employee of the college. Now, you have said that you do not actually intend that to apply to an individual who has some other relationship personally to the college. That is correct?

Mr. EGOLF. I am having a hard time hearing you, but I guess you are saying it is some other employee of the college?

Ms. STEELMAN. Not necessarily an employee. Perhaps a graduate student or a postdoctoral fellow?

Mr. EGOLF. If they are not, according to the relationship, spelled out here — a spouse or child — if they are not, then, no, it would not apply. I mean, they would not get the benefits unless they are an employee.

Ms. STEELMAN. But many universities offer health-care benefits separately, offer them automatically to all graduate students, and quite a few of them offer health care to their postdoctoral fellows.

Mr. EGOLF. This only applies to them getting benefits by virtue of living together. If there is something else that applies that they get benefits, they would continue to get those.

Ms. STEELMAN. But that is not what it says, unfortunately. And I can say, on the basis of personal experience and broad observation, that graduate students and postdoctoral fellows, who tend to be less than wealthy in most cases, frequently live together and they do not always live together in apartments that are made up only of graduate students or postdoctoral fellows. Sometimes they actually are sharing apartments with members of the same sex or opposite sex—

The SPEAKER. Will the lady yield.

The Chair is of the opinion that you are into argument on the amendment rather than interrogation. Would you confine your remarks at this time to interrogation rather than argument.

Ms. STEELMAN. Your point is correctly taken. Thank you for the reminder.

The SPEAKER. Thank you.

Ms. STEELMAN. Then my second question for the author of the amendment is, you mentioned the University of Pennsylvania in speaking about the amendment, but the amendment has been so drafted as to exclude the University of Pennsylvania from coverage. Was that your intention; that is, you do not mean this to apply to the University of Pennsylvania?

Mr. EGOLF. The University of Pennsylvania was used as an example. Of any of the universities that might have current contracts that give the benefits, this would not abrogate that contract.

Ms. STEELMAN. Not only would it not—
The SPEAKER. Will the lady yield, please.
Conferences on the side aisle, please.
Ms. Steelman.

Ms. STEELMAN. But what I am asking is, did you intend to write this legislation so that, as is the case, the University of Pennsylvania would never be covered by the legislation as so written?

Mr. EGOLF. No, that was not—

Ms. STEELMAN. That is, you did not mean to cover the University of Pennsylvania?

Mr. EGOLF. When their contract runs out, they would be covered by this.

Ms. STEELMAN. Well, in that case, I have finished my interrogation. May I speak on the amendment?

The SPEAKER. You may indeed. The lady is in order.

Ms. STEELMAN. Then taking the second question, taking the response to the second question first, I have to point out that this language would never bear on the University of Pennsylvania because the University of Pennsylvania is neither State owned nor is it State related, and this language is written to apply to State-owned community colleges and State-related institutions. The University of Pennsylvania is defined as a State-aided university and therefore would not be covered by this language.

Going back to the answer to my first question, as I was saying when the Speaker recalled me to the fact that I was wandering from the interrogative into the discursive explanatory, graduate students and postdocs do often cluster together; they live together. They frequently live together without living together in the sense that the author of the amendment wants us to understand that phrase; that is, they share a common household but not necessarily anything else, and in some cases, they share a common household with employees of the university at which they are students or fellows. And under these circumstances, this language as it is written appears to require the university— It says the university shall not; it does not say shall not unless. It says shall not provide health care to individuals who live together – which is also not defined – with an employee of the university. And it seems to me that this language is extraordinarily vague and badly written and that it has the effect of potentially requiring State-owned universities and community colleges to do something that we have no reason to believe they want to do even in order to save money and that, frankly, I think they should be enjoined from doing, because if a university is providing health-care benefits to graduate students who live on their own by themselves in solitary efficiency apartments, then I do not see why they should not also provide health care to graduate students who live in a three-bedroom apartment with one employee of the university and one individual who is working in some completely different venue. Probably part of the reason I think this is because when I was a graduate student, that was how I lived for a while.

I do not think that we can set up these artificial separations in the way that this language does, and I would suggest that at this point not only have we established that the amendment does not do what the author wants to do, it also does some things that I do not think the author does want to do, and I would suggest that perhaps it should be withdrawn, redrafted as a bill, and considered separately. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the lady.

The Chair recognizes the gentleman from Adams County, Mr. Maitland.

Mr. MAITLAND. Thank you, Mr. Speaker.

I rise in support of the gentleman's amendment.

I speak for the vast majority of my constituents when I say that they prefer the institution of heterosexual marriage to the other kinds of living arrangements discussed earlier.

This is a legitimate issue for this General Assembly to take up, because we set the laws and the public policy that builds up our communities. Last session we decided that it is the policy of this Commonwealth to prohibit homosexual marriages. This policy decision was not based on the hatred of or fear of homosexuals. Rather, it was based on the traditional understanding of the nuclear family being a heterosexual couple and children perhaps.

If, like me and my constituents, you consider the traditional family the elementary and vital building block of the community, then we must do all we can to encourage it and to build it up. A part of doing that is establishing some benefits and preferences in public policy as this amendment seeks to do. By reserving these family-based benefits to the traditional family, we are providing an incentive. We are encouraging what we believe to be the right way to live.

If we extend these benefits to homosexual couples who, by law, cannot be legally married in our Commonwealth, then later by extension to other types of living-together arrangements, we weaken the institution that is traditional marriage. That, in my opinion, would be harmful. It is bad enough that the Federal government penalizes married couples through our income tax system.

Let us build up our institution; let us build up our community; let us hold traditional heterosexual marriage up as the right standard for our public policy. Please vote for the Egolf amendment. Thank you, Mr. Speaker.

The SPEAKER. On the question of the adoption of the amendment, Ms. Williams.

Ms. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the Egolf amendment.

Who are we to judge the quality of a relationship? I mean, how many of us, how many of our constituents, have relationships, have marriages that honor, respect, obey – no obey – honor, respect, and love each other and work for each other? It would be wonderful if there was a mutual respect and understanding in all marriage. That is not true. Who are we to judge the relationships of one person to another, be they man to man, woman to woman, man to woman?

I think that we are getting involved in public policy that is wrong. It is a denial of— We want people to respect each other. If somebody has a relationship with another person that is intense, that is true, and they have decided to live their lives together, who are we to punish them if it does not meet the definition of a nuclear family?

I urge you to think very seriously about this and to respect the rights of all the citizens of Pennsylvania. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—151

Adolph	Fargo	Major	Saylor
Allen	Feese	Markosek	Schroder
Argall	Fichter	Marsico	Schuler
Armstrong	Fleagle	Masland	Scrimenti
Baker	Flick	Mayernik	Semmel
Bard	Forcier	McCall	Serafini
Barley	Gannon	McGeehan	Seyfert
Barrar	Geist	McIlhattan	Shaner
Bastian	George	McNaughton	Smith, B.
Belardi	Gigliotti	Melio	Smith, S. H.
Belfanti	Gladeck	Metcalfe	Snyder
Benninghoff	Godshall	Micozzie	Solobay
Birmelin	Gordner	Miller, R.	Staback
Blaum	Grucela	Miller, S.	Stairs
Boyes	Habay	Nailor	Steil
Browne	Haluska	Nickoi	Stern
Bunt	Harhart	O'Brien	Steverson
Caltagirone	Hasay	Oliver	Strittmatter
Cappabianca	Hennessey	Orie	Taylor, E. Z.
Casorio	Hershey	Perzel	Taylor, J.
Cawley	Hess	Petrarca	Tigue
Chadwick	Horsey	Petrone	Travaglio
Civera	Hutchinson	Phillips	Trello
Clark	Jadlowiec	Pippy	Trich
Clymer	Kaiser	Platts	True
Colaella	Keller	Raymond	Tulli
Corrigan	Kenney	Readshaw	Vance
Coy	Kirkland	Reinard	Wilt
Dailey	Krebs	Rieger	Wogan
Daley	LaGrotta	Robinson	Wojnaroski
DeLuca	Laughlin	Rohrer	Wright
Dempsey	Lawless	Ross	Yewcic
DiGirolamo	Lederer	Rubley	Yudichak
Donatucci	Leh	Ruffing	Zimmerman
Druce	Lescovitz	Sainato	Zug
Eachus	Lucyk	Samuelson	
Egolf	Lynch	Santoni	Ryan,
Evans	Maitland	Sather	Speaker
Fairchild			

NAYS—47

Battisto	DeWeese	McIlhinney	Sturla
Bebko-Jones	Frankel	Michlovic	Surra
Bishop	Freeman	Myers	Tangretti
Butkovitz	Gruitza	Pesci	Thomas
Buxton	Hanna	Pistella	Van Horne
Carn	James	Preston	Veon
Cohen, L. I.	Josephs	Ramos	Vitali
Cohen, M.	Levdansky	Roberts	Walko
Cornell	Maher	Roebuck	Waters
Costa	Manderino	Rooney	Williams
Curry	Mann	Steelman	Youngblood
Dermody	McGill	Stetler	

NOT VOTING—1

Mundy

EXCUSED—4

Dally	Harhai	Herman	Washington
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The SPEAKER. The Chair recognizes the gentleman from Montgomery County, Mr. Curry, who, according to the Chair's records, has three amendments. Do you intend — two amendments. Would the gentleman advise the reading clerk which one he wishes considered first.

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

Mr. CURRY offered the following amendment No. A2910:

Amend Title, page 1, line 8, by inserting after "education,"
for disqualifications for teacher's certificate
Amend Bill, page 2, by inserting between lines 14 and 15
Section 1.1. Section 1209 of the act, amended April 15, 1959 (P.L.41, No.16) and June 24, 1959 (P.L.485, No.110), is amended to read:

Section 1209. Disqualifications.—No teacher's certificate shall be granted to any person who has not submitted, upon a blank furnished by the [Superintendent of Public Instruction] Secretary of Education, a certificate from a physician legally qualified to practice medicine in this Commonwealth, or in any other state or the District of Columbia, setting forth that said applicant [is neither mentally nor physically disqualified, by reason of tuberculosis or any other communicable disease or by reason of mental disorder from successful performance of the duties of a teacher; nor to any person who has not a good moral character, or who is in the habit of using opium or other narcotic drugs in any form, or any intoxicating drink as a beverage, or to any applicant who has a major physical disability or defect unless such a person submits a certificate signed by an official of the college or university from which he was graduated or of an appropriate rehabilitation agency, certifying that in the opinion of such official the applicant, by his work and activities, demonstrated that he is sufficiently adjusted, trained and motivated to perform the duties of a teacher, notwithstanding his impediment.] has no current mental or physical impairment which prevents said applicant from performing the essential functions of a teaching position with or without reasonable accommodation and that said applicant does not currently use illegal drug substances.

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

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

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment just cleans up some language editorially in the School Code. It uses some current language from language that was in there in the 1920s about communicable diseases, and I urge its adoption.

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

The following roll call was recorded:

YEAS—197

Adolph	Fargo	Marsico	Schuler
Allen	Feese	Masland	Scrimenti
Argall	Fichter	Mayernik	Semmel
Armstrong	Fleagle	McCall	Serafini
Baker	Flick	McGeehan	Seyfert
Bard	Forcier	McGill	Shaner
Barley	Frankel	McIlhattan	Smith, B.

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

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

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

NAYS-0

NOT VOTING-2

Bishop Cam

EXCUSED-4

Daily Harhai Herman Washington

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

On the question recurring,

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

Mr. CURRY offered the following amendment No. A2904:

Amend Title, page 1, line 5, by inserting after "thereto," providing for school district property tax exemption to certain senior citizens, widows, widowers and permanently disabled persons with limited incomes, for in-lieu-of-tax payments and for State reimbursement;

Amend Bill, page 1, lines 13 through 16, by striking out all of said lines and inserting

Section 1. The act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding an article to read:

ARTICLE VI-A.

REAL PROPERTY TAX EXEMPTION.

Section 601-A. Short Title of Article.—This article shall be known and may be cited as the Senior Citizen School Real Property Tax Exemption Act.

Section 602-A. Declaration of Policy.—In recognition of the severe economic plight of senior citizens, widows, widowers and permanently disabled persons who are real property owners with fixed and limited incomes and who are faced with rising living costs and constantly increasing taxes which threaten their homesteads and self-sufficiency, the General Assembly, pursuant to section 2(b)(iii) of Article VIII of the Constitution of Pennsylvania, considers it to be a matter of sound public policy to exempt such property owners from certain school district taxes to enable them to remain in peaceable possession of their homes and relieve their economic burdens.

Section 603-A. Definitions.—As used in this article,

"Claimant" shall mean a person who files a claim for real property tax exemption and was sixty-five (65) years of age or older, or whose spouse, if a member of the household, was sixty-five (65) years of age or older, during a calendar year in which real property taxes were due and payable or was a widow or widower and was fifty (50) years of age or older during a calendar year in which real property taxes were due and payable, or was a permanently disabled person eighteen (18) years of age or older during a calendar year in which real property taxes were due and payable.

"Homestead" shall mean an owned dwelling and as much of the land surrounding it as is reasonably necessary for use of the dwelling as a home occupied by a claimant. A homestead shall also include premises occupied by reason of ownership in a cooperative housing corporation, mobile homes which are assessed as realty for local real property tax purposes and the land, if owned by the claimant, upon which the mobile home is situated and other similar living accommodations, as well as a part of a multidwelling or multipurpose building and a part of the land upon which it is built. The term includes premises occupied by reason of the claimant's ownership of a dwelling located on land owned by a nonprofit incorporated association, of which the claimant is a member, if the claimant is required to pay a pro rata share of the real property taxes levied against the association's land. The term also includes premises occupied by a claimant if the claimant is required by law to pay a real property tax by reason of his ownership, including a possessory interest, in the dwelling, the land or both. An owner includes a person in possession under a contract of sale, deed of trust, life, estate, joint tenancy or tenancy in common or by reason of statutes of descent and distribution.

"Household income" shall mean household income defined in the act of March 11, 1971 (P.L.104, No.3), known as the "Senior Citizens Rebate and Assistance Act."

"Permanently disabled person" shall mean a person who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to continue indefinitely.

"Real property taxes" shall mean all school district taxes on a homestead, exclusive of municipal assessments, delinquent charges and interest, due and payable during a calendar year.

"Widow" or "widower" shall mean the surviving wife or the surviving husband, as the case may be, of a deceased individual and who has not remarried.

Section 604-A. Property Tax Exemption.—(a) The amount of any claim for real property tax exemption shall be determined in accordance with the following schedule:

Household Income	Percentage of Real Estate Tax Exemption
\$ 0 - \$14,999	100%
15,000 - 17,499	90%
17,500 - 19,999	75%
20,000 - 22,499	60%
22,500 - 24,999	40%
25,000 - 27,499	30%
27,500 - 29,999	20%

(b) The claimant must file claim for exemption with the taxing school district within two (2) months of receipt of a real property tax bill.

(c) Income for a claim of exemption shall be the income of the prior calendar year.

(d) If a homestead is owned and occupied by an eligible claimant for only a portion of a year, the school district shall apportion the real estate taxes in accordance with the period for which the claimant was eligible.

Section 605-A. In-Lieu-of-Tax Payment.—All claimants filing a claim for exemption shall include an in-lieu-of-tax payment of one per centum of the household income used in making such claim.

Section 606-A. Proof of Claim.—School districts may require proof of claim as required in the act of March 11, 1971 (P.L.104, No.3), known as the "Senior Citizens Rebate and Assistance Act."

Section 607-A. Incorrect Claim.—Whenever a school district finds a claim to be incorrectly determined, the school district shall redetermine the correct amount of the claim and notify the claimant of the reason for the redetermination and the amount of the correct claim.

Section 608-A. Fraudulent Claim.—(a) In any case in which a claim is excessive and was filed with fraudulent intent, the claim shall be disallowed in full and a penalty of twenty-five per centum of the amount claimed shall be imposed. The penalty and the amount of the disallowed claim, if the claim has been paid, shall bear interest at the rate of one-half of one per centum per month from the date of the claim until repaid.

(b) The preparation of or filing of a fraudulent claim shall be a misdemeanor, punishable by a fine of not more than one thousand (\$1,000) dollars or a term of imprisonment of not more than one year, or both.

(c) A claim shall be disallowed if the claimant received title to the homestead primarily for the purpose of receiving a real property tax exemption.

Section 609-A. State Reimbursement.—All school districts shall report to the Department of Revenue the amount of exemptions granted under this article less any in lieu of tax payments received, within three months of granting such exemptions. The Commonwealth shall pay the full amount of such exemptions less any in lieu of tax payments received to the school district within sixty (60) days of the report. The Commonwealth payment shall be for real property tax exemption only. No administrative costs shall be reimbursed.

Section 610-A. Regulations.—The Secretary of Revenue may promulgate such rules and regulations as necessary to administer this article.

Section 611-A. Application.—Exemption shall begin with the school district real estate taxes due on or after July 1 next succeeding the effective date of this article.

Section 1.1. Sections 917.1-A(h) and 919.1-A(e) of the act, added April 27, 1998 (P.L.270, No.46), are amended to read:

On the question,

Will the House agree to the amendment?

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

Mr. CURRY. Thank you, Mr. Speaker.

Mr. Speaker, this amendment expands the concept of the property tax relief contained in the lottery program. The changes we made earlier this evening in property tax and rent rebate help a great many of our senior citizens, and I support that. But there are large numbers of property tax and rent rebate program recipients who receive nothing from that change. People with retirement incomes from sources other than Social Security or railroad retirement receive no change from their current status. That includes many of our retired local and State police. People so poor or with local taxes so high that they are currently at the

maximum rebate receive nothing. We should not be picking and choosing subgroups of needy senior citizens to help when our excess revenues permit helping so many more.

Eight counties have an average property tax above 10 percent: Delaware County at 14.5 percent; Pike at 14.1 percent; my own county at 13.3 percent; Bucks at 13.1 percent; and on and on it goes. Again, that percentage of total household income that is paid in the real estate property tax means that to get that 13-percent level in Montgomery County, we have people paying 25 to 40 percent of their total income for real estate taxes. That means they have got to make hard choices on food and transportation, on medical costs and housing costs, questions of heat and light or water.

So we have got to do something about bringing property tax relief to those on fixed income, and I urge the adoption of this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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

Druce	Major	Santoni	
Eachus	Manderino	Sather	Ryan,
Egolf	Mann	Saylor	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

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

Mr. COSTA offered the following amendment No. A2928:

Amend Title, page 1, line 9, by inserting after "transportation;" providing for a grant program for class size reduction activities;

Amend Sec. 5, page 5, line 23, by striking out "an article" and inserting articles

Amend Sec. 5, page 7, by inserting between lines 12 and 13

ARTICLE XV-C.
CLASS SIZE.

Section 1501-C. Authorization of Grants.—Beginning with the fiscal year 1999-2000 and in each fiscal year thereafter, the Department of Education shall provide grants to school districts for the purpose of class size reduction activities for students enrolled in kindergarten through grade three.

Section 1502-C. Criteria for Award of Grants.—A school district shall be eligible for a grant award if the district:

(1) Is participating in a federally funded program of class size reduction activities.

(2) Has a maximum class size in the district's kindergarten through grade three classrooms not in excess of the maximum number per classroom necessary for participation in the federally funded program of class size reduction activities.

(3) Insures that teachers of classes qualifying under clause (2) participate in professional development activities designed to improve their abilities to teach reading, writing and arithmetic.

(4) Adopts and implements in each school building where a class size reduction program is in place a proven strategy for engaging parents and other members of the community as partners in the education of students.

Section 1503-C. Use of Grant Funds.—Grant funds may be used for costs incurred by a school district for class size reduction activities for students enrolled in kindergarten through grade three if those costs:

(1) are not reimbursable under the federally funded class size reduction program because of a lack of Federal funds; or

(2) are not eligible for reimbursement under the federally funded class size reduction program.

Section 1504-C. Duties of Secretary of Education.—The Secretary of Education shall contract with a consortium of universities for an evaluation of the effectiveness of class size reduction programs. Program effectiveness shall be evaluated at both the school building level and the school district level. The secretary shall annually report:

(1) The results of the evaluation to the General Assembly.

(2) Recommendations for legislation or other action related to class size reduction activities.

Section 1505-C. Expenditure Estimate.—By March 31 of each year the Secretary of Education shall provide to the General Assembly an estimate of the total cost of class size reductions programs, including an estimate of State funds required for the ensuing fiscal year.

Section 1506-C. Funding.—Funding for the grant program under this article be provided by an annual appropriation by the General Assembly.

Section 1507-C. Regulations.—The Department of Education shall promulgate rules and regulations to administer and enforce this article.

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

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

Mr. COSTA. Thank you, Mr. Speaker.

Good morning.

I ask for your support for this amendment, just as many of us have supported reducing class sizes in the past. In April we passed Representative Samuelson's amendment to provide class-size-reduction grants. Since this was removed from the budget by the Senate, all I am asking is for the House to again approve this important step toward a better education for the children of Pennsylvania.

Earlier this month, Keystone Research Center released some important findings from the latest research on class-size reduction. In Tennessee, students who attended smaller classes from kindergarten through third grade were 6 to 9 months ahead of the regular class students in the fourth grade. By the time they reached the eighth grade, they were a full year ahead. Reducing class size does not have to mean school construction or renovation. In Wisconsin, placing 2 teachers in the classroom with 30 students was just as beneficial as having 1 teacher with 15 students.

Reducing class size is a wise investment in our children that will produce major returns. I ask for your support of this amendment. Thank you, Mr. Speaker.

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

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

The following roll call was recorded:

YEAS—179

Adolph	Egolf	Markosek	Saylor
Allen	Evans	Marsico	Schroder
Argall	Fairchild	Masland	Scrimenti
Baker	Feese	Mayernik	Semmel
Bard	Fichter	McCall	Serafini
Barley	Fleagle	McGeehan	Seyfert
Barrar	Flick	McGill	Shaner
Bastian	Frankel	McIlhattan	Smith, B.
Battisto	Freeman	McIlhinney	Smith, S. H.
Bebko-Jones	Gannon	McNaughton	Snyder
Belardi	Geist	Melio	Solobay
Belfanti	George	Michlovic	Staback
Bishop	Gigliotti	Micozzie	Stairs
Blaum	Gladeck	Miller, R.	Steelman
Boyes	Godshall	Mundy	Stetler
Browne	Gordner	Myers	Strittmatter

Bunt	Grucela	Nailor	Sturla
Butkovitz	Gruitza	Nickol	Surra
Buxton	Haluska	O'Brien	Tangretti
Caltagirone	Hanna	Oliver	Taylor, E. Z.
Cappabianca	Harhart	Perzel	Taylor, J.
Carn	Hasay	Pesci	Thomas
Casorio	Hennessey	Petrarca	Tigue
Cawley	Hershey	Petrone	Travaglio
Chadwick	Hess	Phillips	Trello
Civera	Horsey	Pippy	Trich
Clark	Hutchinson	Pistella	Tulli
Clymer	Jadlowiec	Platts	Vance
Cohen, L. I.	James	Preston	Van Horne
Cohen, M.	Josephs	Ramos	Veon
Colafella	Kaiser	Raymond	Vitali
Cornell	Keller	Readshaw	Walko
Corrigan	Kenney	Reinard	Waters
Costa	Kirkland	Rieger	Williams
Coy	Krebs	Roberts	Wilt
Curry	LaGrotta	Robinson	Wogan
Dailey	Laughlin	Roeback	Wojnarowski
Daley	Lawless	Rooney	Wright
DeLuca	Lederer	Ross	Yewcic
Dempsey	Lescovitz	Rubley	Youngblood
Dermody	Levdanskyy	Ruffing	Yudichak
DeWeese	Lucyk	Sainato	Zug
DiGirolamo	Major	Samuelson	
Donatucci	Manderino	Santoni	Ryan,
Druce	Mann	Sather	Speaker
Eachus			

NAYS—20

Armstrong	Habay	Mercalfe	Steil
Benninghoff	Leh	Miller, S.	Stern
Birmelin	Lynch	Orie	Stevenson
Fargo	Maher	Rohrer	True
Forcier	Maitland	Schuler	Zimmerman

NOT VOTING—0

EXCUSED—4

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

On the question recurring,

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

Mr. GEORGE offered the following amendment No. A2893:

Amend Title, page 1, line 5, by inserting after "thereto," "establishing the School District Loan Fund and the School District Loan Program;

Amend Title, page 1, line 9, by striking out "and"

Amend Title, page 1, line 10, by removing the period after "funds" and inserting
; and making an appropriation.

Amend Bill, page 1, lines 13 through 16, by striking out all of said lines and inserting

Section 1. Article VI of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding a subdivision to read:

(g) School District Loan Program.

Section 697.1. This subdivision shall be known and may be cited as the "School District Loan Act."

Section 697.2. When used in this subdivision the following words and phrases shall have the following meanings:

"Department" shall mean the Department of Education of the Commonwealth.

"Fund" shall mean the School District Loan Fund established in section 697.3.

Section 697.3. A special fund is hereby established in the State Treasury to be known as the School District Loan Fund. The fund shall be used exclusively for the purposes set forth in this subdivision.

Section 697.4. The department shall establish and administer a School District Loan Program for the purpose of providing loans from the fund to school districts that have school district moneys attached by the court in a legal proceeding initiated by September 26, 1997, involving the investment of school district moneys by any person, broker or investment advisor subject to the act of December 5, 1972 (P.L.1280, No.284), known as the "Pennsylvania Securities Act of 1972." Loan payments shall be returned to the fund.

Section 697.5. Each loan approved by the department under this subdivision shall contain the following terms and conditions:

(1) The loan shall be payable without interest if the school district demonstrates to the department that it is in need of the loan either because of an increase in taxes already levied or to avoid raising taxes in the district. In absence of such proof of need, the loan shall be subject to a rate of interest of one per centum (1%) per annum.

(2) The amount of the loan shall be repaid in full by the school district within thirty-six (36) months of the date the loan moneys are released from the fund to the school district, unless there is ongoing litigation at the time of the release, in which case the school district will be eligible for an extension until such time as the litigation ends or for three years, whichever is shorter.

(3) If the school district receives any proceeds from resolution of the legal proceeding prior to thirty-six (36) months of the date the loan moneys are released from the fund to the school district, the school district shall pay the proceeds to the department up to the amount outstanding on the loan.

(4) If the school district invests any of the loan moneys, it may only do so in an investment program administered by the State Treasurer for school districts and other municipalities.

(5) If the school district fails or refuses to pay the loan back to the account within thirty-six (36) months of the date the loan moneys are released from the account to the school district, the Secretary of Education shall deduct from any appropriated moneys due the school district the amount outstanding on the loan.

(6) None of the loan proceeds may be used to pay for attorney fees.

(7) Other terms and conditions as deemed necessary by the department.

Section 697.6. The department shall develop an application for loans from the fund and all applications for loans must be received within six (6) months of the effective date of this subdivision. No loan shall be approved by the department unless the school district seeking the loan has completed the application and agreed to the terms and conditions required by this subdivision.

Section 697.7. The Secretary of Education may cooperate with school districts and provide assistance to all relevant Federal and State agencies that participate in any legal proceeding initiated on or before September 26, 1997, involving the investment of school district moneys by any person, broker or investment advisor subject to the act of December 5, 1972 (P.L.1280, No.284), known as the "Pennsylvania Securities Act of 1972."

Section 697.8. The Department of Community and Economic Development shall cooperate with and assist the Department of Education in the administration of this subdivision.

Section 697.9. This subdivision shall expire five years from its effective date and any moneys remaining in the fund shall be transferred to the General Fund.

Section 1.1. Sections 917.1-A(h) and 919.1-A(e) of the act, added April 27, 1998 (P.L.270, No.46), are amended to read:

Amend Bill, page 22, by inserting between lines 27 and 28

Section 15.1 The sum of \$72,000,000 is hereby appropriated to the Department of Education for deposit into the School District Loan Fund for the administration of the School District Loan Program and for the issuance of loans under the program. Any moneys in the fund unencumbered and unexpended on June 30, 2001, shall lapse into the General Fund.

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I rise this evening to offer amendment 2893 to SB 652. As many of you know, in the fall of 1997 it was discovered that John Gardner Black, through his companies — Devon Capital Management and Financial Management Sciences, Incorporated — was involved in the largest municipal investment scam in Pennsylvania history. A total of 54 of our school districts, many of them small, rural schools, continue to be out about \$71 million as a result of this man's actions.

Mr. Speaker, my amendment seeks to provide the establishment of a one-time school district loan program administered by the Department of Education and an appropriation of \$72 million. It will be a no-interest loan only if the school district can demonstrate to the department that it is in need of the loan either because of an increase in taxes that has already occurred or to avoid raising taxes in the district. If such need cannot be demonstrated, the loan will be subject to 1 percent interest on the loan.

Mr. Speaker, a school district that demonstrates need and receives a loan under this proposal would have to repay the loan amount in full within 3 years of the date the loan is received. A school district will be eligible for an extension until such time as an ongoing litigation is resolved or for 3 years, whichever is shorter.

Mr. Speaker, on an evening where we have been here more than 20 hours and we are discussing a program that will later come up that will involve \$212 million, responsible legislators as we hopefully all are, we should help these schools to be able to gain the money to operate without raising taxes. We passed this amendment before, the Senate in their supposed wisdom has sat there in an apathetic manner and done nothing, and I am saying that this body, considered the lower body, is the best body to do the people's work.

I ask that we adopt this amendment.

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

Mr. STAIRS. Thank you, Mr. Speaker.

I happened to be standing here, but since you called on me, I will talk.

I support Representative George, and I want to be recognized later on to suspend the rules for my amendment, so— But I support my colleague, Representative George. Thank you.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Erie County, Mr. Boyes.

Mr. BOYES. Thank you, Mr. Speaker.

I would just like to point out for the members general information about the Devon-Black situation and the current status. The House had appointed and recommended an appointment of a bipartisan, bicameral task force headed by the chair, by the

Treasurer of Pennsylvania, Barbara Hafer. Both the Democrat and Republican chairs of the Senate and House Finance Committees serve on that task force. They have had a series of meetings, since Devon-Black was the biggest investment fraud case that had been perpetrated in the Commonwealth of Pennsylvania; we have had a number of meetings on that task force.

The first public meeting of the task force will take place on June 22, and there is going to be one in Pittsburgh and one in Philadelphia, with new-investment-standards legislation that will be introduced this fall so that we cannot have a reoccurrence of the John Gardner Black situation that had happened in the Commonwealth of Pennsylvania to the extent of the investment fraud. But as a matter of information I would like to point out to you, when the Federal court had issued their temporary restraining order initially, that order was lifted, and half of the money was returned to all the people that had invested in the two investment firms of John Gardner Black at that time.

But I also want to point out to the members that the Auditor General, Robert Casey, had issued a very thorough report, and part of his findings was the fact that in a number of these school districts, the people that were responsible for the investments had not checked on the status of those investments or the quality of the investments, and what had happened in that situation was that John Gardner Black was not only the financial adviser, he was advising them to invest in his own investment firm and his own investment companies, and nobody checked on those at the time to see the status of them and how well they were doing. The fiduciary responsibility of the boards at that time did not carry out their responsibility to the existence of the law as we know it today.

There are going to be some meaningful changes forthcoming in this area, but I would also like to point out to the members, when they consider this situation in terms of the establishment of a special fund for the school districts, that the Department of Education has been in contact with them as the trustees and the Federal court trustees and have made second payments to them, and of all the districts that were contacted, there is pending litigation right now in terms of civil suits and recovery. They have also recovered over \$4 million from John Gardner Black by court order that went back to the school districts to recover part of the losses established. There is pending litigation.

We right now, the Department of Education at the last task force meeting, had reported that only one school district asked for an advancement on their school district subsidy payments. Part of the aspect of establishing a loan is maybe an idea that would be considered and should be considered in a very serious aspect, but we ought to let the process work, the public hearings to go forth, and that we have a chance to establish the true extent of the loss of these school districts.

To establish loans right now with the pending civil litigation that is taking place and without the final adjudication by the Federal court and with the Securities and Exchange Commission criminal investigations that are taking place in this matter is sending maybe the wrong signal to the people. It is possible that you might want to consider doing this at a later date, and maybe Mr. George's idea will be an idea that could be better addressed when we are further down the pike here, and we only know of one district right now that has asked the Department of Education for an advance reimbursement.

The SPEAKER pro tempore. Mr. George, for the second time.
 Mr. GEORGE. Mr. Speaker, I appreciate the information that has been relayed by the gentleman from Erie. I only take issue with two instances or statements. The moneys that were in the Black pool still have not been recovered. Two school districts have raised taxes. I know that what he intends to do, he and the State Treasurer, may eliminate the possibility of this happening again, but the laws and the rules regulating up until the time he gets a bill passed are quite ambiguous, and I think with all the programs we have, with all the loans that are being put forth, with all the programs that we insist are necessary for the advancement of our economy and for the betterment of the people who are carrying the load as far as taxation, we would be irresponsible not to pass this amendment. We have already passed it; it is over in the Senate, but we have got to give them a message that we speak and they should listen.

I am asking that we adopt this amendment.

The SPEAKER pro tempore. Mr. Boyes, for the second time.

Mr. BOYES. Thank you, Mr. Speaker.

The only message I want to make sure that we do send is the message that a lot of school districts exercise due diligence in the investment of their funds and following the current law and the current statutes in this particular area, where they checked on the people where they are placing it. These are bond moneys; these are not operating funds for the most part, the moneys that have been lost by the school districts and the ones that are there in the bond funds.

So to be able to take and to make loans at this time, I am just saying we are probably early without a final determination, and we ought to be patient but remindful of the fact that we are asking other taxpayers that have done their job to go in and recognize the ones that have failed to carry out their responsibilities as they should have done in the exercise of due diligence in the investment of their funds.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—112

Battisto	Eachus	Mann	Samuelson
Bebko-Jones	Evans	Markosek	Santoni
Belardi	Frankel	Mayernik	Sather
Belfanti	Freeman	McCall	Serafini
Birmelin	George	McGeehan	Shaner
Bishop	Gigliotti	McGill	Solobay
Blaum	Gladeck	McIlhattan	Staback
Bunt	Gordner	McNaughton	Stairs
Butkovitz	Grucela	Melio	Stelman
Buxton	Gruitza	Michlovic	Stetler
Caltagirone	Habay	Mundy	Sturla
Cappabianca	Haluska	Myers	Surra
Carn	Hanna	Oliver	Tangretti
Casorio	Horsey	Orie	Thomas
Cawley	James	Pesci	Tigue
Cohen, L. I.	Josephs	Petrarca	Travaglio
Cohen, M.	Kaiser	Petrone	Trello
Colafranca	Keiler	Pistella	Trich
Cornell	Kirkland	Preston	Van Home
Corrigan	Krebs	Ramos	Veon
Costa	LaGrotta	Readshaw	Vitali
Coy	Laughlin	Rieger	Walko
Curry	Lederer	Roberts	Waters
Daley	Leh	Robinson	Williams
DeLuca	Lescovitz	Roebuck	Wojnaroski

Dermody	Levdansky	Rooney	Yewcic
DeWeese	Lucyk	Ruffing	Youngblood
Donatucci	Manderino	Sainato	Zug

NAYS—86

Adolph	Fargo	Marsico	Scrimenti
Allen	Feese	Masland	Semmel
Argall	Fichter	McIlhinney	Seyfert
Armstrong	Fleagle	Metcalfe	Smith, B.
Baker	Flick	Micozzie	Smith, S. H.
Bard	Forcier	Miller, R.	Snyder
Barley	Gannon	Miller, S.	Steil
Barrar	Geist	Nailor	Stern
Bastian	Godshall	Nickol	Stevenson
Benningshoff	Harhart	O'Brien	Strittmatter
Boyes	Hasay	Perzel	Taylor, E. Z.
Browne	Hennessey	Phillips	Taylor, J.
Chadwick	Hershey	Pippy	True
Civera	Hess	Platts	Tulli
Clark	Hutchinson	Raymond	Vance
Clymer	Jadlowiec	Reinard	Wilt
Dailey	Kenney	Rohrer	Wogan
Dempsey	Lawless	Ross	Wright
DiGirolamo	Lynch	Rubley	Zimmerman
Druce	Maher	Saylor	
Egolf	Maitland	Schroder	Ryan,
Fairchild	Major	Schuler	Speaker

NOT VOTING—1

Yudichak

EXCUSED—4

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

On the question recurring,

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

The SPEAKER pro tempore. Mr. George, do you have additional amendments to offer?

Mr. GEORGE. Yes; I do, Mr. Speaker.

On the question recurring,

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

Mr. GEORGE offered the following amendment No. A2894:

Amend Title, page 1, line 5, by inserting after "thereto," "establishing the School District Loan Fund and the School District Loan Program;

Amend Title, page 1, line 9, by striking out "and"

Amend Title, page 1, line 10, by removing the period after "funds" and inserting

; and making an appropriation.

Amend Bill, page 1, lines 13 through 16, by striking out all of said lines and inserting

Section 1. Article VI of the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, is amended by adding a subdivision to read:

(g) School District Loan Program.

Section 697.1. Short Title.—This subdivision shall be known and may be cited as the “School District Loan Act.”

Section 697.2. Definitions.—When used in this subdivision the following words and phrases shall have the following meanings:

“Department” shall mean the Department of Education of the Commonwealth.

“Fund” shall mean the School District Loan Fund established in section 697.3.

Section 697.3. School District Loan Fund.—A special fund is hereby established in the State Treasury to be known as the School District Loan Fund. The fund shall be used exclusively for the purposes set forth in this subdivision.

Section 697.4. Program Established.—The department shall establish and administer a School District Loan Program for the purpose of providing loans from the fund to school districts that have school district moneys attached by the court in a legal proceeding initiated by September 26, 1997, involving the investment of school district moneys by any person, broker or investment advisor subject to the act of December 5, 1972 (P.L.1280, No.284), known as the “Pennsylvania Securities Act of 1972.” Loan payments shall be returned to the fund.

Section 697.5. Loan Conditions.—Each loan approved by the department under this subdivision shall contain the following terms and conditions:

(1) The loan shall be payable without interest if the school district demonstrates to the department that it is in need of the loan either because of an increase in taxes already levied or to avoid raising taxes in the district. In absence of such proof of need as determined by the department, the loan shall be subject to a rate of interest of two per centum (2%) per annum.

(2) The amount of the loan for school districts with demonstrated need under clause (1) shall be repaid in full by the school district within thirty-six (36) months of the date the loan moneys are released from the fund to the school district, unless there is ongoing litigation at the time of the release, in which case the school district will be eligible for an extension until such time as the litigation ends or for three years, whichever is shorter. In absence of a demonstration of need under clause (1), the school district shall repay the full amount of the loan within eighteen (18) months of the date the loan moneys are released from the account.

(3) If the school district receives any proceeds from resolution of the legal proceeding prior to thirty-six (36) months of the date the loan moneys are released from the fund to the school district, the school district shall pay the proceeds to the department up to the amount outstanding on the loan.

(4) If the school district invests any of the loan moneys, it may only do so in an investment program administered by the State Treasurer for school districts and other municipalities.

(5) If the school district fails or refuses to pay the loan back to the account within thirty-six (36) months of the date the loan moneys are released from the account to the school district, the Secretary of Education shall deduct from any appropriated moneys due the school district the amount outstanding on the loan.

(6) None of the loan proceeds may be used to pay for attorney fees.

(7) The department may impose such additional terms and conditions as may be necessary.

Section 697.6. Application Form.—The department shall develop an application for loans from the fund and all applications for loans must be received within six (6) months of the effective date of this subdivision. No loan shall be approved by the department unless the school district seeking the loan has completed the application and agreed to the terms and conditions required by this subdivision.

Section 697.7. Department Assistance.—The Secretary of Education may cooperate with school districts and provide assistance to all relevant Federal and State agencies that participate in any legal proceeding initiated on or before September 26, 1997, involving the investment of school district moneys by any person, broker or investment advisor

subject to the act of December 5, 1972 (P.L.1280, No.284), known as the “Pennsylvania Securities Act of 1972.”

Section 697.8. Cooperation.—The Department of Community and Economic Development shall cooperate with and assist the Department of Education in the administration of this subdivision.

Section 697.9. Expiration.—This subdivision shall expire five years from its effective date and any moneys remaining in the fund shall be transferred to the General Fund.

Section 1.1. Sections 917.1-A(h) and 919.1-A(e) of the act, added April 27, 1998 (P.L.270, No.46), are amended to read:

Amend Bill, page 22, by inserting between lines 27 and 28

Section 16. The sum of \$72,000,000 is hereby appropriated to the Department of Education for deposit into the School District Loan Fund for the administration of the School District Loan Program and for the issuance of loans under the program. Any moneys in the fund unencumbered and unexpended on June 30, 2001, shall lapse into the General Fund.

Amend Sec. 16, page 22, line 28, by striking out “16” and inserting
17

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN TEMPORARILY

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

The SPEAKER pro tempore. Do you want to offer a different one?

Mr. GEORGE. If you would listen to my request, please.

I am going to withhold this amendment so that I am sure that the other amendment stays intact. So I will just go over this amendment, and I will run another amendment with your permission.

The SPEAKER pro tempore. Which one would you like to run?

Mr. GEORGE. I would like to run 2895.

The SPEAKER pro tempore. The clerk will read amendment 2895.

On the question recurring,

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

Mr. GEORGE offered the following amendment No. A2895:

Amend Title, page 1, line 9, by inserting after “transportation;”
providing for teacher certification in charter schools;

Amend Bill, page 8, by inserting between lines 17 and 18

Section 6.1. The act is amended by adding a section to read:

Section 1724.1-A. Teacher Certification.—Any professional employe of a charter school who is hired on or after the effective date of this section must hold a State certification.

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the gentleman, Mr. George, is recognized.

Mr. GEORGE. Mr. Speaker, again, on a day when we are talking about schools and public schools and private schools and all kinds of schools, and with all of the discussion several months ago in regard to charter schools, what this amendment simply says, with the fact that the Governor’s Office is insisting that teachers in

a public school ought to receive every 5 years additional certification, and yet in a charter school, 25 percent of those that are teaching need not even have certification, I thought maybe we would make the playing field a little bit more legitimate and we would simply say that we would require that any teacher hired after the effective date of the act must hold State certification if they are employed by a charter school.

I believe we should adopt this amendment.

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

The following roll call was recorded:

YEAS—98

Bebko-Jones	Freeman	McCall	Semmel
Belardi	George	McGeehan	Shaner
Belfanti	Gigliotti	Melio	Solobay
Bishop	Gordner	Michlovic	Staback
Butkovitz	Grucela	Myers	Stairs
Buxton	Gruitza	Oliver	Steelman
Caltagirone	Habay	Pesci	Stetler
Cappabianca	Haluska	Petrarca	Sturla
Carn	Hanna	Petrone	Surra
Casorio	James	Pippy	Tangretti
Cawley	Josephs	Pistella	Thomas
Cohen, L. I.	Kaiser	Preston	Tigue
Cohen, M.	Keller	Ramos	Travaglio
Colafella	Kenney	Readshaw	Trelo
Corrigan	Kirkland	Rieger	Trich
Costa	LaGrotta	Roberts	Van Horne
Coy	Laughlin	Robinson	Veon
Curry	Lederer	Roebuck	Walko
Daley	Lescovitz	Rooney	Waters
DeLuca	Levdansky	Ruffing	Williams
Dermody	Lucyk	Saimato	Wojnaroski
DeWeese	Manderino	Samuelson	Yewcic
Donatucci	Mann	Santoni	Youngblood
Eachus	Markosek	Scrimenti	Yudichak
Frankel	Mayernik		

NAYS—100

Adolph	Fairchild	Marsico	Schroder
Allen	Fargo	Masland	Schuler
Argall	Feese	McGill	Serafini
Armstrong	Fichter	McLhattan	Seyfert
Baker	Fleagle	McIlhinney	Smith, B.
Bard	Flick	McNaughton	Smith, S. H.
Barley	Forcier	Metcalfe	Snyder
Barrar	Gannon	Micozzie	Steil
Bastian	Geist	Miller, R.	Stern
Battisto	Gladeck	Miller, S.	Stevenson
Benninghoff	Godshall	Mundy	Strittmatter
Birmelin	Harhart	Nailor	Taylor, E. Z.
Blaum	Hasay	Nickol	Taylor, J.
Boyes	Hennessey	O'Brien	True
Browne	Hershey	Orie	Tulli
Bunt	Hess	Perzel	Vance
Chadwick	Horsey	Phillips	Vitali
Civera	Hutchinson	Platts	Wilt
Clark	Jadlowiec	Raymond	Wogan
Clymer	Krebs	Reinard	Wright
Cornell	Lawless	Rohrer	Zimmerman
Dailey	Leh	Ross	Zug
Dempsey	Lynch	Rubley	
DiGiroloano	Maher	Sather	Ryan,
Druce	Maitland	Saylor	Speaker
Egolf	Major		

NOT VOTING—1

Evans

EXCUSED—4

Dally Harhai Herman Washington

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

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

The SPEAKER pro tempore. Mr. George, which amendment would you like to offer next?

Mr. GEORGE. We are withdrawing the other amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. Representative Steelman, the Chair understands you would like to make a motion to suspend the rules to offer an amendment. The lady is recognized for that purpose.

Ms. STEELMAN. Thank you, Mr. Speaker.

I would like to suspend the rules, I would ask my colleagues to suspend the rules, in order to permit me to introduce amendment A2995, which would remove the State variable share ceiling on reimbursements to community colleges. There is money available in the budget to provide the rather small amount of funds that would be necessary to do this.

The SPEAKER pro tempore. The lady, Ms. Steelman, moves that the rules of the House be suspended so that she may offer amendment A2995 to SB 652.

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

The following roll call was recorded:

YEAS—111

Baker	Evans	McCall	Shaner
Bard	Frankel	McGeehan	Snyder
Battisto	Freeman	Melio	Solobay
Bebko-Jones	George	Michlovic	Staback
Belardi	Gigliotti	Miller, S.	Stairs
Belfanti	Gordner	Mundy	Steelman
Bishop	Grucela	Myers	Stetler
Blaum	Gruitza	Oliver	Sturla
Browne	Haluska	Pesci	Surra
Butkovitz	Hanna	Petrarca	Tangretti
Buxton	Horsey	Petrone	Thomas
Caltagirone	James	Pippy	Tigue
Cappabianca	Josephs	Pistella	Travaglio

Carn	Kaiser	Preston	Trello
Casorio	Keller	Ramos	Trich
Cawley	Kenney	Readshaw	Tulli
Cohen, M.	Kirkland	Rieger	Van Home
Colafrilla	Krebs	Roberts	Veon
Corrigan	LaGrotta	Robinson	Vitali
Costa	Laughlin	Roebuck	Walko
Coy	Lederer	Rooney	Waters
Curry	Lescovitz	Rubley	Williams
Daley	Levdansky	Ruffing	Wogan
DeLuca	Lucyk	Sainato	Wojnaroski
Dermody	Manderino	Santoni	Yewcic
DeWeese	Mann	Schuler	Youngblood
Donatucci	Markosek	Scrimenti	Yudichak
Eachus	Mayernik	Semmel	

NAYS—88

Adolph	Fargo	Major	Sather
Allen	Feese	Marsico	Saylor
Argall	Fichter	Masland	Schroder
Armstrong	Fleagle	McGill	Serafini
Barley	Flick	McIlhattan	Seyfert
Barrar	Forcier	McIlhinney	Smith, B.
Bastian	Gannon	McNaughton	Smith, S. H.
Berninghoff	Geist	Metcalfe	Steil
Birmelin	Gladeck	Micozzie	Stern
Boyes	Godshall	Miller, R.	Stevenson
Bunt	Habay	Nailor	Strittmatter
Chadwick	Harhart	Nickol	Taylor, E. Z.
Civera	Hasay	O'Brien	Taylor, J.
Clark	Hennessey	Orie	True
Clymer	Hershey	Perzel	Vance
Cohen, L. I.	Hess	Phillips	Wilt
Cornell	Hutchinson	Platts	Wright
Dailey	Jadlowiec	Raymond	Zimmerman
Dempsey	Lawless	Reinard	Zug
DiGirolamo	Leh	Rohrer	
Druce	Lynch	Ross	Ryan,
Egolf	Maher	Samuelson	Speaker
Fairchild	Maitland		

NOT VOTING—0

EXCUSED—4

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

On the question recurring,

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

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Platts, for the purpose of making a motion. The gentleman is recognized.

Mr. PLATTS. Thank you, Mr. Speaker.

I rise to move to suspend the rules to offer amendment 3056 that will seek to correct an oversight in appropriations dealing with vocational agriculture programs in school districts throughout this State. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Platts, moves that the rules of the House be suspended so that he may offer amendment 3056 to SB 652.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

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

NAYS—3

Horsey	Samuelson	Steil
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NOT VOTING—1

Cohen, M.

EXCUSED—4

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

On the question recurring,

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

Mr. PLATTS offered the following amendment No. A3056:

Amend Sec. 10 (Sec. 2502.8), page 13, line 5, by striking out "and" and inserting a comma

Amend Sec. 10 (Sec. 2502.8), page 13, line 7, by inserting after "(b)"

and to vocational agriculture programs in school districts

On the question,

Will the House agree to the amendment?

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

Mr. PLATTS. Thank you, Mr. Speaker.

As the bill is currently drafted, there is language on page 13 that seeks to avoid duplication of our funding for vocational education programs by directing any increases in funding for vocational ed programs to only our vo-tech schools or our school districts that offer eight or more vocational programs. Unfortunately, you will find in many of our districts that agricultural vocational education programs are only offered at your local school district. York County, you cannot get a vocational agricultural program at the vo-tech school. What we are seeking to do with this amendment is just add some language that will say that the new funding will go to our vo-tech schools, school districts with eight or more programs, and vocational agricultural programs in our local school districts.

I believe this was just an oversight when the language was prepared and adopted in the Senate, and I would appreciate a "yes" vote. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Montgomery County, Mr. Godshall.

Mr. GODSHALL. Mr. Speaker, I think this amendment just came up on the screen. We do not have the amendments at our desk; they are supposed to be on the screen, and as of about 10 seconds ago we were still back on the George amendment, missing a couple in between. So, you know, it would be nice to have the amendments before us before we vote on them -- on the computer.

The SPEAKER pro tempore. The Chair understands it is on the screens now.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS-199

Adolph	Fairchild	Markosek	Schroder
Allen	Fargo	Marsico	Schuler
Argall	Feese	Masland	Scrimenti

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

NAYS-0

NOT VOTING-0

EXCUSED-4

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

On the question recurring,

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

RULES SUSPENDED

The SPEAKER pro tempore. For what purpose does the gentleman, Mr. Stairs, rise?

Mr. STAIRS. Thank you, Mr. Speaker.

I rise at this time to ask for a suspension of the rules to introduce amendment 2985, which would address the concerns in

special education which over 125 members of this House had signed onto earlier in the year.

The SPEAKER pro tempore. Mr. Stairs, we do not have that at the desk. Did you submit it—

Mr. STAIRS. Yes.

The SPEAKER pro tempore. —up front?

Mr. STAIRS. I submitted the amendment and also a fiscal note, too.

The SPEAKER pro tempore. Thank you.

Mr. STAIRS. The members have it back here at the seats, though.

The SPEAKER pro tempore. The gentleman, Mr. Stairs, moves that the rules of the House be suspended so that he may offer amendment A2985 to SB 652.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—196

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

NAYS—2

Krebs Steil

NOT VOTING—1

Horsey

EXCUSED—4

Dally Harhai Herman Washington

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

On the question recurring,

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

Mr. STAIRS offered the following amendment No. A2985:

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

Amend Title, page 1, line 10, by removing the period after “funds” and inserting

; and providing for an aid ratio guarantee.

Amend Bill, page 21, by inserting between lines 23 and 24

Section 15. The act is amended by adding a section to read:

Section 2509.12. Aid Ratio Guarantee.—During the 1999-2000 school year and each school year thereafter, the Commonwealth shall pay to each school district the greater of:

(a) the Commonwealth payments to the school district pursuant to section 2509.5 during the prior school year;

(b) the amount due the school district under section 2509.5; or

(c) the product of:

(1) the district's market value/personal income aid ratio reported by the Department of Education for the current school year or five thousand ten thousandths (.5000), whichever is greater; and

(2) the district's expenditures on special education programs in the school year three (3) years before the year for which these payments are to be made. For the calculation under this subsection, a district's expenditures on special education programs shall be:

(i) For each school district belonging to an intermediate unit, the boundary of which is not coterminous with that of the district, the amount reported for function code 1200-000 on its Annual Financial Report (PDE-2057) as certified by the Department of Education on the date the Commonwealth's budget is enacted for that school year.

(ii) For each school district belonging to an intermediate unit, the boundary of which is coterminous with that of the district, the amount reported by the intermediate unit as “Total Available for Instruction” on its Final Expenditure Report—Special Education Programs (PDE-2115) as certified by the Department of Education on the date the Commonwealth's budget is enacted for that school year.

Amend Sec. 15, page 21, line 24, by striking out “15” and inserting 16

Amend Sec. 16, page 22, line 28, by striking out “16” and inserting 17

On the question,

Will the House agree to the amendment?

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

Mr. STAIRS. Thank you, Mr. Speaker.

The amendment that I am referring to is HB 16, and as I said in the suspension request, over 125 members of this chamber signed on as cosponsors.

So at this time I am asking that these members address the grave, grave concern in our school districts with regard to special education. Each one of you know the need. I am sure you have been contacted by your school directors or your administrators and your parents and teachers in your school districts to this crucial need to relieve the school districts of the money, the financial strain, and they must raise property taxes. So I am asking if the State would change their distribution and come to the rescue of this very great crisis out in our school districts.

So I would ask the members to support this very important amendment.

The SPEAKER pro tempore. The gentleman from Beaver County, Mr. Colafella, on the amendment.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, I rise also to support the Stairs amendment. It is something that school districts are yearning for and they need it badly, and I would hope that we would all support the Stairs amendment.

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

The following roll call was recorded:

YEAS—199

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

DeLuca	Lescovitz	Rooney	Wright
Dempsey	Levdansky	Ross	Yewcic
Dermody	Lucyk	Rublely	Youngblood
DeWeese	Lynch	Ruffing	Yudichak
DiGirolamo	Maher	Sainato	Zimmerman
Donatucci	Maitland	Samuelson	Zug
Druce	Major	Santoni	
Eachus	Manderino	Sather	Ryan,
Egolf	Mann	Saylor	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—4

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

The following roll call was recorded:

YEAS—194

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

Corrigan	Kirkland	Readshaw	Vitali
Costa	Krebs	Reinard	Walko
Coy	LaGrotta	Rieger	Waters
Curry	Laughlin	Roberts	Williams
Dailey	Lawless	Robinson	Wilt
Daley	Lederer	Roebuck	Wogan
DeLuca	Leh	Rohrer	Wojnaroski
Dempsey	Lescovitz	Rooney	Wright
Dermody	Levdansky	Ross	Yewcic
DeWeese	Lucyk	Rublely	Yudichak
DiGirolamo	Lynch	Ruffing	Zimmerman
Donatucci	Maher	Sainato	Zug
Druce	Maitland	Samuelson	
Eachus	Major	Santoni	Ryan,
Egolf	Mann	Sather	Speaker

NAYS-5

Bishop	Manderino	Thomas	Youngblood
Josephs			

NOT VOTING-0

EXCUSED-4

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

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

LEAVE OF ABSENCE

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the gentleman, Mr. Cohen, who requests that the gentleman from Allegheny County, Mr. MAYERNIK, be placed on leave. The Chair hears no objection, and the leave is granted.

SUPPLEMENTAL CALENDAR D

RULES SUSPENDED

The SPEAKER pro tempore. Supplemental calendar D, SB 572, PN 1236.

The Chair recognizes the gentleman, Mr. Barley, for the purpose of making a motion.

Mr. BARLEY. Thank you, Mr. Speaker.

Mr. Speaker, I move that we suspend the rules so that we can accommodate the amendment to the bill.

The SPEAKER pro tempore. The gentleman, Mr. Barley, moves that the rules of the House be suspended so that we may immediately consider SB 572, PN 1236.

Does the gentleman, Mr. Veon, seek recognition on the motion?

To reiterate, the gentleman, Mr. Barley, has moved that the rules of the House be suspended so that the House may immediately consider SB 572, PN 1236.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS-197

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

NAYS-1

Krebs

NOT VOTING-0

EXCUSED-5

Dally	Herman	Mayernik	Washington
Harhai			

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

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 572, PN 1236**, entitled:

A Supplement to the act of May 13, 1999 (P.L. , No.6), known as the Capital Budget Project Itemization Act for 1999-2000, itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, redevelopment assistance and redevelopment assistance capital projects, flood control projects, Keystone Recreation, Park and Conservation projects and forestry bridge projects to be constructed or acquired or assisted by the Department of General Services, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Community and Economic Development, the Department of Transportation, the Pennsylvania Fish and Boat Commission or the Pennsylvania Game Commission, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Conservation and Natural Resources, the Department of Environmental Protection, the Department of Community and Economic Development or the Department of Transportation; stating the estimated useful life of the projects; authorizing certain waivers; making appropriations; and making repeals.

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

Mr. **BARLEY** offered the following amendment No. **A3020**:

- Amend Sec. 3, page 155, by inserting between lines 11 and 12
 - (B) Construction and rehabilitation of the Pennsylvania Farm Show Complex 100,000,000
(Base Project Allocation - \$90,000,000)
(Design and Contingencies - \$10,000,000)
- Amend Sec. 3, page 155, by inserting between lines 18 and 19
 - (B) Purchase and installation of traffic control devices, Greentree Road 250,000
 - (C) Port of Pittsburgh Commission, lower Monongahela Improvement Project, dredging and terminal improvements 45,000,000
- (ii) Carbon County
 - (A) East Side Borough, reconstruction and rehabilitation of school building for use as borough offices, meeting hall and senior citizen community facility 60,000
 - (B) Mahoning Township, land acquisition for the construction of new township offices and police station 300,000
 - (C) Banks Township, design and construction of township office and community activity building 145,000
 - (D) County Project, design and construction of new building or acquisition and rehabilitation of existing building for county operations facility 1,500,000
- (iii) Schuylkill County
 - (A) Foster Township, design and construction of municipal building 350,000

- (B) Borough of St. Clair, design and construction of police station 350,000
 - (C) Borough of Tremont, interior and exterior repair and reconstruction of Tremont area community center including roof, windows, waterproofing, doors painting and HVAC systems 385,000
 - (D) Hubley Township, design and construction of municipal building 250,000
 - (E) Borough of Ringtown, design and construction of municipal building 250,000
 - (F) Rush Township, construction of township building including original furniture and equipment 600,000
 - (G) Borough of Mahanoy City, design and construction of Mahanoy Area Train Station Depot/Museum 200,000
 - (H) North Manheim Township, additions and modification to township building 258,000
 - (I) Borough of Cressona, renovation of salt storage building and construction of additional garage space 100,000
- Amend Sec. 3, page 156, by inserting between lines 2 and 3
(B) Construction of an arts building 100,000
- Amend Sec. 3, page 156, by inserting between lines 18 and 19
(D) Renovation and expansion of administration building 850,000
- Amend Sec. 3, page 156, by inserting between lines 23 and 24
(B) Pymatuning Trail development between Linesville and Jamestown Boroughs 700,000
- Amend Sec. 3, page 162, by inserting between lines 19 and 20
(C) Acquisition of community hospital building and conversion to dormitory and classroom facilities 6,400,000
(Base Project Allocation - \$2,000,000)
(Land Allocation - \$4,000,000)
(Design and Contingencies - \$400,000)
- Amend Sec. 3, page 163, lines 18 through 20, by striking out all of said lines and inserting
building 7,200,000
(Base Project Allocation - \$6,000,000)
- Amend Sec. 3, page 164, by inserting between lines 16 and 17
(E) Johnstown Campus
(I) Expansion of the Pasquerilla Performing Arts Center 2,000,000
(II) Expansion and renovation of the Sports Center 1,750,000
- Amend Sec. 3, page 166, lines 27 through 30, by striking out all of said lines and inserting
(C) Greenwald flood control project 2,450,000
(Base Project Allocation - \$2,000,000)
(Design and Contingencies - \$450,000)
- Amend Sec. 3, page 167, by inserting between lines 10 and 11
(I) Turtle Creek flood wall project 950,000

Amend Sec. 3, page 167, by inserting between lines 17 and 18 (ii.1) Beaver County		State Routes 1017 and 1477, Rush Township	230,000
(A) Dredging of Beaver River	2,500,000	(E) Dredging of Shenandoah Creek and reconstruction of creek walls and Kohinor Creek culvert, Borough of Shenandoah	425,000
Amend Sec. 3, page 168, by inserting between lines 25 and 26 (vii.1) Carbon County		(F) Construction of storm drains for runoff on West Oak Street, Borough of Frackville	467,000
(A) Reconstruction of flood-damaged retaining wall to support street, City of Jim Thorpe	150,000	(G) Storm water management improvements including construction of inlets and installation of piping and construction of bituminous swales and roll curb on Coal Street, Village of Upper Brownsville, West Mahanoy Township	110,000
Amend Sec. 3, page 169, by inserting between lines 1 and 2		Amend Sec. 3, page 177, by inserting between lines 17 and 18	
(C) Milesburg Borough Water Authority water system project	1,600,000	(B) Development of major hotel in conjunction with expansion of Lawrence Convention Center	27,000,000
Amend Sec. 3, page 173, by inserting between lines 4 and 5		Amend Sec. 3, page 177, by inserting between lines 24 and 25	
(B) Study and survey of the lower reaches of the Little Lehigh River	100,000	(C) Repair of brick facade and upgrade of capital equipment, Erie Civic Center	2,040,000
(C) Phoenix Square waterway obstruction removal project, City of Allentown	145,000	(Base Project Allocation - \$1,700,000) (Design and Contingencies - \$340,000)	
(D) Storm sewer extension into Alton Park	185,000	(D) Erie Art Museum, acquisition, design and construction of the Erie Art Museum Annex and shared facilities connector building	18,000,000
(E) Lehigh Street/33rd Street drainage improvement project, Salisbury Township	1,200,000	(Base Project Allocation - \$14,400,000) (Design and Contingencies - \$3,600,000)	
Amend Sec. 3, page 173, by inserting between lines 12 and 13 (xix.1) Lycoming County		Amend Sec. 3, page 181, by inserting between lines 22 and 23	
(A) Integrated Flood Forecasting System - urban area topography study including hydrologic studies, stream and rain gauging and flood inundation mapping	1,500,000	(x) Armory at Pottsville	
(B) Lower Lycoming Creek flood mitigation	1,800,000	(A) Capital improvements to armory for reuse as youth center	200,000
(C) Countywide Flood Hazard Mitigation Program	500,000	(xi) Greene County Armory, land and building acquisition, demolition, construction and improvements	750,000
(D) McClure's Run stream restoration project including culvert replacement, Loyalsock Township	117,000	(xii) Greene County Armory, rehabilitation of armory	500,000
(E) Muncy Creek stream restoration project, Muncy Creek Township	740,000	Amend Sec. 3, page 182, by inserting between lines 12 and 13	
(F) Hagerman's Run flood control project including the rehabilitation and upgrade of conduit, South Williamsport Borough	1,000,000	(B) Petry Building, installation of central air conditioning	3,600,000
(xix.2) Monroe County		(Base Project Allocation - \$3,000,000) (Design and Contingencies - \$600,000)	
(A) East Stroudsburg Borough, reconstruction of dam spillway and development of Well No.4	1,000,000	Amend Sec. 3, page 184, line 25, by striking out all of said line and inserting	
Amend Sec. 3, page 174, by inserting between lines 3 and 4		(i) Bloomsburg University	
(D) Renovation of city watershed	1,000,000	(A) Restoration of Carver Hall Tower	3,000,000
(E) City of Bethlehem, renovation of storm water system	1,500,000	(B) Addition or renovation of Redman Stadium	2,200,000
(F) Williams Township, bridge replacement, storm water management/maintenance renovation	1,058,000	(C) Renovation of Ben Franklin Building	5,220,000
Amend Sec. 3, page 174, by inserting between lines 16 and 17		(ii) California University	
(C) Cumbola Village flood protection project, Blythe Township	1,800,000	(A) Renovation of Old Industrial Arts Facility	6,773,000
(Base Project Allocation - \$1,500,000) (Design and Contingencies - \$300,000)		(B) Construction of University Support Facility	4,181,000
(D) Construction of storm water system at Vernon Miller and Crest Street to reduce flooding along			

Amend Sec. 3, page 184, line 26, by striking out "(A)" and inserting (C)

Amend Sec. 3, page 184, line 30, by striking out "(B)" and inserting (D)

Amend Sec. 3, page 185, line 1, by striking out "(II)" and inserting (iii)

Amend Sec. 3, page 185, line 19, by striking out all of said line and inserting

(I) Renovation of Foster Union	4,896,000
(J) Construction of President's Residence	650,000

(iv) Clarion University

(A) Renovation of Becht Hall	5,506,000
(B) Construction of parking deck	5,700,000
(C) Addition/renovation of Marwick-Boyd Fine Arts Center	7,085,000
(D) Modify facilities for ADA compliance	3,624,000
(E) Renovate Moore Hall	1,107,000
(F) Renovate and expand Tippin Gymnasium	5,954,000
(G) Renovate Still Hall	6,012,000

(v) East Stroudsburg University

(A) Renovation and expansion of existing Eiler-Martin Stadium Complex (Base Project Allocation - \$2,688,000) (Design and Contingencies - \$538,000)	3,226,000
(B) Renovation and expansion of the Abeloff Convocation Center (Base Project Allocation - \$4,083,000) (Design and Contingencies - \$817,000)	4,900,000
(C) Environmental safety and mid life renovations, Fine and Performing Arts Center (Base Project Allocation - \$900,000) (Design and Contingencies - \$180,000)	1,080,000
(D) New athletic complex (Base Project Allocation - \$16,239,000) (Design and Contingencies - \$3,248,000)	19,487,000
(I) New stadium complex	\$9,677,000
(II) New baseball field	\$1,445,000
(III) New softball field	\$867,000
(IV) Parking (1,000 spaces)	\$1,000,000
(V) Access road, sidewalks, etc.	\$1,400,000
(VI) Land acquisition (37 acres)	\$1,850,000
(E) Construction of parking garage	9,228,000

Amend Sec. 3, page 185, line 20, by striking out "(A)" and inserting (F)

Amend Sec. 3, page 185, line 24, by striking out "(IV)" and inserting

(vi)

Amend Sec. 3, page 185, by inserting between lines 29 and 30

(D) Renovation of Academy Hall	1,891,000
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(E) Renovation of Cooper Science, Phase II	10,658,000
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Amend Sec. 3, page 185, line 30, by striking out "(V)" and inserting (vii)

Amend Sec. 3, page 186, line 10, by striking out all of said line and inserting

(E) Academic Sciences Building (Base Project Allocation - \$17,695,000) (Design and Contingencies - \$3,539,000)	21,234,000
(F) Parking garage (Base Project Allocation - \$7,690,000) (Design and Contingencies - \$1,538,000)	9,228,000

(viii) Kutztown University

Amend Sec. 3, page 186, line 12, by striking out all of said line and inserting

Performing Arts Learning Center	19,550,000
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Amend Sec. 3, page 186, by inserting between lines 14 and 15

(C) Renovation of Sharidan Arts Building	8,584,000
(D) Renovation of Lytle Building	503,000
(E) Life Cycle Renovation Kemp Building	508,000

Amend Sec. 3, page 186, line 15, by striking out "(VII)" and inserting

(ix)

Amend Sec. 3, page 186, by inserting between lines 23 and 24

(C) Renovation of Russell Hall	5,760,000
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(x) Mansfield University

(A) Renovation of Butler Center and Steadman Theatre	10,848,000
(B) Upgrade campus infrastructure, phase II	3,223,000
(C) Renovation and addition to President's Residence	275,000

(xi) Millersville University

(A) Renovation of Palmer Bishop	2,845,000
(B) Addition/renovation of Theatre Arts Education Building	12,200,000
(C) Upgrade campus infrastructure	4,120,000
(D) Construction of Sports Education Center	10,257,000

(xii) Shippensburg University

(A) Renovation of steam distribution system	6,660,000
(B) Renovation of the electrical distribution system	8,729,000

(xiii) Slippery Rock University

(A) Addition to North Lodge, McKeever Environmental Learning Center	697,000
(B) Expansion of dining hall, McKeever Environmental Learning Center	568,000
(C) Construction of McKeever Conference Center (Base Project Allocation - \$2,786,000) (Design and Contingencies - \$557,000)	3,343,000

(xiv) West Chester University

(A) Construction of School of Music (Base Project Allocation - \$16,922,000)	21,214,000
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(Land Allocation - \$907,000)
 (Design and Contingencies - \$3,385,000)

(B) Construction of Conference Center 20,338,000
 (Base Project Allocation - \$16,440,000)
 (Land Allocation - \$793,000)
 (Design and Contingencies - \$3,105,000)

(C) Construct vehicle parking garage 16,578,000

(D) Renovation of E. O. Bull Center 9,438,000

Amend Sec. 4, page 191, line 17, by striking out all of said line and inserting

Heating systems, DGS
 800-207 100,000

Amend Sec. 4, page 194, by inserting between lines 9 and 10

(ii) Erie Art Museum

(A) Original furniture and equipment for the Erie Art Museum and the shared facilities connector building 2,000,000

Amend Sec. 4, page 194, by inserting between lines 15 and 16

(B) Original furniture and equipment, Foster Union Building 480,000

(C) Original furniture and equipment, Humphrey's Hall 380,000

(D) Original furniture and equipment, Emlen Hall 495,000

(ii) Clarion University

(A) Original furniture and equipment for Pierce Science Center 1,980,000

(B) Original furniture and equipment for Becht Hall 511,000

(C) Original furniture and equipment for Marwick-Boyd Fine Arts Center 709,000

Amend Sec. 4, page 194, line 16, by striking out "(II)" and inserting

(iii)

Amend Sec. 5, page 195, by inserting between lines 9 and 10

(1.1) Area Transportation Authority of North Central PA

(i) Construction of a compressed natural gas fueling station at the Dubois facility 345,000

Amend Sec. 5, page 195, line 10, by striking out "(1.1)" and inserting

(1.2)

Amend Sec. 5, page 196, by inserting between lines 9 and 10

(4.1) Dubois-Falls Creek, Sandy Township Joint Transportation Authority (DUFASST)

(i) Acquisition of new transit buses 350,000

Amend Sec. 5, page 196, line 13, by striking out all of said line and inserting

transit coaches 210,000

(5.1) Erie Metropolitan Transit Authority

(i) Acquisition of Rolling Stock 475,000

Amend Sec. 5, page 196, by inserting between lines 24 and 25

(ii) Purchase of 30 transit buses 1,491,000
 (Base Project Allocation - \$1,491,000)

Amend Sec. 5, page 198, by inserting between lines 3 and 4

(xxii) Fiscal year 2000-2001 Federal Flex 1,290,000

(xxiii) Fiscal year 2001-2002 Federal Flex 1,290,000

(xxiv) Stage II Light Rail Transit 35,000,000

(9.1) Schuylkill Transportation System

(i) Purchase of automated vehicle location and mobile data system, Borough of St. Clair 500,000

(ii) Upgrade vehicle maintenance equipment, Borough of St. Clair 125,000

(iii) Purchase of three new accessible buses and one new support vehicle for service expansion 375,000

Amend Sec. 5, page 198, lines 28 and 29, by striking out all of said lines and inserting

Projects 17,637,000
 (Base Project Allocation - \$17,637,000)

Amend Sec. 5, page 199, by inserting between lines 11 and 12

(xvi) Cross County Metro 1,667,000
 (Base Project Allocation - \$1,667,000)

Amend Sec. 5, page 200, by inserting between lines 13 and 14

(11.1) Venango County Transportation Service

(i) Acquisition of new transit buses 100,000

Amend Sec. 5, page 200, lines 17 and 18, by striking out all of said lines and inserting

transit facility 750,000
 (Base Project Allocation - \$750,000)

Amend Sec. 5, page 201, by inserting between lines 11 and 12

(1.1) Allegheny County

(i) Purchase Rook Yard and right-of-way south to Bridgeville from Wheeling and Lake Erie Railroad for use as new transportation corridor 16,500,000

(ii) Kiski Junction Railroad, rail construction on the Old Pennsylvania Railroad Allegheny Branch between Schenley and Ford City 3,616,000

Amend Sec. 5, page 202, line 17, by striking out all of said line and inserting

54, inclusive 2,000,000

Amend Sec. 5, page 202, by inserting between lines 22 and 23

(7.1) Huntingdon County

(i) Mount Union Connecting Railroad, rail yard development and translocation station 100,000

Amend Sec. 5, page 203, by inserting between lines 11 and 12

(ii) Luzerne County Redevelopment Authority

(A) Acquisition and rehabilitation of 56-mile segment of railroad to include roadbed and track materials from Pocono Northeast Railroad in Luzerne and Lackawanna Counties 7,800,000

(9.1) Monroe County

(i) Monroe Rail Authority

(A) Improvement and upgrade of ten railroad crossings 1,500,000

(B) Construction of an intramodal transportation facility at Gateway along I-80 25,000,000

(C) Construction of Intramodal facility at Routes 191/447 1,250,000

Amend Sec. 5, page 216, by inserting between lines 13 and 14

(3.1) Bradford Regional Airport Authority

(i) Improvements to airport, including, but not limited to, runways, taxiways, hangars and other facilities 4,115,000

Amend Sec. 5, page 216, by inserting between lines 16 and 17	
(ii) Construction of aircraft storage hangar	320,000
(iii) Replace roof on existing aircraft storage hangar	80,000
(iv) Convert former shop and storage area to office space	75,000
(v) Ramp improvements for main area terminal and hangar No.3	280,000
(vi) Construct northwest ramp and associated taxiways	650,000
(vii) Runway extension	350,000
(4.1) Corry-Lawrence Airport Authority	
(i) Improvements to airport, including, but not limited to, runways, taxiways, hangars and other facilities	1,375,000
Amend Sec. 5, page 217, by inserting between lines 19 and 20	
(ii) Dubois-Jefferson County Airport	
(A) Improvements to airport, including, but not limited to, runways, taxiways, hangars and other facilities	1,855,000
Amend Sec. 5, page 217, by inserting between lines 23 and 24	
(8.1) Lycoming County Airport	
(i) Repair and replacement of hangar facilities	1,000,000
Amend Sec. 5, page 217, line 27, by striking out all of said line and inserting	
combination	2,100,000
Amend Sec. 5, page 217, by inserting after line 30	
(10.1) Northampton County	
(i) Lehigh Valley International Airport	
(A) Land acquisition and runway development	10,000,000
(10.2) Pottstown Municipal Airport	
(i) Replace airport hangars destroyed by winter storms	180,000
(10.3) Reading Regional Airport Authority	
(i) Capital improvements	5,000,000
(ii) Rehabilitate and expand terminal building	3,500,000
(iii) North apron site preparation for t-hangars	100,000
(iv) South apron site preparation for corporate hangar	300,000
(v) Expand snow removal equipment building	250,000
(vi) Install above ground fuel tanks for airport equipment	30,000
(vii) Rehabilitate sanitary sewer	350,000
(viii) Replace fire hydrants	50,000
(ix) Rehabilitate water distribution center	250,000
(x) Renovate and expand waste water treatment plant	350,000
(10.4) St. Marys Area Airport Authority	
(i) Improvements to airport, including, but not limited to, runways, taxiways, hangars and other facilities	840,000
Amend Sec. 5, page 218, by inserting between lines 4 and 5	
(11.1) Venango Regional Airport	
(i) Acquire aircraft ground service equipment and construct storage building	150,000
(ii) Seal and rejuvenate taxiways D and F	150,000
(iii) Refurbish hangar and install new hangar door	150,000

(iv) Repave runway	900,000
(v) Easement and property acquisition	350,000
(vi) Obstruction removal	110,000
(vii) Extension of runway	4,000,000
(viii) Development of hangar taxiway and hangar site	1,900,000
(ix) Construct t-hangars	400,000
Amend Sec. 6, page 220, lines 29 and 30; page 221, line 1, by striking out all of said lines on said pages and inserting	
(A) Eastgate Commerce Center redevelopment, including the development of the Industry Road Complex, rehabilitation of the Pipe Mill, Phase II of the McKees Point Marina and the rehabilitation of the Lysle Boulevard and Sixth Avenue parking garages	5,000,000
Amend Sec. 6, page 225, by inserting between lines 23 and 24	
(VV) Meadowcroft Rock Shelter, renovation of visitors' access and exhibit development	2,000,000
(WW) Carnegie Furnace brownfield redevelopment	20,000,000
(XX) Mixed use development of a parcel adjacent to the Fawn Township Municipal Building, Fawn Township	2,202,000
(YY) Glassport redevelopment	7,500,000
(ZZ) McKeesport multi-occupancy building construction	2,569,000
(AAA) Mixed use development 7th and Duquesne, including parking garage and cabaret theater and restaurant	2,700,000
(BBB) Baptist Road Park	100,000
(CCC) Beetle Park rehabilitation, Jefferson Hills	95,000
(DDD) Bethel Park Community Center	100,000
(EEE) Carnegie Free Library - rehabilitation of the Grand Army Republic Room	500,000
(FFF) Carnegie Mall, Phase II	1,036,000
(GGG) Construction of building for the Jefferson Hills Fire Department	1,000,000
(HHH) Pittsburgh First Night	225,000
(III) Glenwood/Hazelwood industrial site acquisition	7,500,000
(JJJ) McKeesport City Center redevelopment	6,590,000
(KKK) Borough of Churchill, development of a multipurpose facility for the Boroughs of Chalfant, Forest Hills, Churchill and Wilkins Township	2,000,000
(LLL) McKeesport Development Project, redevelopment of the former McKeesport National Works site into the Riverplace and other commercial improvements	6,590,000
(MMM) McKeesport Development Project, multi-occupancy building, development of a 30,000-square-foot speculative	

industrial building on the site of the former USX McKeesport National Works site	2,569,000
Amend Sec. 6, page 230, by inserting between lines 19 and 20 (xliii) Buhl Planetarium	
(A) Acquisition and renovations to the former Buhl Planetarium for purposes of Italian American Cultural Center	1,000,000
(xliv) Allegheny County Hospital Development Authority	
(A) Children's Hospital of Pittsburgh, renovations and improvements of 6th floor operating room and ICU	10,700,000
(B) Children's Hospital of Pittsburgh, renovations of existing emergency department and new second floor patient care areas	4,700,000
Amend Sec. 6, page 231, line 3, by striking out all of said line and inserting	
Hills Industrial Park	1,850,000
Amend Sec. 6, page 231, by inserting between lines 12 and 13	
(H) Armstrong County multitenant facility, construction of a 30,000-square-foot multitenant facility within the Slate Lick Industrial Park	950,000
(I) Schenley Industrial Park, railroad yard improvements in the park	1,000,000
Amend Sec. 6, page 233, by inserting between lines 25 and 26	
(B) Construction of Old Bedford Village Cultural Heritage Center, including displays on Native American heritage in South-Central Pennsylvania	2,000,000
(C) Bedford Springs Hotel and Resort, Phase II	16,000,000
(D) Bedford County Business Park multi-tenant facility	1,500,000
(E) Bedford County Business Park, Phase II	5,000,000
Amend Sec. 6, page 233, line 29, by striking out all of said line and inserting	
Stadium	4,800,000
Amend Sec. 6, page 235, by inserting between lines 9 and 10	
(P) Berks County Convention Center	8,000,000
(Q) Improvements to the Regional Training Facility for police and safety personnel	7,500,000
Amend Sec. 6, page 235, by inserting after line 30	
(B) Upgrade of the Sewage Treatment Plant	2,210,000
(x) Borough of Bernville	
(A) Upgrade of the Sewage Treatment Plant	3,700,000
(xi) Cumru Township	
(A) Improvements to the Fire Training Center Burn Building	2,500,000
Amend Sec. 6, page 236, by inserting between lines 5 and 6	
(B) Blair County baseball field and stadium, Phase II	2,200,000
(C) Northern I-99 Enterprise Zone Development Project including the Tyrone Gateway, Vail Bald Eagle	

Business Park and Tipton Corridor redesign and access improvements	7,500,000
(D) Tyrone Streetscape, Borough of Tyrone	4,500,000
Amend Sec. 6, page 236, by inserting between lines 13 and 14	
(D) Altoona Heritage Discovery Center, development of a downtown economic and educational mixed use facility	3,750,000
(E) Altoona Transportation Gateway Project	5,000,000
Amend Sec. 6, page 238, by inserting between lines 4 and 5	
(B) Construction of Community Center in Croydon Section	2,400,000
Amend Sec. 6, page 239, lines 7 and 8, by striking out all of said lines and inserting	
(xiv) Doylestown Borough	
(A) Expansion of James A. Michener Art Museum	3,000,000
(B) Parking garage to be used for visitor parking for the Mercer Museum, James A. Michener Art Museum and the Bucks County Free Library	3,000,000
(C) Creation of bike and hike trail	3,000,000
(D) Land acquisition for preservation of open space adjacent to Delaware Valley College	3,000,000
(xv) Morrisville Borough	
(A) Restoration of 1896 Pumphouse Facility	1,200,000
(xvi) Upper Southampton Township	
(A) Infrastructure improvements and capital acquisitions	3,700,000
(xvii) County Projects	
(A) Lower Bucks Regional History and Culture Center	6,000,000
(B) James A. Michener Library	2,000,000
(C) Acquisition of Van Sant Airport property for preservation and designation as a historic airfield	750,000
Amend Sec. 6, page 239, line 9, by striking out "(XV)" and inserting	
(xviii)	
Amend Sec. 6, page 239, by inserting between lines 13 and 14	
(B) Expansion of Butler Community Development Corporation water system at the Butler County Business Park to other key sites	1,988,000
(C) Expansion of water lines for 400 acre site for business park, Chicora Borough	1,000,000
(D) Construction of the Butler County Fire School and acquisition of original equipment	1,638,000
Amend Sec. 6, page 239, lines 27 through 30, by striking out all of said lines	
Amend Sec. 6, page 240, by inserting between lines 3 and 4	
(iv) Penn Township	
(A) Sewer improvements	4,000,000
(v) Middlesex Township	
(A) Sewer improvements	10,000,000
(vi) Adams Township	
(A) Sewer improvements	600,000
(vii) West Sunbury	
(A) Water system improvements	500,000

(viii) Butler County Community College	
(A) Construction of a new running track and baseball field	290,000
(ix) Lyndora Borough	
(A) Construction of American Legion Community Center including infrastructure improvements and land acquisition	1,000,000
Amend Sec. 6, page 240, by inserting between lines 11 and 12	
(iii) Loretto Borough	
(A) Southern Alleghenies Museum of Art	5,000,000
(iv) Adams Township	
(A) Renovation and site development of Saint Michael Heritage District	1,400,000
Amend Sec. 6, page 240, line 12, by striking out "(III)" and inserting	
(v)	
Amend Sec. 6, page 240, by inserting between lines 17 and 18	
(C) Acquisition and renovations for the Manufacture Water Company	2,000,000
(11.1) Cameron County	
(i) County Projects	
(A) Renovation and addition of the Cameron County Courthouse and Annex building	3,000,000
(B) Upgrade to the Mid-Cameron County Authority Sewage Treatment Plant	3,350,000
Amend Sec. 6, page 240, by inserting between lines 24 and 25	
(iii) Moshannon Valley Economic Development Partnership	
(A) Construction of an industrial site on land located along PA Route 322, east of Phillipsburg	1,865,000
(iv) Chamber of Business and Industry of Centre County	
(A) Development of Phase III of the Penn Eagle Industrial Park	1,741,000
Amend Sec. 6, page 240, line 25, by striking out "(III)" and inserting	
(v)	
Amend Sec. 6, page 240, by inserting after line 30	
(B) Preservation of the Brandywine Battlefield, Meetinghouse Road Corridor including land acquisition and the acquisition of easements	6,000,000
Amend Sec. 6, page 241, line 9, by striking out all of said line and inserting	
including the acquisition of land	3,000,000
Amend Sec. 6, page 241, by inserting between lines 26 and 27	
(x) Chester County Intermediate Unit	
(A) Provide fiber optic lines to all public schools in Chester County for video instruction, communications and data management	4,700,000
(xi) Chester County Historical Society	
(A) Acquisition and renovation of a collection storage facility	1,000,000
Amend Sec. 6, page 242, by inserting between lines 4 and 5	
(C) Freeman Institute of Sustainable Forestry - construction and renovation of facilities and	

procurement of training equipment	3,025,000
Amend Sec. 6, page 242, by inserting after line 30	
(B) Shopping center land acquisition	4,000,000
(ix) Dubois Area Economic Development Corporation	
(A) Construction of a business incubator	1,500,000
Amend Sec. 6, page 243, by inserting between lines 18 and 19	
(iv) Clinton County Economic Partnership	
(A) Acquisition of land and development of industrial park near Interstate 80 in Lamar Township	2,000,000
Amend Sec. 6, page 244, lines 27 through 30, by striking out all of said lines and inserting	
(vii) County Projects	
(A) Construction of stadium, City of Meadville	1,100,000
(B) Titusville Industrial Park rail improvements	2,000,000
(viii) Greenwood Township	
(A) Industrial park improvements and site acquisition	3,500,000
(ix) Titusville Area Hospital	
(A) Construction and renovation	2,000,000
(x) Titusville Opportunity Park	
(A) Rail Siding Project	2,000,000
Amend Sec. 6, page 245, line 5, by striking out all of said line and inserting	
Reservation, Carlisle Barracks	25,000,000
Amend Sec. 6, page 246, by inserting between lines 15 and 16	
(iii) Susquehanna Township	
(A) Construction of new Edgemont Fire Station	500,000
(iv) Swatara Township	
(A) Construction of new Lawnton Fire Station	500,000
Amend Sec. 6, page 247, lines 15 and 16, by striking out all of said lines and inserting	
(A) Land acquisition, site preparation and construction of the St. Marys Community Center	6,200,000
Amend Sec. 6, page 247, by inserting between lines 23 and 24	
(E) Construction of the Elk Creek sewer interceptor	2,500,000
(F) Downtown infrastructure improvements	3,400,000
Amend Sec. 6, page 248, line 1, by striking out all of said line and inserting	
Counties	7,200,000
Amend Sec. 6, page 248, line 25, by striking out all of said line and inserting	
Convention Center	12,500,000
Amend Sec. 6, page 250, by inserting between lines 3 and 4	
(S) Erie United Methodist Alliance - Project Hope for the Homeless	1,558,000
(T) City Mission/New Life Center - Phase II improvements	2,461,000
Amend Sec. 6, page 250, by inserting between lines 11 and 12	
(E) Housing and neighborhood development service - removal of underground storage tanks, demolition of structure, development of community space at Chestnut Street Project	2,200,000

(F) Headwaters Conservation Park, construction of 10,000-square-foot multipurpose facility	2,025,000	(xii) City of Scranton	
(G) International Institute of Erie, establishment of an Erie Community Cultural Center	1,356,000	(A) Renovation of former North Scranton Jr. High School for use by Goodwill Industries	4,873,000
(H) Edinboro YMCA, construction of pool and attendant facilities	1,000,000	Amend Sec. 6, page 258, by inserting between lines 19 and 20	
Amend Sec. 6, page 252, by inserting after line 30		(B) Renovation and expansion	1,100,000
(iv) Fayette County Keystone Opportunity Zone		Amend Sec. 6, page 258, by inserting after line 30	
(A) For industrial development projects	2,000,000	(vi) Westminster College Summer Music Institute	
Amend Sec. 6, page 253, by inserting between lines 17 and 18		(A) Development of Western Pennsylvania Summer Musical Festival and Music Outreach Program	4,500,000
(iii) Forest County Industrial Development Corporation		Amend Sec. 6, page 259, by inserting between lines 14 and 15	
(A) Infrastructure improvements for the KOZ Industrial Park in Forest County	2,000,000	(v) Annville Township	
(26.1) Franklin County		(A) Streetscape improvement project	2,500,000
(i) County Projects		Amend Sec. 6, page 259, by inserting between lines 21 and 22	
(A) Agricultural and environmental center	1,002,000	(ii.1) North Whitehall and Lowhill Townships	
(B) Fire training center	633,000	(A) Capital improvements to the Trexler-Lehigh County Game Preserve	20,000,000
(ii) Borough of Chambersburg		Amend Sec. 6, page 260, line 11, by striking out all of said line and inserting	
(A) Restoration of Capital Theatre	2,000,000	of Hamilton Mall	15,000,000
(26.2) Fulton County		Amend Sec. 6, page 262, line 26, by striking out all of said line and inserting	
(i) County Projects		performing arts	3,200,000
(A) Fulton Medical Center, McConnellsburg Borough - construction of new medical center to serve Fulton County	20,000,000	Amend Sec. 6, page 264, by inserting between lines 10 and 11	
(B) Fulton County Industrial Development Association - multitenant facility	2,000,000	(K) Luzerne County Community College, construction of regional athletic facility	10,000,000
(C) Community Auditorium and Performing Arts Center, Waterfall	1,000,000	Amend Sec. 6, page 265, by inserting between lines 2 and 3	
Amend Sec. 6, page 254, by inserting between lines 24 and 25		(vi) County Projects	
(S) Carmichaels-Cumberland Joint Sewer Authority, sewer extension to Paisley Industrial Park	1,000,000	(A) Higher Dimension Technology Park, land acquisition	4,100,000
(T) Lower Ten Mile, sewer extension to Wilson Company industrial park	1,000,000	(B) Lycoming County industrial park, land acquisition	3,500,000
(U) Southwestern Pennsylvania Water Authority, water line extension to Graysville Industrial Park	2,200,000	Amend Sec. 6, page 265, by inserting between lines 7 and 8	
Amend Sec. 6, page 255, by inserting between lines 8 and 9		(iii) City of Bradford - Office of Economic and Community Development	
(i) County Projects		(A) Renovation, addition and improvements to the old City Hall building	2,600,000
(A) Lake Raystown Amphitheater	2,000,000	(B) Upgrades to the Parkway Complex	1,100,000
(B) East Broad Top Railroad Shop Museum, Rockhill Furnace	8,200,000	(iv) McKean County Industrial Development Authority	
Amend Sec. 6, page 255, line 9, by striking out "(I)" and inserting (ii)		(A) Construction of a communications, art and technology building in Bradford	14,500,000
Amend Sec. 6, page 256, by inserting between lines 12 and 13		(v) McKean County Redevelopment and Housing Authority	
(B) Acquisition and construction of Northeast Regional Cancer Institute Headquarters Facility	3,600,000	(A) Hamlin Lake Dam repair - restoration project	1,000,000
Amend Sec. 6, page 257, by inserting between lines 16 and 17		Amend Sec. 6, page 265, line 11, by striking out all of said line and inserting	
(xi) Borough of Jessup		I and II	5,376,000
(A) Acquisition, development and construction of a business park	1,750,000	Amend Sec. 6, page 265, line 13, by striking out all of said line and inserting	
(B) Moosic Mountain Business Park infrastructure development	1,750,000	(A) Columbia Theatre for the Arts	8,000,000
		(B) Rehabilitation of the Westinghouse plant	20,000,000
		Amend Sec. 6, page 265, by inserting between lines 19 and 20	
		(v) County Projects	

(A) Air and Space Institute/Entertainment Destination Center	25,000,000
(vi) City of Farrell	
(A) Renovation of Shenango Valley Multi-Service Center	4,500,000
(B) Demolition, revitalization and renovation of blighted and underutilized buildings and associated development	3,000,000
(39.1) Mifflin County	
(i) County Projects	
(A) Improvements to Old Mifflin County Courthouse	785,000
(ii) Mifflin County Industrial Development Corporation	
(A) Development of the Mifflin County Industrial Plaza	2,000,000
Amend Sec. 6, page 265, by inserting between lines 22 and 23	
(B) Historic downtown Main Street lighting program	650,000
Amend Sec. 6, page 265, by inserting between lines 27 and 28	
(iii) Smithfield Township	
(A) Expansion of waste water treatment system and municipal water	1,500,000
(iv) Pocono Mountains Industries	
(A) Expansion of business park	19,575,000
(B) Expansion of Pocono Mountains Business Park, Phase II	1,545,000
Amend Sec. 6, page 266, by inserting between lines 4 and 5	
(C) Construction of exhibits and education and hospital facility for the Elmwood Park Zoo	1,100,000
Amend Sec. 6, page 266, line 26, by striking out all of said line and inserting	
(A) Development of community park	2,000,000
Amend Sec. 6, page 267, by inserting between lines 10 and 11	
(C) Marriott Residence Inn at Tower Bridge	4,300,000
(xi) Norristown and Pottstown Boroughs	
(A) Keystone Opportunity Zone infrastructure improvements	5,800,000
(xii) Borough of Pottstown, Lower Pottsgrove Township, West Pottsgrove Township	
(A) John Potts County Park, acquisition and redevelopment of land to link five community parks	4,000,000
(xiii) Horsham Township	
(A) Montgomery County Higher Education and Health Authority - acquisition of land, site improvements, design and construction of a comprehensive geriatric care center and attendant research facility	12,000,000
Amend Sec. 6, page 267, line 11, by striking out "(XI)" and inserting	
(xiv)	
Amend Sec. 6, page 267, by inserting between lines 20 and 21	
(xv) Ursinus College	
(A) Expansion of Berman Museum and Wismer Center	1,000,000

(xvi) Abington Art Center	
(A) Capital improvements to Alverthorpe Manor	50,000
Amend Sec. 6, page 268, by inserting between lines 4 and 5	
(D) Bethlehem Musikfest Association Performing Arts Center, construction of a 12,000-seat performing arts amphitheater on a brownfield site located in south Bethlehem	10,000,000
(E) Construction of parking deck at Broad Street and Main Street	8,000,000
Amend Sec. 6, page 268, line 12, by striking out all of said line and inserting	
center	3,500,000
Amend Sec. 6, page 268, line 14, by striking out all of said line and inserting	
visitors center	5,000,000
Amend Sec. 6, page 268, line 18, by striking out all of said line and inserting	
State theatre center for the arts	3,400,000
Amend Sec. 6, page 268, line 20, by striking out all of said line and inserting	
Weller Center for health education	3,700,000
(H) Renovation of Lafayette College Downtown Arts Center	2,600,000
(I) The Discovery Center	4,000,000
(J) Acquisition and renovation of the Lehigh Valley Charter High School for the Performing Arts	3,241,000
(iii) County Project	
(A) Construction of Northampton County Drug and Alcohol Annex	4,000,000
(B) Development in Lehigh Valley Industrial Park	8,460,000
(C) Portland State Belt sewer upgrades	1,500,000
Amend Sec. 6, page 269, by inserting between lines 4 and 5	
(43.1) Perry County	
(i) County Projects	
(A) Purchase and development of Business Campus I industrial park	2,000,000
(B) Purchase and development of Business Campus II industrial park	4,000,000
(ii) Duncannon Borough	
(A) Construction of building for fire department	1,000,000
Amend Sec. 6, page 269, line 26, by striking out all of said line and inserting	
center and manufacturing center	3,000,000
Amend Sec. 6, page 272, line 12, by striking out all of said line and inserting	
(X) Dorothy Emmanuel Recreational Center	4,000,000
Amend Sec. 6, page 274, line 15, by striking out all of said line and inserting	
Community Complex	4,000,000
Amend Sec. 6, page 276, lines 17 and 18, by striking out all of said lines and inserting	
(AAAA) For the restoration and upgrade of critical instructional facilities on the campus of	

	Drexel University including Commonwealth Hall	10,000,000
Amend Sec. 6, page 277, by inserting between lines 29 and 30		
(RRRR)	Atwater Kent Museum, renovation and expansion	2,000,000
(SSSS)	Settlement Music School, for facility construction, renovation and acquisition	1,250,000
(TTTT)	West Allegheny Community Center Complex, land development and construction of a full service health, recreational and community service campus	4,200,000
(UUUU)	Pennsylvania Academy of Fine Arts, expansion and renovation	15,000,000
(VVVV)	Cobbs Creek Environmental Education Center, construction of the Environmental Center	500,000
(WWWW)	Royal Theater, construction and rehabilitation of the historic African-American Theater	500,000
(XXXX)	Myers recreation center, improvements	500,000
(YYYY)	Independence Seaport Museum, renovation and expansion	1,000,000
(ZZZZ)	The Curtis Institute of Music, renovation of Curtis Hall	1,000,000
(AAAAA)	Expansion of the Center of the Park Campus in Germantown including renovation of the YMCA building on Germantown Avenue to create assisted living services	1,000,000
(BBBBB)	Reconstruction of the Bushfire Theatre	2,000,000
(CCCCC)	Land acquisition and development for the Brandywine Workshop Center for the Visual Arts	500,000
(DDDDD)	Wissinoming Recreation Center construction	1,000,000
(EEEEE)	City Wide Improvement and Planning Agency, reconstruction of buildings and parking facilities for Youth Mini Mall	1,000,000
(FFFFF)	People's Emergency Center-Families First construction project	1,900,000
(GGGGG)	Wynnfield Recreation complex construction	800,000
(HHHHH)	Painted Bride Art Center renovations	1,000,000
(IIIII)	Woodmere Art Museum renovations	1,000,000
(JJJJJ)	Rosenbach Museum and Library renovations	1,000,000
(KKKKK)	Additional funds for multipurpose hunger relief	

	center in Philadelphia's Food Distribution Center	393,000
(LLLLL)	Philadelphia County Minority Arts Resource Council, renovation of historic building located on Avenue of the Arts	900,000
Amend Sec. 6, page 278, by inserting between lines 10 and 11		
(45.1)	Potter County	
(i)	Potter County Housing and Redevelopment Authorities	
(A)	Infrastructure improvements	7,400,000
Amend Sec. 6, page 279, by inserting between lines 16 and 17		
(47.1)	Somerset County	
(i)	Elk Lick Township	
(A)	Elk Lick Township sewer extension project to provide sewage service to the industrial park	650,000
(ii)	Somerset Township Municipal Authority	
(A)	Allegheny College sewer extension project to extend sewage service to the college and commercial properties along the route	863,000
(iii)	Borough of Windber	
(A)	Sewer extension project and upgrade for industrial park	1,000,000
Amend Sec. 6, page 280, line 1, by striking out all of said line and inserting		
(A)	Development of infrastructure	3,000,000
Amend Sec. 6, page 280, line 22, by striking out all of said line and inserting		
	Region, Inc.	2,300,000
Amend Sec. 6, page 281, line 2, by striking out all of said line and inserting		
	Two Mile Run Park	5,000,000
Amend Sec. 6, page 281, by inserting between lines 8 and 9		
(vi)	Venango Economic Development Corporation	
(A)	Expansion of industrial space at the Oil City Industrial Park	2,000,000
(vii)	Northwest Pennsylvania Regional Planning Development Commission	
(A)	Renovation, construction and equipment for the Clarion/Forest County Wood Institute	3,000,000
(viii)	French Creek Council, BSA	
(A)	Custaloga Town Scout Reservation improvements	1,500,000
Amend Sec. 6, page 282, by inserting between lines 24 and 25		
(xvi)	County Projects	
(A)	Infrastructure and construction of waterfront park	2,000,000
(B)	Development of the Farm Colony mini-industrial park in Conewango Township	2,000,000
(C)	Construction of a machine technology center for the Warren County Career Center	2,000,000
(xvii)	Northern Alleghenies Vacation Region	
(A)	Land acquisition, infrastructure and construction of the Warren County Visitors Center	3,000,000

Amend Sec. 6, page 283, by inserting between lines 4 and 5		(iv) Western Pennsylvania Mainline Trail Network, acquisition and construction between Pittsburgh and Harrisburg	7,000,000
(C) I-79 Meadowlands Industrial Park, expansion and development	1,250,000	Amend Sec. 8, page 292, by inserting after line 30	
(D) Western Center redevelopment, infrastructure to include sewer and waterlines for industrial park	6,000,000	(iii) Shippensburg Township	
(E) Route 22 industrial park waterlines	3,000,000	(A) Community Park Development, including the purchase and acquisition of a 28-acre parcel of land	130,000
(F) Tri-county Patriots for Independent Living, purchase and renovation of property for employment and training of persons with disabilities	500,000	Amend Sec. 8, page 294, by inserting between lines 17 and 18	
Amend Sec. 6, page 283, by inserting between lines 28 and 29		(iii) Monongahela Riverfront development	600,000
(x) Peters Township		(iv) Franklin Township, Crawford Field Park and Route 188 site preparation	325,000
(A) Renovation of community center and police station	700,000	(v) Richhill Township Community Park construction and improvements	127,000
(xi) Fallowfield Township		Amend Sec. 8, page 295, by inserting between lines 4 and 5	
(A) Industrial park sewer lines	3,000,000	(ii) Additional funds for Lackawanna County Stadium	800,000
(xii) Union Township		Amend Sec. 8, page 296, by inserting between lines 15 and 16	
(A) Industrial park sewer lines	3,000,000	(ii) Palmer Township	
(xiii) Carroll Township		(A) Flood control, storm water management and recreation center improvements	7,980,000
(A) Industrial park sewer lines	3,000,000	Amend Sec. 8, page 296, by inserting between lines 21 and 22	
Amend Sec. 6, page 283, line 29, by striking out "(X)" and inserting		(iii) Duncannon Borough	
(xiv)		(A) Rehabilitation of Cooper Field	100,000
Amend Sec. 6, page 284, line 7, by striking out "(XI)" and inserting		Amend Sec. 20, page 340, lines 20 through 30; page 341, lines 1 through 6, by striking out all of said lines on said pages	
(xv)		Amend Sec. 20, page 342, line 6, by striking out "(C)" and inserting	
Amend Sec. 6, page 284, line 11, by striking out "(XII)" and inserting		(b)	
(xvi)		Amend Sec. 20, page 342, line 11, by striking out "(D)" and inserting	
Amend Sec. 6, page 284, by inserting between lines 18 and 19		(c)	
(53.1) Wayne County and Pike County		Amend Bill, page 343, by inserting between lines 16 and 17	
(i) Lake Wallenpaupack Environmental Education Center		Section 23. Expiration of authorization and appropriation.	
(A) Construction of an Environmental Education Center and Laboratory Facility for water quality analysis and research	1,000,000	(a) General rule.—The authorization and appropriation for the additional capital projects itemized in sections 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 for which construction contracts have not been executed within four years of the effective date of this act shall expire upon such date and shall be considered repealed. The Secretary of the Budget may extend an expired project for up to one year upon written notification of the majority chairman and minority chairman of the Appropriations Committee of the Senate and the majority chairman and minority chairman of the Appropriations Committee of the House of Representatives. Upon expiration of the extension period, an extended project may not be subsequently extended.	
Amend Sec. 6, page 286, by inserting between lines 22 and 23		(b) Reports.—Whenever the authorization and appropriation for the additional capital projects itemized under this act shall expire pursuant to subsection (a) or whenever the authorization and appropriation for the additional capital projects itemized under the act of October 10, 1997 (P.L.392, No.47), known as the Capital Budget Project Itemization Act of 1996-1997, shall expire pursuant to section 20 of said act, the Secretary of the Budget shall, within 30 days of the date of expiration, provide to the majority and minority chairmen of the Appropriations Committee of the Senate and the majority and minority chairmen of the Appropriations Committee of the House of Representatives a report itemizing all capital projects which have expired. Such report shall contain specific references to the section of the act wherein the projects were itemized and shall include the project location, project description and authorized project amount. The report shall also aggregate the total dollar amount of expired projects by capital project category.	
(E) Downtown revitalization	1,000,000	Amend Sec. 23, page 343, line 17, by striking out "23" and inserting	
(F) North George Street revitalization	1,000,000		
Amend Sec. 7, page 288, by inserting between lines 3 and 4			
(C) Keystone Commons Intermodal Site, flood wall	1,000,000		
Amend Sec. 7, page 288, by inserting between lines 25 and 26			
(C) City of Scranton, East Mountain Storm Water Management and Flood Control Project	7,200,000		
Amend Sec. 7, page 288, line 26, by striking out "(C)" and inserting			
(D)			
Amend Sec. 7, page 288, by inserting between lines 28 and 29			
(vii) Lycoming County			
(A) Montoursville Borough, design and construction of a flood protection dike system along Loyalsock Creek	2,500,000		
(viii) Northampton County			
(A) Lehigh Valley Flood Commission flood mitigation	2,920,000		
Amend Sec. 8, page 289, lines 17 through 20, by striking out all of said lines and inserting			
(iii) Yough River Trail north			
(A) Expansion of the trail along the lower Youghiogheny River	1,500,000		

Amend Sec. 23, page 343, lines 19 through 27, by striking out all of said lines and inserting

(1) Section 3(3)(i)(A) of the act of July 2, 1993 (P.L.265, No.47), known as the Capital Budget Project Itemization Act for 1993-1994.

(2) Sections 5(b)(6)(i)(A) and 6(29)(ii)(A) of the act of July 8, 1994 (P.L.444, No.74), known as the Capital Budget Project Itemization Act for 1994-1995.

(3) Section 3(1)(xiv)(A) of the act of July 6, 1995 (P.L.1051, No.19), known as the 1995 Special Session Corrections and Secure Facilities Capital Budget Project Itemization Act.

(4) Sections 6(2)(iii)(F) and (H), (15)(ii)(C) and (36)(i) and 8(1)(xiv)(A) of the act of October 10, 1997 (P.L.392, No.47), known as the Capital Budget Project Itemization Act for 1996-1997.

(5) Section 368(a)(3) of the act of June 18, 1998 (P.L.537, No.78), known as the Highway Capital Budget Project Itemization Act of 1996-1997.

Amend Sec. 24, page 343, line 28, by striking out "24" and inserting

25

Amend Sec. 25, page 344, line 7, by striking out "25" and inserting

26

On the question,

Will the House agree to the amendment?

The SPEAKER pro tempore. On that question, the gentleman, Mr.— Mr. Veon, do you seek recognition on the Barley amendment?

Mr. VEON. I just wonder if the gentleman could just take a very brief moment to explain what exactly we are voting on.

The SPEAKER pro tempore. That seems reasonable.

Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

The amendment that is before us is an amendment to the capital budget bill. SB 572 was in the House Appropriations Committee, and at that time we amended the bill with all of the requests that House members presented to the Appropriations Committee for capital projects in their respective districts. So every request was accommodated from all members, all 203 members in the House. That is included in the original text of 572. In the process, to avoid duplicative projects that were offered in the Senate, we actually stripped the projects from the Senate and included all the House requests. The amendment that is before us now reinstates all of the Senate projects that were eliminated, but we have had the opportunity to reconcile the projects so that we do not have duplicates in the bill.

So essentially, SB 572 with the amendment 3020 that is before us includes all capital project requests from House and Senate members, both Republicans and Democrats.

The SPEAKER pro tempore. Mr. Veon, on the amendment.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the explanation, I appreciate the process, and I appreciate the fact that all of the amendments that have been sent to both the Democratic and Republican chairmen of the Appropriations Committee have been accommodated in this bill and would also ask for an affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—198

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

NAYS—0

NOT VOTING—0

EXCUSED—5

Dally	Herman	Mayemik	Washington
Harhai			

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

On the question,

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

Bill as amended was agreed to.

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER pro tempore. The Chair recognizes the gentleman from Allegheny County, Mr. Pippy, on final passage.

Mr. PIPPY. Mr. Speaker, I had some comments for this bill, but since no one else is speaking, I will submit them for the record and just ask that we will work together to get this project done. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. Speaker, this is the moment many of us from southwestern Pennsylvania have been waiting for all day, night, morning.

We stand together in our efforts to protect 5,000 US Airways jobs and maintain Pittsburgh International Airport as the hub for US Airways heavy maintenance operations.

I have been working for the past several months with my colleagues, airport officials, community leaders, union representatives, House Republican leadership, and the Governor's Office to secure this much-needed funding in the capital budget. I would also be remiss if I did not thank those hundreds of people who have sent letters, e-mail, and made phone calls on behalf of our region.

But, Mr. Speaker, now it is our turn. We must seize this moment and as members of the House of Representatives, stand up for Pennsylvania families.

When we vote to adopt the capital budget today, this chamber will send a clear message to US Airways and other States throughout this great nation.

We will not sit idle.

We will not allow other States to waltz in and steal away the major employers in our Commonwealth.

We will not allow good jobs to be taken away from hardworking Pennsylvanians.

Mr. Speaker, the inclusion of the amendment in the capital budget for a US Airways maintenance and training facility is only part of the over \$600 million needed to complete the project. However, this sends a strong message to those thousands of families who have asked all of us to help save their jobs. "We will not go gentle into that good night" - Dylan Thomas. We will stay and we will fight.

Mr. Speaker, in the spirit of bipartisanship, I will echo the words of President Kennedy: "It is true - and of high importance - that the prosperity of this country - depends on the assurance that all major elements within it - will live up to their responsibilities...."

Mr. Speaker, today let us live up to our responsibilities and vote "yes" on the capital budget.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lawrence County, Mr. Sainato.

Mr. SAINATO. Mr. Speaker, I rise to support this bill on the capital budget. I think it is something that all members have done and they are looking forward to.

I would like to thank Chairman Evans for his help in helping me put my projects in the capital budget and also Chairman Barley for his efforts on this massive project. I will speak very briefly.

I have some very important projects in this capital budget for Lawrence County - the city of New Castle, Neshannock Township, North Beaver, the women's shelter -- all very important projects.

I just ask that the Governor give each of my projects consideration. I think they are very important for Lawrence County, and I hope that he will make sure that they are all considered.

Thank you, Mr. Speaker.

On the question recurring, Shall the bill pass finally?

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

The following roll call was recorded:

YEAS-198

Table listing names of members who voted 'YEAS' (198 total). Includes names like Adolph, Allen, Argall, Armstrong, Baker, Bard, Barley, Barrar, Bastian, Battisto, Bebko-Jones, Belardi, Belfanti, Benninghoff, Birmelin, Bishop, Blaum, Boyes, Browne, Bunt, Butkovitz, Buxton, Caftagirone, Cappabianca, Cam, Casorio, Cawley, Chadwick, Civera, Clark, Clymer, Cohen, L. I., Cohen, M., Colafella, Cornell, Corrigan, Costa, Coy, Curry, Dailey, Daley, DeLuca, Dempsey, Dermody, DeWeese, DiGirolamo, Donatucci, Druce, Eachus, Egolf, Evans, Fairchild, Fargo, Feese, Fichter, Fleagle, Flick, Forcier, Frankel, Freeman, Gannon, Geist, George, Gigliotti, Gladeck, Godshall, Gordner, Grucela, Gruitza, Habay, Haluska, Hanna, Harhart, Hasay, Hennessey, Hershey, Hess, Horsey, Hutchinson, Jadlowiec, James, Josephs, Kaiser, Keller, Kenney, Kirkland, Krebs, LaGrotta, Laughlin, Lawless, Lederer, Leh, Lescovitz, Levdansky, Lucyk, Lynch, Maher, Maitland, Major, Manderino, Mann, Markosek, Marsico, Masland, McCall, McGeehan, McGill, McIlhattan, McIlhinney, McNaughton, Melio, Metcalfe, Michlovic, Micozzie, Miller, R., Miller, S., Mundy, Myers, Nailor, Nickol, O'Brien, Oliver, Orije, Perzel, Pesci, Petrarca, Petrone, Phillips, Pippy, Pistella, Platts, Preston, Ramos, Raymond, Readshaw, Reinard, Riegers, Roberts, Robinson, Roebuck, Rohrer, Rooney, Ross, Rubley, Ruffing, Sainato, Samuelson, Santoni, Sather, Saylor, Schroder, Schuler, Scrimenti, Semmel, Serafini, Seyfert, Shaner, Smith, B., Smith, S. H., Snyder, Solobay, Staback, Stairs, Steelman, Steil, Stern, Stetler, Stevenson, Strittmatter, Sturla, Surra, Tangretti, Taylor, E. Z., Taylor, J., Thomas, Tigie, Travaglio, Trello, Trich, True, Tulli, Vance, Van Home, Veon, Vitali, Walko, Waters, Williams, Wilt, Wogan, Wojnaroski, Wright, Yewcic, Youngblood, Yudichak, Zimmerman, Zug, Ryan, Speaker.

NAYS-0

NOT VOTING-0

EXCUSED-5

Table listing names of members who were 'EXCUSED' (5 total): Dally, Harhai, Herman, Mayernik, Washington.

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

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 314, PN 2114**; and **HB 1331, PN 2112**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SENATE MESSAGE

HOUSE AMENDMENTS CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to the Senate amendments to **HB 10, PN 2065**.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 3, PN 1244**.

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

RULES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee at the majority leader's desk.

BILLS ON CONCURRENCE REPORTED FROM COMMITTEE

HB 314, PN 2114 By Rep. PERZEL

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the State Veterans' Commission and for the Pennsylvania Veterans' Memorial Commission.

RULES.

HB 1331, PN 2112 By Rep. PERZEL

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for supply choice for customers of

natural gas utilities and for restructuring of the natural gas utility industry; and making repeals.

RULES.

SB 3, PN 1224

By Rep. PERZEL

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for county-level court administrators and for the transfer of accumulated annual leave and sick leave of certain county administrators transferred to the State judicial personnel system; establishing the Unified Judicial System Transferred County-Level Administrator Leave Fund; requiring certain county payments; requiring periodic reports; providing for the transfer of county-level court administrators to the State Employees' Retirement System; and making a repeal.

RULES.

RESOLUTION ON CONCURRENCE REPORTED FROM COMMITTEE

HR 13, PN 2113

By Rep. PERZEL

A Concurrent Resolution establishing a task force to study issues concerning the renewal and management of this Commonwealth's forests; providing for an advisory committee; and directing the Joint Legislative Air and Water Pollution Control and Conservation Committee to provide administrative support to the task force.

RULES.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair notes the presence on the floor of the gentleman from Allegheny County, Mr. Mayernik. The gentleman will be removed from the leave list and placed on the master roll.

MOTION TO ADJOURN

Mr. DeWEESE. Mr. Speaker?

The SPEAKER pro tempore. Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, I move that this House do now adjourn until September 27 at 1 p.m. in the afternoon.

The SPEAKER pro tempore. Moved by the gentleman, Mr. DeWeese, that this House do now adjourn until Monday, September 27, 1999, at 1 p.m.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. Only the floor leaders may speak on this motion.

The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I mentioned yesterday and I will mention again, we are about to get to gas deregulation, and I think that is something a lot of the people in Pennsylvania have been looking forward to. There is, as I mentioned yesterday, a \$75-million tax cut in there for the people of the Commonwealth. Every one of the legislative districts in the State of Pennsylvania

with the exception of the people from Philadelphia, because they do not pay that tax, but every other district will benefit from that.

So I would urge a "no" vote on this motion.

The SPEAKER pro tempore. On the motion, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, would it be in order for me to inquire to the majority leader whether he would be in favor of an adjournment at the conclusion of our gas deregulation debate? I think we would all go along with that. It has been a long night. We are all aware of the gas deregulation language, and we could vote that and then adjourn. If that is agreeable, then I will withdraw my motion to adjourn.

Mr. PERZEL. I urge a "no" vote, Mr. Speaker.

The SPEAKER pro tempore. Do you seek further recognition, Mr. DeWeese?

Mr. DeWEESE. I do.

The SPEAKER pro tempore. You are in order.

Mr. DeWEESE. In light of the fact that we have repealed taxes retroactively on this floor again and again and again during my 24 years in the chamber, I would aver that the opportunity to repeal the tax that the gentleman commented about is still in front of us in the autumn. I would think that in spite of what people are alluding, it is going to be probably 20-some bucks a year, less than 50 cents a week, on the natural gas tax relief, and I think we can realize that in September.

We would like to think that instead of getting ready to do— And for many, many years the Republican Party from the podium carped and caviled at us when we were in the majority about working all night and dealing with legislation that was comparatively alien to their staff and to their own overview. We are potentially going to be dealing with the most profound alterations in public education in the Commonwealth in probably 175 years, and we are going to possibly be doing it at 1 or 2 or 3 or 4 o'clock in the morning. That is certainly not the way to run the government.

So I would aggressively ask that we adjourn. We have very, very little business that cannot be done in the fall, and certainly if we want to repeal the gross receipts tax, we can do that retroactively like we have done so many times before. Thank you, Mr. Speaker.

The SPEAKER pro tempore. Those in favor of the motion to adjourn until Monday, September 27, 1999, at 1 p.m. will vote "aye"; those opposed to the motion will vote "no."

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

The following roll call was recorded:

YEAS-92

Battisto	Frankel	McCall	Shaner
Bebko-Jones	Freeman	McGeehan	Smith, B.
Beiardi	George	Michlovic	Solobay
Belfanti	Gordner	Mundy	Staback
Blaum	Grucela	Myers	Steelman
Butkovitz	Gruitza	Oliver	Stetler
Buxton	Haluska	Pesci	Sturla
Caltagirone	Hanna	Petrarca	Surra
Cappabianca	Horsey	Petrone	Tangretti
Carn	James	Pistella	Thomas
Casorio	Josephs	Platts	Travaglio
Cohen, M.	Kaiser	Preston	Trelio
Colafella	Kirkland	Ramos	Trich
Corrigan	Krebs	Readshaw	Van Home

Costa	LaGrotta	Rieger	Veon
Coy	Laughlin	Roberts	Vitali
Curry	Lescovitz	Robinson	Walko
Daley	Levdansky	Roebuck	Waters
DeLuca	Lucyk	Rooney	Williams
Dermody	Manderino	Ruffing	Wojnaroski
DeWeese	Mann	Sainato	Yewcic
Eachus	Markosek	Santoni	Youngblood
Evans	Mayernik	Scrimenti	Yudichak

NAYS-106

Adolph	Egolf	Maher	Sather
Allen	Fairchild	Maitland	Saylor
Argall	Fargo	Major	Schroder
Armstrong	Feese	Marsico	Schuler
Baker	Fichter	Masland	Semmel
Bard	Fleagle	McGill	Serafini
Barley	Flück	McIlhattan	Seyfert
Barrar	Forcier	McIlhinney	Smith, S. H.
Bastian	Gannon	McNaughton	Snyder
Benninghoff	Geist	Melio	Stairs
Birmelin	Gigliotti	Metcalfe	Steil
Bishop	Gladeck	Micozzie	Stern
Boyes	Godshall	Miller, R.	Stevenson
Browne	Habay	Miller, S.	Strittmatter
Bunt	Harhart	Nailor	Taylor, E. Z.
Cawley	Hasay	Nickol	Tigue
Chadwick	Hennessey	O'Brien	True
Civera	Hershey	Orie	Tulli
Clark	Hess	Perzel	Vance
Clymer	Hutchinson	Phillips	Wilt
Cohen, L. I.	Jadlowiec	Pippy	Wogan
Cornell	Keller	Raymond	Wright
Dailey	Kenney	Reinard	Zimmerman
Dempsey	Lawless	Rohrer	Zug
DiGirolamo	Lederer	Ross	
Donatucci	Leh	Rublely	Ryan,
Druce	Lynch	Samuelson	Speaker

NOT VOTING-1

Taylor, J.

EXCUSED-4

Dally	Harhai	Herman	Washington
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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.

SUPPLEMENTAL CALENDAR I

MOTION TO SUSPEND RULES

The SPEAKER pro tempore. Turn to supplemental calendar I. The gentleman, Mr. Gannon, is recognized for the purpose of making a motion, as the Chair understands.

The Chair understands the gentleman needs to suspend the rules to call up SB 3 and that it is the gentleman's desire to make that motion.

Mr. GANNON. Correct.

The SPEAKER pro tempore. Moved by the gentleman, Mr. Gannon, that the rules of the House be suspended so that the House may immediately consider SB 3, PN 1244, on supplemental calendar I.

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

The SPEAKER pro tempore. Does the gentleman, Mr. DeWeese, seek recognition on the motion?

Mr. DeWEESE. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. DeWEESE. I thought that we had politely requested a 15-minute caucus. This is an effort to change the way we administer the courts in the State. It was amended in the House by Mr. Lescovitz and by Mr. Gannon, and we wanted a 15-minute caucus — this is a profound piece of legislation — and we were under the impression that it had been agreed to.

The SPEAKER pro tempore. The Chair was not aware of that request.

(Conference held at Speaker's podium.)

MOTION WITHDRAWN

The SPEAKER pro tempore. The Chair understands that the gentleman, Mr. Gannon, withdraws his motion to suspend the rules so that the House may immediately consider SB 3.

RULES SUSPENDED

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

Mr. RAYMOND. Mr. Speaker, I move that the rules of the House be suspended so that the House may immediately consider HB 1331.

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

The following roll call was recorded:

YEAS—193

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

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

NAYS—6

Freeman	Krebs	Steil	Stern
Geist	Platts		

NOT VOTING—0

EXCUSED—4

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

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 1331, PN 2112**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for supply choice for customers of natural gas utilities and for restructuring of the natural gas utility industry; and making repeals.

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

The SPEAKER pro tempore. Moved by the gentleman, Mr. Raymond, that the House do concur in the amendments inserted by the Senate.

The question recurs, will the House concur in the amendments inserted by the Senate?

On that question, the Chair recognizes the gentleman, Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, would it be appropriate, since the gentleman, Mr. Gannon, was the principal author of the House amendment that I understand is no longer a part of this bill, would it be appropriate to take this opportunity for a brief interrogation of the gentleman, Mr. Gannon?

The SPEAKER pro tempore. Mr. Gannon, are you willing to stand for interrogation on this? The gentleman indicates he is. You are in order.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, if you could, just very briefly, it is my understanding that what you were describing as the labor protections, labor-protection language that was part of the bill that the House passed, it is my understanding that those labor protections are no longer in this bill that we have in front of us here today, 1331 on concurrence in the Senate amendments, and in fact the Senate removed the labor protections from this bill.

Mr. GANNON. Mr. Speaker, that is correct. The Senate gutted all of the worker and consumer protection language that was inserted by the House.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, in your judgment, since they have removed that language, in your judgment, is there now anything in this bill that in your judgment assures there will be a sufficient number and a sufficient skilled workforce to assure safety and reliability of the utilities in the State of Pennsylvania?

Mr. GANNON. Mr. Speaker, absolutely not.

Mr. VEON. And, Mr. Speaker, if I could, just a couple other brief questions.

In your judgment now on this bill, is there anything that would require that current employees be given first consideration to retain their jobs if in fact the utility is sold or transferred in Pennsylvania, which, Mr. Speaker, as you know, is happening almost every day or certainly every week in Pennsylvania. In your judgment, is that language in this bill?

Mr. GANNON. Mr. Speaker, the language that was gutted by the Senate, without that language, every utility worker in this Commonwealth, when his company or her company is sold, they are literally on their own. They have absolutely no job protection whatsoever.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, finally, as you well know, one of the objections that the utility industry is making and certainly an objection they are using to lobby members of this chamber is that by somehow having a suspension motion to offer some possible amendment that could be offered here would somehow kill this bill and the process, Mr. Speaker, and I would like to see if it is in your judgment—

THE SPEAKER (MATTHEW J. RYAN) PRESIDING

The SPEAKER. The gentleman will yield.

The gentleman is into an argument stage as opposed to asking questions dealing with the subject, which is that of concurrence in the actions of the Senate.

Mr. VEON. Mr. Speaker, I am trying to very narrowly frame the items in the form of a question and very narrowly trying to pinpoint those items that were in the bill that passed the House yesterday, that were removed by the Senate, and may or may not be in the bill that is in front of us here today.

The SPEAKER. That is proper—

Mr. VEON. Okay.

The SPEAKER. —but stay off the substantive arguments, if you will, please.

Mr. VEON. Okay. Thank you, Mr. Speaker.

Mr. Speaker, in your judgment, if we were to amend this bill on concurrence, in fact would this bill be dead in this session?

Mr. GANNON. No; it would not, Mr. Speaker. As we talk, the Senate is in session. This bill could be considered by the Senate in a matter of minutes or within the hour, and worker protection could be included in the Senate and taken to the Governor, and there would be some protection for the workers of this Commonwealth. Our utility workers would have some protection for their jobs and their families.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, that will conclude my interrogation. I would like to make a brief comment on the bill.

The SPEAKER. The gentleman is in order.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, we fought very long and hard yesterday, just yesterday, to include labor protection, worker protection language in HB 1331 as it left this House, Democrat and Republican, in an industry that has many significant changes, many significant changes for the workers. And yes, Mr. Speaker, there are some, I am sure, in this chamber that would accuse me of standing up for the unions, and I certainly would be accurately described to be standing up for the unions, but let us not forget that those unions are made up of hardworking men and women that are doing the work, making the profits for these utility companies. Just yesterday we worked, all of us, very hard to include some language, reasonable language, language that is really modeled on a law from the State of Illinois, modeled on a law from the State of New Jersey. That is the language that we used — reasonable, rational, proworker language.

Mr. Speaker, we have created tremendous dislocation in the industry. I have been a supporter of competition in the utility industry. I have been an advocate of competition. But, Mr. Speaker, if we cannot take care of the working people as we make these changes in law, shame on us, and, Mr. Speaker, if we do not have an amendment here today to put that language back in, then I am going to have to advocate that we defeat this and go back to the drawing table until we do it the right way.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Tulli.

Mr. TULLI. Thank you, Mr. Speaker.

I would like to address the amendments that the Senate inserted in HB 1331. In fact, labor language was left in the bill, but the labor language that was left in the bill does not include electrical workers, does not include the workers who are in the water industry and the water utilities, and does not include the telecommunications workers as we did in the amendment that we sent over to the Senate.

This is a natural gas bill, and the labor protections that are here are for natural gas workers. This is not a labor bill. The labor bills will come out of the Labor Committee, and we will consider those in the future. But those labor protections that we left in the bill, that were left in the bill by the Senate, are those that pertain to natural gas workers.

Now, I should mention also that the clock is running for all of us in getting this bill done. The parts that were left in the bill that were not changed by this include the gross receipts tax cut, and that 5 percent will go to all of our consumers there.

So, Mr. Speaker, I wish for our members to take a look at this, take a look at the language. It does provide customer competition,

and the labor protections for the gas workers have been left in the bill. I have a list of those if you want to go over them. They have the 36-month period that the natural gas distribution company, if laying off or terminating an employee, shall provide information to the Public Utility Commission to show that they are able to ensure safety and reliability. And the Representative who spoke earlier, Mr. Veon, is concerned about safety and reliability, and let me tell Mr. Veon that in the bill, there are 21 safeguards for safety and reliability in the natural gas industry. I applaud his interest and his dedication to secure that, and there are 21 separate safeguards for safety and reliability.

The SPEAKER. Has the gentleman concluded his remarks?

Mr. TULLI. Yes.

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, in essence, what has happened here is the Senate is once again dictating terms and conditions to this House. It is very clear, when this legislation left this House by a substantial majority, it was the wishes of the members of the House of Representatives that we include protection for workers and their families and consumers — guarantees of safety and reliability, guarantees that no worker was going to be stranded once the company he worked for was sold or taken over or whatever they do when these big owners decide they want to play Monopoly with the lives of people, the working people of Pennsylvania — and once again the Senate of Pennsylvania has said, we are going to dictate the terms and conditions, not this House of Representatives; we are not going to compromise; we are not going to meet you halfway; we are going to tell you how you are going to deal with this issue. And quite frankly, Mr. Speaker, I am sick and tired of the Senate of Pennsylvania dictating terms and conditions to this House.

Now, Mr. Speaker, this is not a situation where the Senate said, we are going to throw you a couple of crumbs. They did not even have the decency to do that. They cut every single worker protection that the House of Representatives included in this bill, and that is not only an outrage to the members of the General Assembly; worse than that, it is an outrage and an affront to every working man and woman in this State.

Now, we can remedy that situation tonight. We are here; they are there.

The SPEAKER. Members will please resist the temptation to declare Tom Gannon the emperor until he has concluded his remarks.

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I may be smiling, but this is not a laughing matter.

The SPEAKER. Part of it is.

Mr. GANNON. Well, Mr. Speaker, we are about very serious business. However, fortunately for most of the members and I would have to say all of the members, we do not take ourselves seriously, and that is why we can deliberate in the fashion that we do about very, very serious matters.

We are talking about the lives, the livelihoods, and the big stake that workers of this State have in this Commonwealth. They are taxpayers; they are trying to earn a living; they are trying to put bread on their tables; they are trying to send their kids to school; they are trying to keep a roof over their head, just like everyone else. And we have an obligation, because we are the ones that are engaging in this deregulation. We are the ones that set the stage for regulating this industry. We are the ones that are out setting the

stage for deregulation. We are helping the owners. We are helping the stockholders. We can help the workers.

The Senate has taken a different view. They have abandoned the workers. They have left them in the Senate. They did not send them back to the House. They have left them stranded.

Mr. Speaker, it is a serious matter; it is a serious business. We need protection for our workers. We need protection for the consumers. They also have to move forward as we go into the 21st century with competition in our public utilities. And these protections, quite frankly, are minimal. This is not permanent. I believe in the marketplace forces. I am not a socialist. But at the same time, there has to be an orderly transition from a monopoly that is granted by the State to competition that is controlled by the marketplace and marketplace forces. It is regrettable that the Senate did not see fit to continue those protections for workers, their families, and the consumer.

MOTION TO SUSPEND RULES

Mr. GANNON. In that light, Mr. Speaker, I would ask that we suspend the rules so that we can send a message back to the Senate and say, you are not going to dictate the terms and conditions of this legislation; we are going to work together, and we are going to protect workers and their families and utility consumers.

I would ask for a suspension of the rules to consider amendment 3032, which would place this bill back in the position it was when the members of this House of Representatives decided that we wanted to protect workers.

The SPEAKER. Mr. Gannon, please come to the desk.

(Conference held at Speaker's podium.)

The SPEAKER. The gentleman, Mr. Gannon.

Mr. GANNON. Thank you.

Mr. Speaker, in order to expedite the process — the result would be the same — I would like to change my motion, if I may.

I would like to make a motion to revert to the prior printer's number, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Gannon, is first required to suspend the rules of the House to consider the second portion of your motion, which would be the reversion to a prior printer's number. There is no way you can avoid suspending the rules.

PARLIAMENTARY INQUIRY

Mr. GANNON. Mr. Speaker, parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GANNON. If we made a motion to revert to the prior printer's number and the number of votes exceeded those required to suspend the rules, would the result be the same?

The SPEAKER. Yes, but we have traditionally done it in a two-step process, so that the one matter that is considered is the question of suspension of the rules; after that is successful, if indeed it is successful, we then would go into the second process, which would be the offering of an amendment. To rule otherwise would change the system as I have known it for a long time, and there would no longer be a rule change required if someone said they would be satisfied to have their amendment, for instance, pass or fail on a 112 basis. So my finding is that you must first

independently suspend the rules and then move into the second phase, which is the reversion.

Mr. GANNON. All right. Mr. Speaker, then I would like to rephrase my motion. I would like to make a motion to suspend the rules to consider a vote to revert to the prior printer's number.

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

The SPEAKER. On the question of suspension of the rules, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

There is nothing like a good dose of old-fashioned, middle-class morality, and I am very happy to encourage the membership to embrace the motion of the gentleman from Delaware County.

We are so used to speaking about the State Senate in hushed tones of veneration. We have been acquiescent and fawning and servile to them, as the gentleman from Delaware has stated, and it is about time, through maneuvers, parliamentary maneuvers like a motion to suspend the rules so that we can revert to a prior printer's number are realized favorably.

This is a very important parliamentary moment for thousands and thousands of State workers in the gas fields of Pennsylvania. And I am anxious to revert to the prior printer's number; I am anxious to suspend the rules. I am anxious for a variety of reasons, most of them worker-inspired, worker-motivated, but almost so inspired, Mr. Speaker, because we have some bipartisanship here. A few moments ago -- and the record should show it -- most or a lot of the applause for the Republican member from Delaware was from our side of the aisle. This is a manifest and singular effort, through parliamentary efforts tonight, to make certain that workers get protected.

And I laud my Republican colleague. I hope that many of us will vote to suspend the rules so we can revert to a prior printer's number and make certain that worker protection language that Mr. Veon and Mr. Gannon have so explicitly described is maintained in the bill. If we are going to deregulate natural gas in the State of Pennsylvania, we must certainly pursue worker protection language, and this parliamentary effort will help ensure that. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, we are interested in cutting people's taxes. The only way to do that, Mr. Speaker, is to vote "no." I urge a "no" vote.

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

The following roll call was recorded:

YEAS-100

Barrar	Donatucci	Lescovitz	Samuelson
Bebko-Jones	Eachus	Levdansky	Santoni
Belardi	Feese	Lucyk	Sarber
Belfanti	Frankel	Lynch	Serafini
Bishop	Freeman	Manderino	Shaner
Blaum	Gannon	Mann	Solobay
Boyes	George	Markosek	Stairs
Browne	Gigliotti	Mayernik	Stetler
Butkovitz	Gordner	Melio	Sturla
Buxton	Grucela	Michlovic	Surra
Caltagirone	Gruitza	Mundy	Tangretti

Cappabianca	Habay	Myers	Thomas
Carn	Haluska	O'Brien	Tigue
Casorio	Hanna	Pesci	Travaglio
Cawley	Horsey	Pippy	Trello
Cohen, M.	James	Pistella	Trich
Coiafella	Josephs	Preston	Van Horne
Costa	Kaiser	Ramos	Veon
Coy	Keller	Readshaw	Vitali
Curry	Kirkland	Roberts	Walko
Daley	Krebs	Robinson	Waters
DeLuca	LaGrotta	Roebuck	Wojnaroski
Dermody	Laughlin	Rooney	Yewcic
DeWeese	Lawless	Ruffing	Youngblood
DiGirolamo	Lederer	Sainato	Yudichak

NAYS-93

Adolph	Fargo	McIlhinney	Smith, B.
Allen	Fichter	McNaughton	Smith, S. H.
Armstrong	Fleagle	Metcalf	Snyder
Baker	Flick	Micozzie	Staback
Bard	Forcier	Miller, R.	Steelman
Barley	Geist	Miller, S.	Steil
Bastian	Gladeck	Nailor	Stern
Battisto	Godshall	Nickol	Stevenson
Benninghoff	Hasay	Orie	Strittmatter
Birmelin	Hennessey	Perzel	Taylor, E. Z.
Bunt	Hershey	Petrarca	Taylor, J.
Chadwick	Hess	Phillips	True
Civera	Hutchinson	Platts	Tulli
Clark	Jadlowiec	Raymond	Vance
Clymer	Kenney	Reinard	Williams
Cohen, L. I.	Leh	Rohrer	Wilt
Cornell	Maher	Ross	Wogan
Corrigan	Maitland	Rubley	Wright
Dailey	Major	Saylor	Zimmerman
Dempsey	Marsico	Schroder	Zug
Druce	Masland	Schuler	
Egolf	McCall	Scrimenti	Ryan,
Evans	McGill	Semmel	Speaker
Fairchild	McIlhattan	Seyfert	

NOT VOTING-6

Argall	McGeehan	Petrone	Rieger
Harhart	Oliver		

EXCUSED-4

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

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

The SPEAKER. On the question of concurrence to HB 1331, the gentleman, Mr. Coy, is recognized.

Mr. COY. Thank you, Mr. Speaker.

Would the gentleman, Mr. Tulli, stand for brief interrogation?

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

Mr. COY. I simply need to have a question answered on the record in that I understand there are but two municipally owned gas facilities in the Commonwealth of Pennsylvania. Does this legislation include only the city of Philadelphia and its gasworks

in that section which would be covered now by the Public Utility Commission?

Mr. TULLI. Mr. Speaker, Chambersburg is a borough and is not covered under the definitions that cover the first-class city of Philadelphia, and the people that live in the first-class city of Philadelphia will come under choice and competition, but the borough of Chambersburg does not fit into that definition.

Mr. COY. And therefore, only the city would be covered by the regulation of the Public Utility Commission and not a borough-operated gasworks.

Mr. TULLI. That is correct.

Mr. COY. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. STURLA. Mr. Speaker, I would just like to remind the members that we already voted to cut the gas taxes when we sent this bill over to the Senate. This is a vote on concurrence in Senate amendments. This vote, if you vote "no," is simply to say we do not agree with the amendments that the Senate made.

A "no" vote will send this bill to a conference committee. We can get that language put back in. We can have the tax cuts. I would urge members to vote "no" and protect workers in Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Cohen, from Philadelphia.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, in assessing the value of the Senate amendments versus the cost of the Senate amendments, we ought to look at the variety of effects the Senate amendments have.

The Senate amendments do not interfere with the cutting of the gross receipts tax, but nor do any of the Senate amendments interfere with any of the other offsetting costs that are allowed. For instance, natural gas distribution companies may recover the costs of universal service and energy conservation programs. The Senate amendments do not deal with that. The Senate amendments do not change the fact that natural gas distribution companies may recover the difference between the amount they pay for capacity and the amount they receive from the entity that acquires the capacity. The Senate amendments do not stop the provision that customers could be required to pay for the costs involved in installing nonstandard facilities; the Senate amendments do not stop the provision that allows natural gas companies to charge natural gas suppliers for the incremental costs related to billing services; the Senate amendments do not stop the provision that the natural gas distribution companies could require the installation at the customer's expense of enhanced metering capacity; and the Senate amendments do not stop the provision that natural gas distribution companies could recover the costs of their consumer education programs from their retail gas customers.

The Senate amendments leave all these extra costs that are imposed unchallenged, just as they leave the taxes unchallenged, but the Senate amendments take away the worker protections that Mr. Gannon worked so hard to put in.

The Senate amendments, for the city of Philadelphia, will raise the costs for all Philadelphia future senior citizens, and the Senate amendments, for Philadelphia, will get rid of the discounts that are offered to low-income citizens. And with all of the burden of providing discounts for senior citizens and discounts for low-income people, the Philadelphia Gas Works still offers lower annual rates than Equitable, serving Pittsburgh; UGI, serving

Harrisburg and Reading; PECO, serving suburban Philadelphia; and Peoples, serving Pittsburgh.

So what this is going to amount to, Mr. Speaker, is an increase for many customers in Philadelphia as a result of the Senate amendments. It is going to lead to a taking away of the labor protections that Mr. Gannon worked so hard to put in. Therefore, I urge that we nonconcur in the Senate amendments, and hopefully the Senate would pass this tonight this way. But if they do not, we could always pass the cut in the gross receipts tax in September; we could always pass the deregulation bill in September. There is no urgency in any of this. Nothing terrible will happen if we do not act tonight.

So I would strongly urge a vote of nonconcurrence in the Senate amendments.

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, I realize the gentleman did not have a long time to really read the document, but if he would turn to page 117, starting at line 18, the senior citizen discount inside the city of Philadelphia is kept, and it does allow for the PUC to continue that authority in the future.

We did want to take a look at the opportunity of putting on a means test, Mr. Speaker, and just for the edification of the members, anybody that lives inside the city of Philadelphia, regardless of whether you are a multimillionaire or whether you are the poorest citizen there, gets a senior citizen discount. We felt that there should be some form of a means test so that the neediest people could actually get that and that the wealthiest people, people living on Rittenhouse Square and in that neighborhood, could easily afford to do that. So we thought this was a fairer way to do that, and it is on page 117.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Carbon, Mr. McCall.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, I rise in asking the House to concur in Senate amendments.

Mr. Speaker, I think for the information of the members of the House, they have to understand that the product of the bill before us, the language in the bill before us, is the product of a collaborative that started over 16 or 18 months ago. That collaborative was started by Governor Ridge, with the cooperation of PUC Chairman Quain. That collaborative included both members of the House of Representatives and the Senate; local distribution companies, suppliers, marketers; large and small industrial users; commercial users; residential consumers; low-income advocates; the pipeline industry; yes, organized labor; and was headed by PUC Chairman Quain.

I can tell you that the group worked diligently. There was not a single stakeholder at that table who came away from this collaborative effort with everything that they asked for or feeling that they gained every goal desired, but I can tell the members of this chamber that each came away achieving at least something.

We have heard time and again about the language that has been stripped out of this bill and that we stripped away organized-labor provisions. Well, that simply is just not the case. This bill has a myriad of labor protections in it: Starting May 1, 1999, and continuing for 3 years, if there is any type of layoff or termination, except for just-cause termination, these gas companies have to provide the commission with information to show and ensure that the safety and reliability of the system will not be compromised;

60 days' written notice of any layoff or termination. These are all provisions that labor asked for. In the event of a sale, purchase, or merger, all collective-bargaining contracts and agreements shall continue in effect until they expire. The commission, when unbundling services, has to consider the impact of unbundling on the labor force. Each distribution company in its restructuring filing has to set forth an initial proposal to meet its employee transition requirements. It includes provisions concerning the operation of displaced employer programs. They have to use Federal funds for retraining and outplacement services, designed to help employees find employment. Natural gas companies are also going to be responsible for billing each of its retail customers.

So all those services — meter reading, installation, testing, maintenance, and emergency response and customer billing — will all still be maintained by our natural gas distribution companies. This protects the jobs of those people involved in those areas. There are a number of consumer protections, including antislammings provisions, quality-of-service provisions, customer education.

Mr. Speaker, this bill goes a long way to protect labor. I can tell you that labor came to my office and told me what they needed in this bill for them to be for this bill. I worked with the stakeholders. I worked with Chairman Quain in getting that language inserted in this bill, got that language inserted in this bill, only to have labor change their mind and say it was not enough.

Mr. Speaker, I do not think that is right. I think there are enough provisions in here to take care of labor's concerns. I would ask that we concur on HB 1331. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

In great deference to the previous speaker, my good friend, Mr. McCall, of all of the recantations of what is good about this bill, it is in the exact position it was prior to Mr. Gannon amending it with additional protections for not just workers but for consumers. If you listen to all of the protections recanted by the gentleman, Mr. McCall, you will notice that somewhere stuck in the middle of all of those was a 60-day notice for workers. The 3-year provision that was mentioned simply requires that in the case of a merger, within the 3-year period of time, the new company must prove that there will not be an interruption of service. That has nothing at all to do with giving hundreds or thousands of workers a 60-day notice that they are to be laid off.

Because of all of the shortcomings mentioned by the gentleman, Mr. Cohen, in what is also not in this bill to protect consumers, I regretfully — I really wanted to be standing here this evening, or as I did a few evenings ago, asking for a "yes" vote, but a "no" vote on concurrence is not a vote against a tax decrease, as was mentioned by Mr. Sturla; it is not a "no" vote against anything. It simply sends this bill where it belongs, to a conference committee, where for perhaps the first time in the past 4 or 5 years the Senate will have to sit down with the gentlemen, like Mr. Gannon and Mr. Veon and whoever else is selected, and hammer out some middle road. That is not too much to ask, considering they are in town.

So a vote to nonconcur is not a vote to kill gas deregulation; it is not a vote to block a tax cut on gross receipts. I am a natural gas user. I would like to see the gross receipts tax cut on this bill. A vote to nonconcur simply sends this bill to a conference

committee, which is where it belongs. I am urging a nonconcurrency vote.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Daley.

Mr. DALEY. Mr. Speaker, parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DALEY. Would it be in order to place HB 1331 on the tabled postponed calendar?

The SPEAKER. Do you want to table the bill or postpone the bill?

Mr. DALEY. Table the bill, Mr. Speaker.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Mr. Daley, we are checking a 1976 precedent, which we do not have here, so at this time I am going to suggest that HB 1331, PN 2112, be passed over temporarily until we get the information to give you a proper ruling.

Mr. DALEY. Thank you, Mr. Speaker.

SUPPLEMENTAL CALENDAR J

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 314, PN 2114**, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the State Veterans' Commission and for the Pennsylvania Veterans' Memorial Commission.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The gentleman, Mr. Michlovic, is recognized on the question of concurrence.

Mr. MICHLOVIC. Mr. Speaker, this bill provides for the State Veterans' Commission, for the Pennsylvania Veterans' Memorial, and we voted for that this morning. There was an amendment attached to take care of some problems for medical insurance coverages on SB 999. I just wanted to remind the members of that. Unfortunately, those members of the armed forces tonight that are serving this nation from Pennsylvania will not get that coverage. It is sad to say. I still urge members to support HB 314.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—199

Adolph	Fairchild	Markosek	Schroder
Allen	Fargo	Marsico	Schuler
Argall	Feese	Masland	Scrimenti
Armstrong	Fichter	Mayernik	Semmel

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

NAYS-0

NOT VOTING-0

EXCUSED-4

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR I CONTINUED

CONSIDERATION OF HB 1331 CONTINUED

The SPEAKER. The Chair returns to HB 1331, PN 2112.

The gentleman, Mr. Daley, asked a point of parliamentary inquiry, as I understood it, asking whether or not it would be

proper to move that HB 1331 be tabled. The Speaker, Mr. Fineman, in 1976 made a ruling on that exact point, and it was in the affirmative. That being the case, the Chair follows the prior rulings of this House and advises you that it is a proper motion.

MOTION TO TABLE

Mr. DALEY. Mr. Speaker, at this time I move that we table HB 1331.

The SPEAKER. The Chair thanks the gentleman.

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

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

Mr. PERZEL. Mr. Speaker, it is still tax cuts, so I am asking the members to please vote "no."

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS-87

Bebko-Jones	Freeman	Markosek	Santoni
Belardi	George	Mayernik	Shaner
Belfanti	Gigliotti	McGeehan	Solobay
Bishop	Gordner	Melio	Steelman
Butkovitz	Grucela	Michlovic	Stetler
Buxton	Haluska	Myers	Sturla
Caltagirone	Hanna	O'Brien	Surra
Cappabianca	Horsey	Oliver	Tangretti
Carn	James	Pesci	Thomas
Casorio	Josephs	Petrone	Tigue
Cawley	Kaiser	Pistella	Trello
Cohen, M.	Keller	Preston	Trich
Colafella	Kirkland	Ramos	Van Horne
Costa	LaGrotta	Readshaw	Veon
Curry	Laughlin	Rieger	Vitali
Daley	Lawless	Roberts	Walko
DeLuca	Lederer	Robinson	Waters
Dermody	Lescovitz	Roebuck	Wojnaroski
DeWeese	Levdansky	Rooney	Yewcic
Donatucci	Lucyk	Ruffing	Youngblood
Eachus	Manderino	Sainato	Yudichak
Frankel	Mann	Samuelson	

NAYS-112

Adolph	Evans	Masland	Scrimenti
Allen	Fairchild	McCall	Semmel
Argall	Fargo	McGill	Serafini
Armstrong	Feese	McIlhattan	Seyfert
Baker	Fichter	McIlhinney	Smith, B.
Bard	Fleagle	McNaughton	Smith, S. H.
Barley	Flick	Metcalfe	Snyder
Barrar	Forcier	Micozzie	Staback
Bastian	Gannon	Miller, R.	Stairs
Battisto	Geist	Miller, S.	Steil
Benninghoff	Gladeck	Mundy	Stern
Birmelin	Godshall	Nailor	Stevenson
Blaum	Gruitza	Nickol	Strittmatter
Boyes	Habay	Orie	Taylor, E. Z.
Browne	Harhart	Perzel	Taylor, J.
Bunt	Hasay	Petrarca	Travaglio
Chadwick	Hennessey	Phillips	True
Civera	Hershey	Pippy	Tulli

Clark	Hess	Platts	Vance
Clymer	Hutchinson	Raymond	Williams
Cohen, L. I.	Jadlowiec	Reinard	Wilt
Cornell	Kenney	Rohrer	Wogan
Corrigan	Krebs	Ross	Wright
Coy	Leh	Rubley	Zimmerman
Dailey	Lynch	Sather	Zug
Dempsey	Maher	Saylor	
DiGirolamo	Maitland	Schroder	Ryan,
Druce	Major	Schuler	Speaker
Egolf	Marsico		

NOT VOTING—0

EXCUSED—4

Dally	Harhai	Herman	Washington
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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 concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia County, Mr. Myers.

Mr. MYERS. Thank you, Mr. Speaker.

Mr. Speaker, I rise to ask that we nonconcur in HB 1331, and I ask that we nonconcur for a couple of reasons.

One is that there is a difference between theory and practice. In theory, we are being told that the industry wants to deregulate so that there can be a tax reduction for consumers. In practice, we know that every single time we have deregulated an industry, in the beginning we started with tax reductions; at the end we ended with rate increases, reduction in services, and slamming, bawming, and jamming. Whether it related to cable, the phone, electric, Internet, we end up with the same— We start out telling the people, "You know what? It's going to be good for you. We're going to reduce your taxes in the beginning." But then we forget to tell them the truth, that their rates are going to go up.

Now, I can give you an example. Someone in this House tonight said there is an antislamming clause. Well, I was told that there is an antislamming clause by the phone company. Well, last month I went to make a long-distance phone call, and my long-distance service was cut off, and they said I owe \$1,200, and when I called the phone company, somebody named Linda Jones, who lives 15 miles away from me, had changed my phone bill. I mean, and they did not call me and ask me; they just got up and changed my utility service.

And we are going to tell the consumers out there tonight that that is not going to happen to you; no way would that happen to you if we deregulate gas. Well, guess what? The gas is the same gas. I mean, there is no new pot of gas. How do you become competitive when you are selling the same gas that everybody else has got to sell? You cannot buy it any cheaper—

The SPEAKER. Will the gentleman, Mr. Myers, suspend.

The question before the House is on concurrence, as entertaining as this is.

Mr. MYERS. Oh, I am saying this for us not to concur.

The SPEAKER. Thank you. That was well said.

Mr. MYERS. I do not think we should concur, because the true title of this saga is not gas deregulation but is service and worker dismantlement. That is the real saga that is being told here tonight.

The other reason that I do not think that we should concur with HB 1331 is because 6 months from now, we are going to have to stand up to our constituents and explain to them why on this evening, or this morning, at 10 minutes to 2, that we knew we were lying, we knew that we were lying, we knew that we were lying, and we refused to say that the whole thing is a sham and a lie.

MOTION TO TABLE

Mr. MYERS. I ask that we do not concur in HB 1331, and I would like to make a motion.

The SPEAKER. The gentleman will state his motion.

Mr. MYERS. So that we do not get ourselves caught up in slamming, bawming, and jamming, I would like to make a motion that we table this bill and the rest of this session until 9 o'clock tomorrow morning.

MOTION RULED OUT OF ORDER

The SPEAKER. The gentleman, Mr. Myers, the motion to table is out of order at this time, because the immediate prior business was the same motion.

Mr. MYERS. Okay.

MOTION TO PLACE BILL ON POSTPONED CALENDAR

The SPEAKER. Would the gentleman state the second half of what he had said by way of motions.

Mr. MYERS. Right. What I was going to say was, I wanted to ask for a table, and if not, could we postpone it to 9 a.m. tomorrow?

The SPEAKER. Yes. Until what time tomorrow? 9 a.m.?

Mr. MYERS. I have got to pick a number. Wait a minute.

Mr. Speaker, I would like to postpone until the first day of us coming back in session, which I believe is September 24.

The SPEAKER. The 27th is—

Mr. MYERS. September 27.

The SPEAKER. All right. At 1 p.m.?

Mr. MYERS. That is right, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Myers, moves that HB 1331, PN 2112, be placed on the postponed calendar until September 27, 1999, at 1 p.m. Is that correct, Mr. Myers? The Chair thanks the gentleman.

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

The SPEAKER. On the question, the gentleman, Mr. Perzel. Mr. PERZEL. Thank you, Mr. Speaker.

First off, it is tomorrow morning, but this is the day that we have the opportunity of giving a tax break to all of the city — 1.9 million consumers of natural gas throughout the Commonwealth of Pennsylvania, and I would urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—87

Bebko-Jones	Freeman	Mayernik	Shaner
Belardi	George	McGeehan	Solobay
Belfanti	Gigliotti	Melio	Steelman
Bishop	Gordner	Michlovic	Stetler
Butkovitz	Grucela	Mundy	Sturla
Buxton	Gruitza	Myers	Surra
Caltagirone	Haluska	O'Brien	Tangretti
Cappbianca	Hanna	Oliver	Thomas
Carn	Horsey	Pesci	Tigue
Casorio	James	Petrone	Travaglio
Cawley	Josephs	Pistella	Trello
Cohen, M.	Kaiser	Preston	Trich
Colafilella	Keller	Ramos	Van Horne
Costa	Kirkland	Readshaw	Veon
Curry	LaGrotta	Rieger	Vitali
Daley	Laughlin	Roberts	Walko
DeLuca	Lederer	Robinson	Waters
Dermody	Lescovitz	Roebuck	Wojnaroski
DeWeese	Levdansky	Rooney	Yewcic
Donatucci	Lucyk	Ruffing	Youngblood
Eachus	Manderino	Sainato	Yudichak
Frankel	Markosek	Santoni	

NAYS—112

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

NOT VOTING—0

EXCUSED—4

Dally	Harhai	Herman	Washington
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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 concur in Senate amendments?

The SPEAKER. On that question, the gentleman, Mr. Freeman, is recognized.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, the whole concept of deregulation is based upon the premise that through deregulation we create competition; that competition, through the marketplace, will offer choices and options to consumers so that they can save by making an intelligent choice and hopefully getting a lower price for a commodity. The language in this legislation, the structure of this bill, does not really provide for true marketplace competition. There is little or no savings in this legislation for the consumer as this bill stands now.

There are three areas in which the issue of natural gas deregulation has to be looked at. The first is the wellhead, and that has been deregulated for many, many years, so there is nothing in this legislation that effectively deals with that side of the natural gas industry. Another component is the providing of gas from the gas utility through their piping system to the burner, and that by its very nature is beyond the ability to be affected by genuine marketplace competition and really is not affected in this legislation either. The only area that we could have built into this legislation some measure of true competition, to save money for consumers, is at the transporting pipeline, but the way this legislation is devised, that is not possible. Under this legislation, until July 1, 2002, the contracts that exist to deal with the transport of natural gas will follow the consumer, regardless of which company they choose to opt for.

The SPEAKER. Will the gentleman yield.

The subject that the gentleman is permitted to debate at this time is the subject of the Senate amendments, not the bill, and I would request the gentleman to restrain himself and stay on just the amendments.

Mr. FREEMAN. Thank you, Mr. Speaker.

MOTION TO SUSPEND RULES

Mr. FREEMAN. In line with what I have said and because of the flaws of this legislation, I would like to move to suspend the rules to consider an amendment I have prepared which will permit competition in terms of the actual process of dealing with the contracts that consumers are now going to be forced currently to deal with and carry with them but under my legislation, my amendment, would be free from after 2002, July.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Freeman, moves this House suspend its rules to permit him to offer an amendment. Would you give us the number on that?

Mr. FREEMAN. That is amendment A3037, Mr. Speaker.

The SPEAKER. To permit him to offer amendment A3037.

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

The SPEAKER. On the question of suspension of the rules, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I know that I had mentioned it before, but this is roughly an \$80-million tax decrease that goes to

1.9 million families in the Commonwealth of Pennsylvania, and I would have to respectfully ask the members to vote "no."

The SPEAKER. The Chair thanks the gentleman.

On the question of suspension, Mr. DeWeese.

Mr. DeWEESE. Politely and respectfully, I would like to interrogate the floor leader vis-a-vis how much of a tax decrease this is going to amount to to the average consumer. We keep hearing about a tax decrease for the average consumer, and that is the fulcrum upon which every one of these votes seems to be maneuvered, and I am under the impression that we are talking about 30 cents a week.

The SPEAKER. Mr. DeWeese, ask the question and then make an argument at the appropriate time.

Mr. DeWEESE. The Speaker is correct.

Mr. Speaker, I would ask the honorable majority leader roughly how much of a tax break the consumer, average consumer, will get in the State if the gross receipts tax is lowered in the manner that this legislation prescribes.

Mr. PERZEL. Mr. Speaker, to answer the question, the average consumer in Pennsylvania will get 1 month free every year.

Mr. DeWEESE. In Philadelphia, would that—

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Would the figure in Philadelphia be the same?

Mr. PERZEL. Mr. Speaker, Philadelphia is a little bit different, because they have been running it much more like a business. They have an \$870-million debt on a \$200-million gross receipts each year. They have 20 percent more employees than any other gas company in the Commonwealth. They have the 13th highest rates in the United States of America. It is a little more difficult to give them a break. Now, we have provided the seniors with a break, and putting them under the PUC will allow all the people that I and all the other members here represent to get a 20-percent cut in their rates.

Mr. DeWEESE. Thank you, Mr. Speaker. No further questions.

The SPEAKER. Mr. DeWeese.

Mr. DeWEESE. I am under the impression that the seniors in Philadelphia get a break today if they are a senior, but if they become a senior citizen tomorrow or next week or next month or next year, all of the senior citizens in the years ahead will be rendered from that grouping, so it is somewhat disingenuous to say that the senior citizens get a break. I am under the impression that the only senior citizens that get a break are the people that are grandfathered in, but all those baby boomers and all those people in their fifties and early sixties who are going to be senior citizens are not going to get the break. So this is not a panacea.

I think the motion to suspend should be sustained.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—88

Bebko-Jones	Frankel	Markosek	Samuelson
Belardi	Freeman	Mayernik	Santoni
Belfanti	George	McGeehan	Shaner
Bishop	Gigliotti	Melio	Solobay
Blaum	Gordner	Michlovic	Steelman
Butkovitz	Grucela	Mundy	Stetler
Buxton	Gruitza	Myers	Sturla

Caltagirone	Haluska	O'Brien	Surra
Cappabianca	Hanna	Oliver	Tangretti
Carn	Horsey	Pesci	Thomas
Casorio	James	Petrone	Travaglio
Cawley	Josephs	Pistella	Trello
Cohen, M.	Kaiser	Preston	Trich
Colafella	Keller	Ramos	Van Horne
Costa	Kirkland	Readshaw	Veon
Curry	LaGrotta	Rieger	Vitali
Daley	Laughlin	Roberts	Walko
DeLuca	Lederer	Robinson	Waters
Dermody	Lescovitz	Roebuck	Wojnarowski
DeWeese	Levdansky	Rooney	Yewcic
Donatucci	Lucyk	Ruffing	Youngblood
Eachus	Manderino	Sainato	Yudichak

NAYS—108

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

NOT VOTING—3

Leh	Mann	Tigue
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EXCUSED—4

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

On the question recurring,

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Philadelphia County, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, first, may I interrogate the majority leader?

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

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, just so that I will have a clear understanding, I thought I heard you say that the senior citizens of Philadelphia County will be able to retain their discount in perpetuity.

Mr. PERZEL. The ones that currently receive that discount will keep it in perpetuity, and that is, again, on page 117. I believe it is line 18 where it starts.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, then that means that anybody that is not currently receiving the discount will not be entitled to the discount, and the second part of the question goes to, is it true that as of today, Philadelphia County is the only county that provides such a discount? Is that correct?

Mr. PERZEL. The PUC has the power to make a just and reasonable rate for seniors in the future, which could include putting a means test on it, the way the Philadelphia Water Department has been doing that over the last I do not know how many years but quite a long time. I think that is a more fair, reasonable, just way to do this.

Mr. THOMAS. Thank you, Mr. Speaker.

Well, Mr. Speaker, then it seems to me that if Philadelphia County—

The SPEAKER. The gentleman has concluded his interrogation and is on the subject?

Mr. THOMAS. Well, I have one more question, Mr. Speaker.

The SPEAKER. The gentleman will ask the question; fine.

Mr. THOMAS. But it is necessary to lay a foundation before I ask the question.

The foundation that I would like to lay is that it is my understanding that as of today, Philadelphia County is the only gas utility that provides such a discount, that there are no other gas utility industries in Pennsylvania that provide such a discount, and so my question is, what is there to assure each and every one of us and the people of Pennsylvania that the discount which Philadelphia currently provides will not be viewed as discriminatory or be viewed as selective as it relates to the other gas utilities in the Commonwealth of Pennsylvania?

And I guess what I am saying, Mr. Speaker, is that if I have been providing this service for years and have not been required to provide a discount to a sizable portion of the 1.9 million consumers, then what is in this bill by way of the Senate amendments that will provide assurances that you can now make me do something that I have not been doing and make me do something that nobody else has been doing other than Philadelphia County?

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, the Philadelphia gas company is the only utility company in the country that provides a discount with no means testing whatsoever, in the whole country. The chief counsel for the PUC has told us in a letter that they would continue the discount. You are also voting for it, to put it into law that they will continue to receive that discount. There is always a possibility that someone could go to court, but they would have to prove that they were harmed by the fact that someone else was receiving a discount, and I would find that very difficult to prove.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I have concluded my interrogation, and I would like to comment.

The SPEAKER. The gentleman is in order.

Mr. THOMAS. Mr. Speaker, I urge members on both sides of the aisle to nonconcur on HB 1331 for the following reasons.

One, I think it is unfair and I think that it is counterproductive to force on gas utility companies outside of Philadelphia County to do something that they have not been in the practice of doing, nor have ever indicated any interest to do, and so by putting the senior citizen discount language in the bill, I think it sets up an adversarial relationship between Philadelphia County and other gas utility companies that I do not believe will end in a benefit to all consumers of Pennsylvania, and so I think that this is a very dangerous road for us to be treading.

Number two, it has been argued that the reason that the PUC needs to take over the Philadelphia gas company is primarily because the gas company has been mismanaged. Well, the last time I checked, statutorily the PUC is not in the business of micromanaging local utility companies or micromanaging any utility companies. The management-related problems, alleged management-related problems in Philadelphia County, is an issue that Philadelphia County is going to have to deal with. So it is not factual to say that we need PUC control in order to deal with the local, day-to-day management problems which exist with the Philadelphia Gas Works.

Thirdly, Mr. Speaker, I, too, have sat through and actively participated in the deregulation of two other utilities, the telephone industry and the electricity industry, and, Mr. Speaker, I, too, have sat through public hearings, I have sat through workshops, I have had private meetings, and I, too, left the process believing that the benefits would clearly outweigh the cost of deregulating those two industries. But I can tell you today that it is not fiction but fact that the deregulation of those two industries has not resulted in the benefits that we proposed to the people of Pennsylvania, nor has it resulted in the benefits that the industries said to us would be provided as a result of deregulation. Deregulation has been somewhat of — it is almost like voodoo economics. It says one thing, but in actuality, something else comes out in the end. So I cannot look to the past as a guidepost for determining that deregulation of the gas industry is going to provide any more benefits than are currently being provided to the people of Philadelphia County. I cannot look to the present and see a situation with deregulation of the gas industry that has provided any overwhelming benefits to the day-to-day consumer.

And last but not least, Mr. Speaker, we are entertaining concurrence of HB 1331 in the face of an effort by the Pennsylvania Senate and its amendments to say that it is unreasonable to provide a broad array of protections for gas utility workers. Mr. Speaker, what we did when this bill went over to the Senate was evolutionary; it was not revolutionary, and therefore, the Senate had no basis to act in a negative manner with respect to those worker protections. So now that those worker protections have been stripped out, I have heard that we have replaced those worker protections with some protections. Well, Mr. Speaker, it is clear that if you look at the weight of the protections that are currently contained in the bill, those protections are de minimis as to what is required for workers as we move into the 21st century. You cannot take the aura of protections and replace them and say that you have adequately provided workers with comprehensive protections that are needed in dealing in this kind of industry. This industry, probably more than the other industries that we have entertained deregulation, needs full-blown, comprehensive protections. We do not need to put a Band-Aid on a problem that

needs comprehensive treatment. And in the absence of those worker protections, this bill in its totality is flawed, defective, and deficient, and the most responsible thing that we can do is to nonconcur and force it to a conference committee, in hope, in hope that the conference committee would do the right thing.

So in closing, I say, Mr. Speaker, in response to the speaker who said that this bill is like a steal or that this bill is something that we can really give to somebody, Mr. Speaker, we offer nothing to people comprehensively with this bill in the current form that it is in. So send it to a conference committee, not so that we can provide a steal but so that we can provide some healing, some healing for workers of Pennsylvania, some real healing for consumers of Pennsylvania, and a real pathway to making sure that the distribution and use of gas in the Commonwealth of Pennsylvania is progressive and not regressive. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GEORGE. Mr. Speaker, I will not be very long, but I just want the people to know that I intend to vote for this for one reason, and that is that it does establish the reduction in the gross receipts tax.

But for those of you that might want to applaud this bill at the moment, just today the Department of Energy is predicting a 37-percent increase in gas prices this winter. So those that are real advocates of this bill and are talking about deregulation, I ought to also tell you that the gross receipts tax does not come off until January, and so those of us that do vote, I hope I can corner you in some manner where we can understand that the PUC better tell these senior citizens that if they get on a monthly billing and the prices fluctuate where they cannot afford, they cannot opt out, unless they are on a 2-month billing or a 1-year billing. So if in fact we are concerned about people, let us watch this very closely, because what you see is not what you may get.

Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Cohen, for the second time on the issue.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, in brief summary, this bill eviscerates a system of protections which the Philadelphia Gas Works had established for its senior citizens and low-income people, not only current people but future low-income people and future senior citizens, and this bill eviscerates the labor protections that we just passed on Tuesday.

For these reasons I join others in urging a vote of nonconcurrency.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Trello.

Mr. TRELLO. Mr. Speaker, I rise to oppose concurrence on HB 1331.

Those in the chamber, if they believe that deregulation is going to save you money, then they believe the tooth fairy left the money when you were a kid.

If you look on page 117 about the discount for senior citizens, it does not say "shall." It says they "may" provide a provision; "may" not "shall." So for those reasons, Mr. Speaker, I ask for a negative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Dauphin County, Mr. Tulli, who waives off.

Mr. Wogan, do you desire recognition?

Mr. WOGAN. Mr. Speaker, briefly.

It is not a popular—

The SPEAKER. Mr. Wogan.

Mr. WOGAN. I promise I will be brief, Mr. Speaker.

Mr. Speaker, some of the previous speakers have alluded to the fact that the savings may indeed be modest as a result of gas restructuring, and to some extent they are correct. That does not mean that we should not vote to nonconcur, however, on HB 1331.

There will be savings, I believe, not just because of the elimination of the gross receipts tax on consumers, and if I may say so, there are already a number of consumers who are not paying the gross receipts tax in Pennsylvania. This is also a matter of fairness — eliminating this tax for everyone. There are situations where in one township people may be paying a tax and the next borough over they may not be paying a tax. This will add clarity and fairness and justice to what has really developed as an unfair tax situation in Pennsylvania.

But some of the speakers are also correct in saying that the savings may be modest, because, actually, some savings have already been rung from this system because of a process of deregulation which began over 20 years ago on the Federal level. We are essentially deregulated as a result of actions taken on the Federal level through the Federal Energy Regulatory Commission up to what we call the city gate. We have had competition for industrial customers of gas companies. Think about this for one second. In 1986 by way of action from the Pennsylvania Public Utility Commission, industrial companies got the right to shop for gas. Consumers do not have that right and will not have that right unless we concur in the Senate amendments to HB 1331.

This completes an over 20-year process of giving consumers the right to shop for the cheapest gas rates around. Is it a perfect bill? No, it is not. It is a result of a 3-year process which, quite frankly, at one point I was pessimistic would be successful. Back at the beginning of this session, Representative Tulli, Senator Piccola, Representative McCall asked Chairman Quain to rejuvenate the collaborative process, which had basically fallen apart. That collaborative process, which I participated in last session, I think has been successful. There has been a give-and-take. If the truth be told, I do not like everything that is in this bill. There are suppliers who do not like everything that is in this bill.

And before I conclude, let me say, some of the folks who have complained about the savings being minimal, we could have made the savings larger by unbundling components of the gas industry that would have hurt organized labor, and the decision was made not to do that, and I support that decision. The savings could have been larger at the expense of workers in the gas industry in this State, and I would not have supported that.

This is a good bill; it is a consensus bill, and I urge concurrence in the Senate amendments.

On the question recurring,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—141

Adolph	Feese	Marsico	Scrimenti
Allen	Fichter	Masland	Semmel
Argall	Fleagle	Mayernik	Serafini
Armstrong	Flick	McCaill	Seyfert
Baker	Forcier	McGill	Shaner
Bard	Frankel	McIlhattan	Smith, B.
Barley	Geist	McIlhinney	Smith, S. H.
Barrar	George	McNaughton	Snyder
Bastian	Gladdeck	Melio	Staback
Battisto	Godshall	Metcalfe	Stairs
Belardi	Gordner	Micozzie	Steelman
Benninghoff	Grucela	Miller, R.	Steil
Birmelin	Gruitza	Miller, S.	Stern
Blaum	Habay	Mundy	Stetler
Boyes	Hanna	Nailor	Stevenson
Browne	Harhart	Nickol	Strittmatter
Bunt	Hasay	Orie	Surra
Cawley	Hennessey	Perzel	Taylor, E. Z.
Chadwick	Hershey	Petrarca	Taylor, J.
Civera	Hess	Phillips	Tigue
Clark	Hutchinson	Pippy	Trich
Clymer	Jadlowiec	Platts	True
Cohen, L. I.	Kenney	Raymond	Tulli
Colafella	Krebs	Readshaw	Vance
Cornell	LaGrotta	Reinard	Van Horne
Corrigan	Laughlin	Roberts	Williams
Coy	Lawless	Rohrer	Wilt
Dailey	Leh	Rooney	Wogan
Daley	Lescovitz	Ross	Wright
Dempsey	Levdansky	Rubley	Yudichak
DiGirolamo	Lynch	Sainato	Zimmerman
Druce	Maher	Samuelson	Zug
Egolf	Maitland	Sather	
Evans	Major	Saylor	Ryan,
Fairchild	Mann	Schroder	Speaker
Fargo	Markosek	Schuler	

NAYS—58

Bebko-Jones	Donatucci	McGeehan	Santoni
Belfanti	Eachus	Michlovic	Solobay
Bishop	Freeman	Myers	Sturla
Butkovitz	Gannon	O'Brien	Tangretti
Buxton	Gigliotti	Oliver	Thomas
Caltagirone	Haluska	Pesci	Travaglio
Cappabianca	Horsey	Petrone	Trello
Carn	James	Pistella	Veon
Casorio	Josephs	Preston	Vitali
Cohen, M.	Kaiser	Ramos	Walko
Costa	Keller	Rieger	Waters
Curry	Kirkland	Robinson	Wojnarowski
DeLuca	Lederer	Roebuck	Yewcic
Dermody	Lucyk	Ruffing	Youngblood
DeWeese	Manderino		

NOT VOTING—0

EXCUSED—4

Dally	Harhai	Herman	Washington
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**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 3, PN 1244**, entitled:

An Act amending Titles 42 (Judiciary and Judicial Procedure) and 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for county-level court administrators and for the transfer of accumulated annual leave and sick leave of certain county administrators transferred to the State judicial personnel system; establishing the Unified Judicial System Transferred County-Level Administrator Leave Fund; requiring certain county payments; requiring periodic reports; providing for the transfer of county-level court administrators to the State Employees' Retirement System; and making a repeal.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER. On that question, the Chair recognizes the minority whip.

Mr. VEON. Thank you, Mr. Speaker.

Since the hour is late, I just want to make sure that all the members understood that this was a bill that we did vote on earlier this week dealing with court funding. I just want to make that clear to everybody so it does not move through too quickly without members understanding exactly what we are voting on. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I was hoping to have an inquiry and interrogation just to confirm legislative intent.

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

Mr. MAHER. Thank you, Mr. Speaker.

This question is simply to confirm that the legislative intent established through interrogation when originally considered has not been altered by the amendments in the Senate. Is that correct?

Mr. GANNON. Correct, Mr. Speaker.

Mr. MAHER. Thank you.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Gannon, is recognized.

Mr. GANNON. Mr. Speaker, parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GANNON. Do you have any noncontroversial bills that I can speak on?

The SPEAKER. We will find something for you. We all would be anxious to find such a bill.

Mr. GANNON. Mr. Speaker, what the Senate did here was made a very minor technical change to an amendment that I offered to this bill that was approved overwhelmingly by the House. They also removed some language that was inserted by the

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

Ordered, That the clerk inform the Senate accordingly.

House. Under the circumstances, I would urge that we concur in the Senate amendments and get this bill to the Governor.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. THOMAS. Mr. Speaker, I rise in support of SB 3 on concurrence.

Mr. Speaker, I know that everybody in this House does not practice law. I know that everybody in this House might not have had the opportunity to visit our courts from Erie to Chester, but, Mr. Speaker, if you have had any contact with any of our courts from one county to another, then you know that uniformity is not only necessary but it is imperative, and so this represents a first step towards a unified court system.

And, Mr. Speaker, as I mentioned to several members, the door is still open for anybody that would like to come together and form a unified court system caucus so that we can expeditiously move this issue forward and move Pennsylvania into the 21st century with a unified court system. No one should have to jump through the hurdles that you currently have to jump through from one county to another with respect to county rules and county practices.

So I want to thank the architects in taking this first step towards moving us to a unified system here in the Commonwealth of Pennsylvania, and I urge concurrence on SB 3.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—63

Allen	Druce	Major	Stetler
Argall	Evans	Manderino	Stevenson
Baker	Fargo	Mann	Tangretti
Bard	Freeman	Mayernik	Taylor, E. Z.
Barley	Gannon	O'Brien	Taylor, J.
Bastian	Gladeck	Orie	Thomas
Blaum	Godshall	Perzel	Tigue
Browne	Habay	Pippy	Travaglio
Cawley	Hanna	Readshaw	Tulli
Chadwick	Hasay	Ross	Veon
Cohen, M.	Hennessey	Rublely	Williams
Corrigan	Hershey	Samuelson	Wright
Dailey	Hess	Sather	Youngblood
Daley	Kirkland	Serafini	
Dempsey	Levdansky	Snyder	Ryan.
DeWeese	Maher	Stern	Speaker
DiGiroiama			

NAYS—136

Adolph	Fichter	McCall	Sainato
Armstrong	Fleagle	McGeehan	Santoni
Barrar	Flick	McGill	Saylor
Battisto	Forcier	McIlhattan	Schroder
Bebko-Jones	Frankel	McIlhinney	Schuler
Belardi	Geist	McNaughton	Scrimenti
Belfanti	George	Melio	Semmel
Benninghoff	Gigliotti	Metcalfe	Seyfert
Birmelin	Gordner	Michlovic	Shaner
Bishop	Grucela	Micozzie	Smith, B.

Boyes	Gruitza	Miller, R.	Smith, S. H.
Bunt	Haluska	Miller, S.	Solobay
Butkovitz	Harhart	Mundy	Staback
Buxton	Horsey	Myers	Stairs
Caltagirone	Hutchinson	Nailor	Steelman
Cappabianca	Jadlowiec	Nickol	Steil
Carn	James	Oliver	Strittmatter
Casorio	Josephs	Pesci	Sturla
Civera	Kaiser	Petrarca	Surra
Clark	Keller	Petrone	Trello
Clymer	Kenney	Phillips	Trich
Cohen, L. I.	Krebs	Pistella	True
Colafella	LaGrotta	Platts	Vance
Cornell	Laughlin	Preston	Van Home
Costa	Lawless	Ramos	Vitali
Coy	Lederer	Raymond	Walko
Curry	Leh	Reinard	Waters
DeLuca	Lescovitz	Rieger	Wilt
Dermody	Lucyk	Roberts	Wogan
Donatucci	Lynch	Robinson	Wojnaroski
Eachus	Maitland	Roebuck	Yewcic
Egolf	Markosek	Rohrer	Yudichak
Fairchild	Marsico	Rooney	Zimmerman
Feese	Masland	Ruffing	Zug

NOT VOTING—0

EXCUSED—4

Dally	Harhai	Herman	Washington
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Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments to House amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

SB 3 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman, Mr. Snyder, who moves that the vote by which SB 3, PN 1244, was defeated on the 16th day of June be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—145

Allen	Evans	Mann	Schuler
Argall	Fairchild	Markosek	Semmel
Baker	Fargo	Marsico	Serafini
Bard	Fichter	Masland	Smith, B.
Barley	Fleagle	Mayernik	Snyder
Barrar	Flick	McCall	Staback
Bastian	Forcier	McGeehan	Steelman
Battisto	Frankel	McGill	Stern
Bebko-Jones	Freeman	McIlhattan	Stetler
Belardi	Gannon	McIlhinney	Stevenson
Birmelin	Geist	McNaughton	Strittmatter
Blaum	George	Michlovic	Sturla
Browne	Gladeck	Micozzie	Surra
Bunt	Godshall	Miller, R.	Tangretti
Butkovitz	Grucela	Myers	Taylor, E. Z.
Buxton	Habay	Nailor	Taylor, J.
Cappabianca	Hanna	O'Brien	Thomas
Cawley	Harhart	Orie	Tigue
Chadwick	Hasay	Perzel	Travaglio

Civera	Hennessey	Pesci	Trich
Clymer	Hershey	Phillips	True
Cohen, L. I.	Hess	Pippy	Tulli
Cohen, M.	Horsey	Pistella	Vance
Colafella	Hutchinson	Platts	Van Horne
Cornell	James	Ramos	Veon
Corrigan	Keller	Raymond	Vitali
Costa	Kenney	Readshaw	Waters
Coy	Kirkland	Reinard	Williams
Curry	Krebs	Robinson	Wogan
Dailey	Laughlin	Rooney	Wright
Daley	Lederer	Ross	Youngblood
Dempsey	Leh	Rubley	Yudichak
Dermody	Lescovitz	Sainato	Zug
DeWeese	Levdansky	Samuelson	
DiGirolamo	Lynch	Sather	Ryan,
Druce	Maher	Saylor	Speaker
Egolf	Major	Schroder	

NAYS—51

Adolph	Gigiotti	Miller, S.	Seyfert
Armstrong	Gordner	Mundy	Shaner
Belfanti	Gruitza	Nickol	Smith, S. H.
Benninghoff	Haluska	Oliver	Solobay
Bishop	Jadlowiec	Petrarca	Stairs
Boyes	Josephs	Petrone	Steil
Caltagirone	Kaiser	Preston	Trello
Carn	LaGrotta	Roberts	Walko
Casorio	Lawless	Roebuck	Wilt
Clark	Lucyk	Rohrer	Wojnaroski
DeLuca	Maitland	Ruffing	Yewcic
Eachus	Melio	Santoni	Zimmerman
Feese	Metcalfe	Scrimenti	

NOT VOTING—3

Donatucci	Manderino	Rieger
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EXCUSED—4

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

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. Without objection, SB 3 will be over temporarily.

SUPPLEMENTAL CALENDAR K

**RESOLUTION ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HR 13, PN 2113**, entitled:

A Concurrent Resolution establishing a task force to study issues concerning the renewal and management of this Commonwealth's forests; providing for an advisory committee; and directing the Joint Legislative Air and Water Pollution Control and Conservation Committee to provide administrative support to the task force.

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

The SPEAKER. The gentleman, Mr. Lynch.
Mr. LYNCH. Thank you, Mr. Speaker.

I just want to comment that the amendments that were offered by the Senate are minuscule, and I would ask everyone to concur with them. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Daily Harhai Herman Washington

The majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 209, PN 1246**.

BILLS SIGNED BY SPEAKER

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

HB 10, PN 2065

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for licensing eligibility and licensing of minors, for learner's permits, for suspension of operating privilege, for school, examination or hearing on accumulation of points or excessive speeding, for requirements for driving under influence offenders, for annual hauling permits and for restraint systems; establishing a task force on driver's education programs; providing for conditions of permits and security for damages, for permits for movement of float glass or flat glass and for permits for movement of self-propelled cranes; further providing for restrictions on use of limited access highways, for permit for movement during the course of manufacture and for permit for movement of wooden structures; providing for security wall pilot project; and making editorial changes.

HB 157, PN 2109

An Act amending the act of May 1, 1933 (P.L.103, No.69), known as The Second Class Township Code, further providing for auditor's compensation.

HB 314, PN 2114

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the State Veterans' Commission and for the Pennsylvania Veterans' Memorial Commission.

HB 371, PN 2058

An Act amending the act of July 15, 1976 (P.L.1036, No.208), known as the Volunteer Fire Company, Ambulance Service and Rescue Squad Assistance Act, adding a definition; and further providing for assistance to volunteer fire companies.

HB 773, PN 2027

An Act amending the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, further providing for definitions and for funds for payment; and making a repeal.

HB 779, PN 2111

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for police animals; and providing penalties.

HB 1331, PN 2112

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for supply choice for customers of natural gas utilities and for restructuring of the natural gas utility industry; and making repeals.

SB 209, PN 1246

An Act authorizing the Department of General Services, with the approval of the Governor, to convey to East Allen Township, Northampton County, certain land situate in East Allen Township, Northampton County; and to convey to the trustees of the University of Pittsburgh, certain land situate in the City of Pittsburgh, Allegheny County; and authorizing and directing the State Armory Board of the Department of Military and Veterans Affairs and the Department of General Services, with the approval of the Governor, to convey to the Historical and Genealogical Society of Indiana County a tract of land situate in the Borough of Indiana, County of Indiana, Pennsylvania.

SB 365, PN 1240

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

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

VOTE CORRECTIONS

The SPEAKER. Does the gentleman, Mr. Sturla, have a correction to the record?

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, earlier today on concurrence of SB 366, I was recorded in the negative. I wish to be recorded in the affirmative.

And on Monday on HB 124, amendment A2718, the motion to suspend, I was not recorded. My switch had malfunctioned. I wish to be recorded in the affirmative. Thank you, Mr. Speaker.

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

There are still two votes to go, so do not leave.

It is the best information of the Chair that the two bills that we need before we can conclude at this time for a summer break are in the Senate and will be available to us at approximately 3 o'clock. That being the case, the Chair is going to declare the House in recess subject to the recall of the Chair. It is my expectation it will be 3 o'clock before we are called back. However, if through some fortuitous happenstance we get the two bills, I will call back immediately.

Do the majority or minority leaders have any suggestions or comments on this?

We should all go over to the Senate and sit in the gallery and urge them on.

VOTE CORRECTIONS

The SPEAKER. Mr. Maher.

Mr. MAHER. Thank you, Mr. Speaker.

I rise just to correct the record.

On amendment 2928 to SB 652, I wish to be recorded in the affirmative, and for amendment 2879, I wish to have been recorded in the negative. Thank you.

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

Mr. Civera.

Mr. CIVERA. Thank you, Mr. Speaker.

I would like to correct the record.

On concurrence in HB 10 my switch was inoperative, and I would like to be recorded in the affirmative.

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

Any further corrections?

RECESS

The SPEAKER. This House will be in recess until 3 a.m., unless sooner recalled by the Chair or extended by the Chair.

AFTER RECESS

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

SENATE MESSAGE

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

The clerk of the Senate, being introduced, returned **HB 456, PN 2117**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel, who requests an immediate meeting of the Rules Committee.

The House will be at ease.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

HB 456, PN 2117

By Rep. PERZEL

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for office for safe schools, for Commonwealth payments for basic education grants, intermediate units, community colleges, secondary vocational education subsidies,

small district assistance and basic education and for transportation; and authorizing area vocational-technical boards to establish capital reserve funds.

RULES.

SUPPLEMENTAL CALENDAR I CONTINUED

CONSIDERATION OF SB 3 CONTINUED

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—117

Adolph	Fairchild	Micozzie	Solobay
Allen	Fargo	Miller, R.	Staback
Argall	Fichter	Myers	Stairs
Armstrong	Fleagle	Nickol	Steelman
Baker	Flick	O'Brien	Stern
Bard	Freeman	Oliver	Stevenson
Barley	Gannon	Orie	Stritmatter
Barrar	Geist	Perzel	Surra
Bastian	Gladeck	Phillips	Tangretti
Benninghoff	Godshall	Pippy	Taylor, E. Z.
Bishop	Habay	Platts	Taylor, J.
Boyes	Hanna	Raymond	Thomas
Browne	Harhart	Readshaw	Tigue
Butkovitz	Hasay	Reinard	Travaglio
Cawley	Hennessey	Rieger	Trich
Chadwick	Hershey	Robinson	True
Civera	Hess	Roebuck	Tulli
Clymer	Keller	Rooney	Vance
Cohen, L. I.	LaGrotta	Ross	Veon
Cohen, M.	Lescovitz	Rubley	Waters
Colafella	Levdansky	Sainato	Williams
Corrigan	Maher	Samuelson	Wogan
Curry	Major	Sather	Wojnaroski
Dailey	Manderino	Saylor	Wright
Dempsey	Masland	Schroder	Zimmerman
DeWeese	Mayemik	Schuler	Zug
DiGirolamo	McCall	Semmel	
Donatucci	McGill	Serafini	Ryan,
Druce	McIlhinney	Smith, B.	Speaker
Evans	McNaughton	Snyder	

NAYS—74

Battisto	Feese	Maitland	Rohrer
Bebko-Jones	Forcier	Markosek	Ruffing
Belardi	Frankel	Marsico	Santoni
Belfanti	George	McGeehan	Scrimenti
Birmelin	Gigliotti	McIlhatten	Seyfert
Blaum	Gordner	Melio	Shaner
Bunt	Grucela	Metcalfe	Smith, S. H.
Buxton	Gruitza	Michlovic	Steil
Caltagirone	Haluska	Miller, S.	Stetler
Cappabianca	Horsey	Mundy	Sturla
Casorio	Hutchinson	Nailor	Trello
Clark	Kaiser	Pesci	Van Horne
Cornell	Kenney	Petrarca	Vitali
Costa	Kirkland	Petrone	Walko
Coy	Krebs	Pistella	Wilt
DeLuca	Laughlin	Preston	Yewcic
Dermody	Lawless	Ramos	Youngblood
Eachus	Leh	Roberts	Yudichak
Egolf	Lucyk		

NOT VOTING—8

Carn	Jadlowiec	Josephs	Lynch
Daley	James	Lederer	Mann

EXCUSED—4

Dally	Harhai	Herman	Washington
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR L

RULES SUSPENDED

The SPEAKER. The Chair is on House calendar supplemental L, HB 456.

The Chair recognizes the lady, Mrs. Harhart.

Mrs. HARHART. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HB 456.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—192

Adolph	Egolf	Mann	Santoni
Allen	Evans	Markosek	Sather
Argall	Fairchild	Marsico	Saylor
Armstrong	Fargo	Masland	Schroder
Baker	Feese	Mayernik	Schuler
Bard	Fichter	McCall	Semmel
Barley	Fleagle	McGeehan	Serafini
Barrar	Flick	McGill	Seyfert
Bastian	Forcier	McIlhatten	Shaner
Battisto	Frankel	McIlhinney	Smith, B.
Bebko-Jones	Freeman	McNaughton	Smith, S. H.
Belardi	Gannon	Melio	Snyder
Belfanti	Geist	Metcalfe	Solobay
Benninghoff	George	Michlovic	Staback
Birmelin	Gigliotti	Micozzie	Stairs
Bishop	Gladeck	Miller, R.	Steil
Blaum	Godshall	Miller, S.	Stern
Boyes	Gordner	Mundy	Stetler
Browne	Grucela	Myers	Stevenson
Bunt	Gruitza	Nailor	Strittmatter
Butkovitz	Habay	Nickol	Sturla
Buxton	Hanna	O'Brien	Surra
Caltagirone	Harhart	Oliver	Tangretti
Cappabianca	Hasay	Orie	Taylor, E. Z.
Cam	Hennessey	Perzel	Taylor, J.
Casorio	Hershey	Pesci	Thomas
Cawley	Hess	Petrarca	Travaglio
Chadwick	Horsey	Petrone	Trello
Civera	Hutchinson	Phillips	Trich
Clark	Jadlowiec	Pippy	True
Clymer	James	Pistella	Tulli
Cohen, L. I.	Josephs	Platts	Vance
Cohen, M.	Kaiser	Preston	Van Home
Colafella	Keller	Ramos	Veon
Cornell	Kenney	Raymond	Walko
Corrigan	Kirkland	Readshaw	Waters
Costa	LaGrotta	Reinard	Williams
Coy	Laughlin	Rieger	Wilt

Curry	Lawless	Roberts	Wogan
Dailey	Lederer	Robinson	Wojnaroski
Daley	Leh	Roebuck	Wright
DeLuca	Lescovitz	Rohrer	Youngblood
Dempsey	Levdansky	Rooney	Yudichak
Dermody	Lucyk	Ross	Zimmerman
DeWeese	Lynch	Rublely	Zug
DiGirolamo	Maher	Ruffing	
Donatucci	Maitland	Sainato	Ryan,
Druce	Major	Samuelson	Speaker
Eachus	Manderino		

NAYS—7

Haluska	Scrimenti	Tigue	Yewcic
Krebs	Steelman	Vitali	

NOT VOTING—0

EXCUSED—4

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

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 456, PN 2117**, entitled:

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for office for safe schools, for Commonwealth payments for basic education grants, intermediate units, community colleges, secondary vocational education subsidies, small district assistance and basic education and for transportation; and authorizing area vocational-technical boards to establish capital reserve funds.

On the question,

Will the House concur in Senate amendments?

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

The following roll call was recorded:

YEAS—198

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

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

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the lady, Mrs. Harhart. Mrs. HARHART. Thank you, Mr. Speaker.

I would just like to thank everybody for their support on this bill and just like to submit my remarks. Thank you very much.

The SPEAKER. The Chair thanks the lady. The remarks will be sent to the desk.

Mrs. HARHART submitted the following remarks for the Legislative Journal:

This bill amends the School Code to authorize the Office for Safe Schools to provide grants to schools to obtain security technology, hire security personnel, develop violence response plans, provide staff training, purchase instructional materials, institute school identification programs, address risk factors to reduce incidents of problem behaviors among students, and establish alternative education programs.

It is my understanding that the current safe school grant application process will be utilized including a memorandum of understanding, assuring that local law enforcement and schools are working together in planning for the utilization of these funds.

For the first time there will be State money available to all districts who wish to utilize it for safe school equipment and targeted prevention programs.

The program would be funded through a \$25-million safe schools line item in the 1999-2000 General Fund budget.

As amended by the Senate this legislation also amends the Public School Code to provide implementing language necessary for appropriations made in the State's FY 1999-2000 budget, including disbursement of additional funding for basic and special education, intermediate unit operations, small district assistance, and community colleges.

The SPEAKER. It is the understanding of the Chair, with respect to the balance of today's session, that we have one bill left to pick up from the Senate. It, I believe, now is on our system, but the bill is not in our possession. So there will be about a 10-minute delay on that.

The gentleman, Mr. Perzel, is going to be recognized for remarks, and I will adjourn this House and immediately reopen it and take a master roll call and run one resolution and then adjourn. That is for the purpose of putting on the record officially that we were here on Thursday, the 17th of June, or whatever it is.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader at this time.

Mr. PERZEL. Thank you, Mr. Speaker.

I realize that the hour is late, but I would like to thank the members for their patience and cooperation during this very, very long day. The time we spent here today was well worth it.

We have tackled and succeeded in dealing with a number of issues that will have a positive effect on virtually every person in Pennsylvania. We expanded, with the help of both sides of the aisle, the property tax/rent rebate program for our senior citizens. We approved the Northeast Dairy Compact. We approved legislation that will ensure that young drivers are better drivers and safer drivers. We deregulated the natural gas industry, boosting competition and eliminating the tax for nearly 2 million families. We approved the capital budget, helping hundreds of communities

NAYS—1

Vitali

NOT VOTING—0

EXCUSED—4

Dally Harhai Herman Washington

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

Ordered, That the clerk inform the Senate accordingly.

BILL 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 456, PN 2117

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, further providing for office for safe schools, for Commonwealth payments for basic education grants, intermediate units, community colleges, secondary vocational education subsidies, small district assistance and basic education and for transportation; and authorizing area vocational-technical boards to establish capital reserve funds.

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

like those communities in Allegheny County who would benefit from the expanded US Airways maintenance facility. We approved school funding for the coming year, giving more money for every school district in this great State, and the funding for the school violence program that we passed, Mr. Speaker.

This has been a very good day's work serving the people of the Commonwealth of Pennsylvania, and I truly want to thank the members of this General Assembly for their help, their work, and their cooperation.

The SPEAKER. The Chair thanks the gentleman.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Daley, do you seek recognition?

Mr. DALEY. Yes, Mr. Speaker.

To correct the record on concurrence in SB 3.

Either my finger or my machine malfunctioned, or my feet malfunctioned and I could not get here in time, but I did vote earlier in the affirmative. I would like the record to reflect that.

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

Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

To correct the record.

On concurrence in SB 3 my switch malfunctioned. It recorded in the negative. I want to be recorded in the affirmative.

The SPEAKER. The remarks of the gentleman will be spread upon the record, with his jacket.

STATEMENT BY MR. THOMAS

The SPEAKER. The gentleman, Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I do not want to correct the record. I just want to wish every father in here a happy Father's Day and hope that each and every one of you enjoy your time with your kids on Father's Day. I wish everybody a happy Father's Day.

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Sturla.

Mr. STURLA. Thank you, Mr. Speaker.

Mr. Speaker, on concurrence on SB 3, 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.

SENATE MESSAGE

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

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives by amending said amendments to **SB 970, PN 1250**.

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

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

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

In the Senate
June 16, 1999

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week, it reconvene on Monday, September 27, 1999, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week, it reconvene on Monday, September 27, 1999, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Perzel, who calls for an immediate meeting of the Rules Committee at the majority leader's desk.

BILL ON CONCURRENCE REPORTED FROM COMMITTEE

SB 970, PN 1250

By Rep. PERZEL

An Act amending the act of April 9, 1929 (P.L.177, No.175), entitled The Administrative Code of 1929, establishing a bureau within the Department of Corrections; providing for the administration of inmate training and education; establishing an Inmate Education Advisory Committee; providing for the transfer and retirement membership of certain employees; providing for investment powers of the Treasury Department; providing for a supplemental Agricultural Conservation Easement Purchase Program in the Department of Agriculture; transferring functions relating to services for individuals who are blind or visually impaired; affecting certain reorganization plans; and making repeals.

RULES.

The SPEAKER. We are awaiting a calendar to appear either on the floor or on the computer and we will move to, I believe, the last bill.

But let me once again caution you that over the summer months anything left in your desks will probably disappear. So take with you your personal property, not the computers, but everything else

that you need, because the desks will be removed in order to install new carpeting. If you have trash, put it on the floor and we will see to it that it is picked up separately by the cleaning staff.

The members might refer to their laptop computers and find the calendar, supplemental M.

Without objection, the Chair will not wait for the printing of the calendar, the printing having taken place within the personal computers. If you want an actual hard copy, you have only to push the print button.

VOTE CORRECTION

The SPEAKER. Mrs. Harhart.

Mrs. HARHART. Mr. Speaker, can I correct the record at this time on a previous vote?

The SPEAKER. Yes.

Mrs. HARHART. On HB 1331 I would like to be voted in the affirmative on the suspension of the rules.

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

Mrs. HARHART. Thank you, Mr. Speaker.

SUPPLEMENTAL CALENDAR M

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

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 970, PN 1250**, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), entitled The Administrative Code of 1929, establishing a bureau within the Department of Corrections; providing for the administration of inmate training and education; establishing an Inmate Education Advisory Committee; providing for the transfer and retirement membership of certain employees; providing for investment powers of the Treasury Department; providing for a supplemental Agricultural Conservation Easement Purchase Program in the Department of Agriculture; transferring functions relating to services for individuals who are blind or visually impaired; affecting certain reorganization plans; and making repeals.

On the question,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—199

Adolph	Fairchild	Markosek	Schroder
Allen	Fargo	Marsico	Schuler
Argall	Feese	Masland	Scrimenti
Armstrong	Fichter	Mayernik	Semmel
Baker	Fleagle	McCall	Serafini
Bard	Flick	McGeehan	Seyfert

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

NAYS—0

NOT VOTING—0

EXCUSED—4

Dally	Harhai	Herman	Washington
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments to House amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, the remaining bill 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 in Wednesday's session?

Hearing none, the Chair recognizes the gentleman, Mr. Grucela, from Northampton County.

Mr. GRUCELA. Mr. Speaker, I move that this House do now adjourn until Thursday, June 17, 1999, at 4:10 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:09 a.m., e.d.t., Thursday, June 16, 1999, the House adjourned.