

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, JUNE 30, 1987

SESSION OF 1987

171ST OF THE GENERAL ASSEMBLY

No. 53

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

REV. DR. DAVID R. HOOVER, *chaplain of the House of Representatives*, from *McConnellsburg, Pennsylvania*, offered the following prayer:

O God, our Heavenly Father, in the busyness of life, in the frenzy of the moment, and in the frantic hustle and bustle of the hours at the end of this fiscal year, we come apart to spend a few quiet moments with Thee. Speak to us through the power and presence of Thy spirit so that we may be aware of Thy counsel and guidance, so that we may reach out to Thee in *our every moment of need, and so that we may rest in the sanctity and safety of Thy forgiving love.*

O God, as the psalmist has said, Thou art our refuge and strength and a very present help in trouble. There need be no fear in any one of us as we trust Thee and Thy blessed presence in our lives. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVED

The SPEAKER. The Chair is informed that the Journal for Tuesday, May 26, 1987, is in print, and unless the Chair hears objection, the Journal will stand as approved. The Chair hears no such objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, however, the approval of the Journal for Monday, June 29, 1987, will be delayed until that Journal is in print. The Chair hears no such objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1611 By Representatives NOYE, SHOWERS, FARMER, DOMBROWSKI, VROON, FARGO, DALEY, CARLSON, HONAMAN, MORRIS, MOWERY, RAYMOND, SEMMEL, NAHILL, HERSHEY, BOOK, ANGSTADT, BARLEY, TELEK, CIVERA, SIRIANNI, REBER, BUNT, STAIRS, E. Z. TAYLOR, DeLUCA, STABACK, PHILLIPS, BOWSER and LANGTRY

An Act amending the act of June 1, 1945 (P. L. 1242, No. 428), known as the "State Highway Law," providing for the lining of secondary roads.

Referred to Committee on TRANSPORTATION, June 30, 1987.

No. 1612 By Representatives NOYE, DOMBROWSKI, R. C. WRIGHT, DALEY, BATTISTO, OLASZ, CARLSON, MORRIS, MOWERY, RAYMOND, SEMMEL, NAHILL, HERSHEY, ITKIN, CIVERA, SIRIANNI, REBER, BUNT, COLAFELLA, STAIRS, DeLUCA, WOGAN, STABACK, PHILLIPS, DAWIDA and LANGTRY

An Act providing for the licensing of business entities involved in the removal, enclosure and encapsulation of asbestos.

Referred to Committee on LABOR RELATIONS, June 30, 1987.

No. 1613 By Representatives NOYE, JAROLIN, CARLSON, OLASZ, MERRY, FARMER, ANGSTADT, DOMBROWSKI, HONAMAN, MORRIS, MOWERY, RAYMOND, SEMMEL, JACKSON, NAHILL, HERSHEY, BOOK, BARLEY, TELEK, MICOZZIE, CIVERA, SIRIANNI, REBER, BUNT, STAIRS, E. Z. TAYLOR, DeLUCA, STABACK, PHILLIPS, BOWSER, TIGUE, JOHNSON, LANGTRY, LEH and MAINE

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for an exception to sovereign immunity in relation to damage to private lands.

Referred to Committee on JUDICIARY, June 30, 1987.

No. 1614 By Representatives BOWSER, FARGO, MERRY, ROBBINS, DISTLER, S. H. SMITH, BURD, TIGUE, BOYES, McCALL, CARLSON, JOHNSON, NOYE, DIETTERICK, MELIO, FEE, DALEY, FISCHER, SEMMEL, R. C. WRIGHT, SHOWERS, HERSHEY, TELEK, CIVERA, MICOZZIE, SIRIANNI, REBER, STAIRS, E. Z. TAYLOR, BELFANTI, ITKIN, J. TAYLOR, PHILLIPS and LANGTRY

An Act amending Title 30 (Fish) of the Pennsylvania Consolidated Statutes, further providing for the registration of motor-boats.

Referred to Committee on GAME AND FISHERIES, June 30, 1987.

No. 1615 By Representatives BOWSER, FARGO, MERRY, CESSAR, ROBBINS, DISTLER, J. L. WRIGHT, HESS, MRKONIC, MAYERNIK, MORRIS, BOYES, McCALL, CARLSON, BALDWIN, JOHNSON, NOYE, DIETTERICK, JADLOWIEC, SCHULER, KASUNIC, GRUPPO, ANGSTADT, BARLEY, FOX, MELIO, LEH, FEE, B. SMITH, CIMINI, DALEY, G. SNYDER, FISCHER, SEMMEL, NAHILL, HAGARTY, R. C. WRIGHT, SHOWERS, HERSHEY, S. H. SMITH, TELEK, BURD, MICOZZIE, CIVERA, SIRIANNI, REBER, ARTY, STAIRS, E. Z. TAYLOR, RAYMOND, BELFANTI, BUSH, ITKIN, CORNELL, J. TAYLOR, D. W. SNYDER, PHILLIPS, DeLUCA and LANGTRY

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 exclusions from the sales and use tax.

Referred to Committee on FINANCE, June 30, 1987.

No. 1616 By Representatives ARGALL, FOX, HALUSKA, MARKOSEK, J. L. WRIGHT, CIMINI, CARLSON, SEMMEL, RAYMOND, ANGSTADT, KENNEY, CIVERA, REBER, BUNT, BELFANTI, HARPER, BUSH, MAIALE, WOGAN, STABACK and PETRARCA

An Act amending the act of September 26, 1961 (P. L. 1661, No. 692), known as the "State Employees Group Life Insurance Law," further providing that benefits shall continue and not be reduced upon retirement.

Referred to Committee on INSURANCE, June 30, 1987.

No. 1617 By Representatives CESSAR and TRELLO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the powers and duties of the prothonotary regarding entry of judgments.

Referred to Committee on JUDICIARY, June 30, 1987.

No. 1618 By Representatives MARKOSEK and PHILLIPS

An Act amending the act of December 16, 1986 (P. L. 1646, No. 188), known as the "Chiropractic Practice Act," changing the implementation date for certification to use adjunctive procedures.

Referred to Committee on PROFESSIONAL LICENSURE, June 30, 1987.

No. 1619 By Representatives PITTS, SHOWERS, VROON, MORRIS, PETRONE, MERRY, HECKLER, PUNT, FLICK, SCHEETZ, CARLSON, MARKOSEK, DeLUCA, SAURMAN, GANNON, LEVDANSKY, STAIRS, PHILLIPS, NOYE, JACKSON, FOX, ITKIN, HAYDEN, GODSHALL, CLYMER, McHALE, HERSHEY, ARGALL, HALUSKA, FARGO, STABACK, SEMMEL, CHADWICK, E. Z. TAYLOR, FISCHER, FOSTER, DISTLER, MOEHLMANN, SIRIANNI, D. W. SNYDER, WOGAN, McVERRY, RAYMOND, BALDWIN, DAWIDA, ROBBINS, OLASZ, BARLEY and YANDRISEVITS

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative code of 1929," providing for resident State troopers; and making appropriations.

Referred to Committee on STATE GOVERNMENT, June 30, 1987.

No. 1620 By Representatives PITTS, SHOWERS, VROON, MORRIS, PETRONE, MERRY, HECKLER, PUNT, FLICK, SCHEETZ, CARLSON, MARKOSEK, DeLUCA, SAURMAN, GANNON, LEVDANSKY, STAIRS, PHILLIPS, NOYE, JACKSON, FOX, ITKIN, HAYDEN, GODSHALL, CLYMER, McHALE, HERSHEY, ARGALL, HALUSKA, FARGO, STABACK, SEMMEL, CHADWICK, E. Z. TAYLOR, FISCHER, FOSTER, DISTLER, MOEHLMANN, SIRIANNI, D. W. SNYDER, WOGAN, McVERRY, RAYMOND, BALDWIN, DAWIDA, ROBBINS, OLASZ, BARLEY and YANDRISEVITS

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," authorizing boroughs to enter into contracts with the Commonwealth for police protection.

Referred to Committee on LOCAL GOVERNMENT, June 30, 1987.

No. 1621 By Representatives PITTS, SHOWERS, VROON, MORRIS, PETRONE, MERRY,

HECKLER, PUNT, FLICK, SCHEETZ, CARLSON, MARKOSEK, DeLUCA, SAURMAN, GANNON, LEVDANSKY, STAIRS, PHILLIPS, NOYE, JACKSON, FOX, ITKIN, HAYDEN, GODSHALL, CLYMER, McHALE, HERSHEY, ARGALL, HALUSKA, FARGO, STABACK, SEMMEL, CHADWICK, E. Z. TAYLOR, FISCHER, FOSTER, DISTLER, MOEHLMANN, SIRIANNI, D. W. SNYDER, WOGAN, McVERRY, RAYMOND, BALDWIN, DAWIDA, ROBBINS, OLASZ, BARLEY and YANDRISEVITS

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," authorizing townships to enter into contracts with the Commonwealth for police protection.

Referred to Committee on LOCAL GOVERNMENT, June 30, 1987.

No. 1622 By Representatives PITTS, SHOWERS, VROON, MORRIS, PETRONE, MERRY, HECKLER, PUNT, FLICK, SCHEETZ, CARLSON, MARKOSEK, DeLUCA, SAURMAN, GANNON, LEVDANSKY, STAIRS, PHILLIPS, NOYE, JACKSON, FOX, ITKIN, HAYDEN, GODSHALL, CLYMER, McHALE, HERSHEY, ARGALL, HALUSKA, FARGO, STABACK, SEMMEL, CHADWICK, E. Z. TAYLOR, FISCHER, FOSTER, DISTLER, MOEHLMANN, SIRIANNI, D. W. SNYDER, WOGAN, McVERRY, RAYMOND, BALDWIN, DAWIDA, ROBBINS, OLASZ, BARLEY and YANDRISEVITS

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," authorizing townships to enter into contracts with the Commonwealth for police protection.

Referred to Committee on LOCAL GOVERNMENT, June 30, 1987.

No. 1623 By Representatives J. TAYLOR and WESTON

An Act amending the act of October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), known as the "Goods and Services Installment Sales Act," further providing for service charges.

Referred to Committee on BUSINESS AND COMMERCE, June 30, 1987.

No. 1624 By Representatives J. TAYLOR and WESTON

An Act amending the act of October 28, 1966 (1st Sp. Sess., P. L. 55, No. 7), known as the "Goods and Services Installment Sales Act," further providing for service charges.

Referred to Committee on BUSINESS AND COMMERCE, June 30, 1987.

No. 1625 By Representatives KOSINSKI, ITKIN, CALTAGIRONE, JAROLIN, WESTON, TRUMAN, DOMBROWSKI, FEE, RYBAK, MAINE, MRKONIC, OLASZ, CAWLEY, CORRIGAN, BALDWIN, GEORGE, SEVENTY, COHEN, DAWIDA, VAN HORNE, MICHLOVIC, CLARK, LEVDANSKY, HARPER, LUCYK, KENNEY, BATTISTO, WOZNIAC, EVANS, ROEBUCK, HAYDEN, JOSEPHS, CARN, OLIVER, DONATUCCI, ACOSTA, DeWEESE, BURNS, J. TAYLOR, O'BRIEN, WOGAN, TELEK, JADLOWIEC, BELARDI and GRUITZA

An Act providing for grants by the Secretary of Community Affairs to promote social services for Pennsylvania's ethnic and multicultural communities and to insure that ethnic groups are not discriminated against or prohibited from receiving services because of language barriers, cultural obstacles, lack of education or lack of accessibility to government-related or public social programs; and making an appropriation.

Referred to Committee on URBAN AFFAIRS, June 30, 1987.

No. 1626 By Representatives DeWEESE, KASUNIC, DeLUCA, STUBAN, CESSAR, STEIGHNER, COY, YANDRISEVITS, DOMBROWSKI, MAYERNIK, SHOWERS, COLE, COWELL, BELFANTI, BUSH, BATTISTO, LEVDANSKY, VROON, BOOK, OLASZ, BLAUM, WOZNIAC, FISCHER, LETTERMAN, TRELLO, D. W. SNYDER, LLOYD, G. SNYDER, REINARD, MERRY, STEVENS, STAIRS, BUNT, FOSTER, LASHINGER, GODSHALL, CORRIGAN, BALDWIN, REBER, JACKSON, S. H. SMITH, FARGO, JOHNSON, MRKONIC, BELARDI, HERMAN, LaGROTTA, WILSON, PRESTON, MORRIS, MARKOSEK, E. Z. TAYLOR, GLADECK, DAVIES, NOYE, STABACK, FOX, FLICK, TIGUE, O'DONNELL and TELEK

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further defining "firearm"; and providing for a sportsman's firearm permit.

Referred to Committee on STATE GOVERNMENT, June 30, 1987.

No. 1627 By Representatives OLASZ, CLARK, NOYE, KOSINSKI, JADLOWIEC, BELFANTI, JACKSON, DALEY, MORRIS, GAMBLE, COLAFELLA, DUFFY, TRELLO, GALLEN, DOMBROWSKI, LETTERMAN, SEVENTY, SALOOM, PETRARCA,

McCALL, STABACK, LESCOVITZ,
WOZNIAK, PETRONE, MELIO and
CESSAR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for testing for alcohol or controlled substances; and providing for costs.

Referred to Committee on TRANSPORTATION,
June 30, 1987.

No. 1628 By Representatives RYBAK, DeVERTER,
MAIALE, NOYE, GAMBLE, JOSEPHS,
LESCOVITZ, MICHLOVIC, TRUMAN,
YANDRISEVITS, GANNON, DURHAM,
GODSHALL, MOWERY, REINARD,
LIVENGOOD, ROBBINS, McCALL, FOX,
S. H. SMITH, HALUSKA,
CALTAGIRONE, MORRIS, DISTLER,
JAROLIN, CARLSON, KUKOVICH,
BATTISTO, E. Z. TAYLOR, HOWLETT,
CORRIGAN, BALDWIN, O'BRIEN,
G. SNYDER, GRUPPO, LAUGHLIN,
CAWLEY, CHADWICK, COHEN, BURNS,
SEMMELE, B. SMITH, ITKIN, WOZNIAK,
RUDY, COY and WIGGINS

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, adding provisions relating to insurance; and making repeals.

Referred to Committee on INSURANCE, June 30, 1987.

No. 1629 By Representatives FOX, KOSINSKI,
SAURMAN, RYBAK, DURHAM,
NAHILL, MAIALE, DONATUCCI,
MRKONIC, CORNELL, E. Z. TAYLOR,
ARTY, GANNON, WASS, J. L. WRIGHT,
BUNT, KENNEY, RAYMOND,
J. TAYLOR, D. W. SNYDER, HALUSKA,
CAWLEY, TRELLO, SERAFINI,
FISCHER, COHEN, GEIST, HOWLETT,
ACOSTA, JACKSON, KUKOVICH,
GRUPPO, JOHNSON, CHADWICK,
NOYE, LEVDANSKY, BELFANTI,
STABACK and BELARDI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for handicapped placards and for parking regulations; requiring certain public buildings to have handicapped parking spaces; and further providing for penalties.

Referred to Committee on TRANSPORTATION,
June 30, 1987.

No. 1630 By Representatives FOX, COHEN,
NAHILL, RYBAK, JADLOWIEC,
DURHAM, NOYE, LEVDANSKY, GEIST,
BELFANTI, MAIALE, DONATUCCI,
B. SMITH, MRKONIC, CORNELL,
E. Z. TAYLOR, BELARDI, SAURMAN,
WASS, J. L. WRIGHT, BUNT, KENNEY,

RAYMOND, J. TAYLOR, D. W. SNYDER,
HALUSKA, ARTY, CAWLEY, TRELLO,
SERAFINI, FISCHER, HOWLETT,
ACOSTA, JACKSON, KUKOVICH,
GRUPPO, JOHNSON, CHADWICK,
KOSINSKI, MARKOSEK, HUGHES and
GANNON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing penalties for individuals that park illegally in handicapped and disabled veterans' parking areas.

Referred to Committee on TRANSPORTATION,
June 30, 1987.

No. 1631 By Representatives CAWLEY, TIGUE,
STEIGHNER, GRUITZA, MAINE,
BLAUM, CAPPABIANCA, ARTY,
HASAY, CHADWICK, E. Z. TAYLOR,
SIRIANNI, GODSHALL, G. SNYDER,
GANNON, BIRMELIN and DISTLER

An Act providing direct reimbursement to providers for medical transportation services.

Referred to Committee on HEALTH AND WELFARE,
June 30, 1987.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 144 By Representative KENNEDY

Agreeing that the House of Representatives shall not increase any amounts originally budgeted for legislative expenses.

Referred to Committee on RULES, June 30, 1987.

SENATE BILL FOR CONCURRENCE

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

SB 838, PN 1009

Referred to Committee on APPROPRIATIONS, June 30,
1987.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 362, PN 1921**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

BILL SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bill, which was then signed:

SB 29, PN 317

An Act requiring retail gasoline dealers to post gasoline additive information; and imposing penalties.

COMMUNICATION FROM GOVERNOR**BILL SIGNED BY GOVERNOR**

The Secretary to the Governor presented the following communication from His Excellency, the Governor:

APPROVAL OF HB No. 1000.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

June 29, 1987

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 1000, Printer's No. 1941, entitled "AN ACT reenacting and amending the act of April 12, 1951 (P.L. 90, No. 21), entitled 'An act relating to alcoholic liquors, alcohol and malt and brewed beverages; amending, revising, consolidating and changing the laws relating thereto; regulating and restricting the manufacture, purchase, sale, possession, consumption, importation, transportation, furnishing, holding in bond, holding in storage, traffic in and use of alcoholic liquors, alcohol and malt and brewed beverages and the persons engaged or employed therein; defining the powers and duties of the Pennsylvania Liquor Control Board; providing for the establishment and operation of State liquor stores, for the payment of certain license fees to the respective municipalities and townships, for the abatement of certain nuisances and, in certain cases, for search and seizure without warrant; prescribing penalties and forfeitures; providing for local option, and repealing existing laws,' providing for the REESTABLISHMENT, powers and duties of the BOARD; providing ethical standards for the BOARD and its members and employees; establishing administrative officers and units for the administration and enforcement of the act; providing for the powers and duties of the Auditor General, State Treasurer, Attorney General and Pennsylvania State Police; REGULATING ADVERTISING; further providing for licenses, FOR BRAND REGISTRATION, for penalties, for funding and for disposition of moneys; and transferring personnel, property and appropriations."

Robert P. Casey
Governor

LEAVES OF ABSENCE

The SPEAKER. The Speaker now turns to leaves of absence and recognizes the gentleman from Lawrence, Mr. Fee.

Mr. FEE. Mr. Speaker, the gentleman from Philadelphia, Mr. HOWLETT, for this morning; the lady from Philadelphia, Ms. JOSEPHS, for the week; and the gentleman from Lehigh, Mr. McHALE, for today.

The SPEAKER. The leaves are granted, there being no objection.

Does the minority leader know whether or not he has any requests for leaves at this point? Not at this point. The Chair thanks the gentleman.

Mr. McHALE requested that it be spread upon the record that he was called home because his wife has started labor.

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES****HB 363, PN 396**

By Rep. OLIVER

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, further defining "correction officer"; and making an editorial change.

STATE GOVERNMENT.**HB 459, PN 497**

By Rep. OLIVER

An Act amending the act of March 4, 1970 (P. L. 128, No. 49), entitled "An act granting to the Governor of the Commonwealth the sole authority for regulating the display of the flag of the United States from any public ground or building and from any ground or building of certain other institutions," further directing the Governor to display the official POW/MIA flag over the Main Capitol Building.

STATE GOVERNMENT.**HB 1332, PN 1536**

By Rep. OLIVER

An Act amending the act of June 24, 1976 (P. L. 424, No. 101), referred to as the "Emergency and Law Enforcement Personnel Death Benefits Act," increasing the death benefits; and permitting a designee to receive benefits.

STATE GOVERNMENT.**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****SB 139, PN 804**

By Rep. OLIVER

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, transferring the pension service credit of certain former county employees to the State Employees' Retirement System.

STATE GOVERNMENT.**BILL REREPORTED FROM COMMITTEE****HB 1169, PN 1980 (Amended)**

By Rep. MRKONIC

An Act requiring the superintendent of every public school district to make available, upon request, lists of graduating seniors to armed forces recruiters; and providing a penalty for the misuse of any such lists.

MILITARY AND VETERANS AFFAIRS.**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 139 be lifted from the tabled calendar and placed on the active calendar.

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

Motion was agreed to.

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 139 be recommitted to the Committee on Appropriations for a fiscal note.

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

WELCOMES

The SPEAKER. Representative Saurman has to the left of the Speaker two guests - Nancy Lunde and Christine Mihalek. Will you please rise. Welcome to the hall of the House. We are delighted to have you here.

Representative Fred Noye has Mr. and Mrs. Jean DeChesne to the left of the Speaker. Will you please rise. Welcome to the hall of the House. We are pleased to have you here.

Is Col. Donald Potter here? Welcome to the hall of the House. The Colonel is the guest of Representative Broujos and Representative Burns.

And Lt. Col. Robert Barziloski, welcome to the hall of the House. He is the guest of Representatives Broujos and Burns.

And Dorsey Fry, who is a retired Marine Reserve officer. His wife, Anne, is also here. Welcome to the hall of the House. Representative Mowery also sponsors them as guests on the floor.

MASTER ROLL CALL

The SPEAKER. The Speaker is about to take the master roll call for the day. The members will proceed to vote on the master roll.

The following roll call was recorded:

PRESENT—197

Acosta	Dombrowski	Lashinger	Ritter
Angstadt	Donatucci	Laughlin	Robbins
Argall	Dorr	Leh	Roebuck
Arty	Duffy	Lescovitz	Rudy
Baldwin	Durham	Letterman	Ryan
Barley	Evans	Levdansky	Rybak
Battisto	Fargo	Linton	Saloom
Belardi	Farmer	Livengood	Saurman
Belfanti	Fattah	Lloyd	Scheetz
Birmelin	Fee	Lucyk	Schuler
Black	Fischer	McCall	Semmel
Blaum	Flick	McClatchy	Serafini
Book	Foster	McVerry	Seventy
Bortner	Fox	Maiale	Showers
Bowley	Freeman	Maine	Sirianni
Bowser	Freind	Manderino	Smith, B.
Boyes	Gallen	Manmiller	Smith, S. H.
Brandt	Gamble	Markosek	Snyder, D. W.
Broujos	Gannon	Mayernik	Snyder, G.
Bunt	Geist	Melio	Staback
Burd	George	Merry	Stairs
Burns	Gladeck	Michlovic	Steighner
Bush	Godshall	Micozzie	Stevens

Caltagirone	Gruitza	Miller	Stuban
Cappabianca	Gruppo	Moehlmann	Sweet
Carlson	Hagarty	Morris	Taylor, E. Z.
Carn	Haluska	Mowery	Taylor, F.
Cawley	Harper	Mrkonic	Taylor, J.
Cessar	Hasay	Murphy	Telek
Chadwick	Hayden	Nahill	Tigue
Cimini	Hayes	Noye	Trello
Civera	Heckler	O'Brien	Truman
Clark	Herman	O'Donnell	Van Horne
Clymer	Hershey	Olasz	Veon
Cohen	Hess	Oliver	Vroon
Colafella	Honaman	Perzel	Wambach
Cole	Hughes	Petrarca	Wass
Cornell	Hutchinson	Petrone	Weston
Corrigan	Itkin	Phillips	Wiggins
Cowell	Jackson	Pievsky	Wilson
Coy	Jadlowiec	Pistella	Wogan
DeLuca	Jarolin	Pitts	Wozniak
DeVertter	Johnson	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kennedy	Punt	Wright, R. C.
Davies	Kenney	Raymond	Yandrisevits
Dawida	Kosinski	Reber	
Dietterick	Kukovich	Reinard	Irvis,
Dininni	LaGrotta	Richardson	Speaker
Distler	Langtry	Rieger	

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Howlett Josephs McHale Piccola

LEAVES CANCELED—1

Howlett

WELCOME

The SPEAKER. We have two guest pages. They are here as the guests of Representative Ken Brandt - Donna Forry and Erica Zimmerman. Are the children on the floor of the House? Please stand if you are here. Welcome to the hall of the House. We are delighted to have you.

CALENDAR

BILLS ON SECOND CONSIDERATION

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

SB 586, PN 1202; and SB 428, PN 465.

* * *

The House proceeded to second consideration of **SB 514, PN 567**, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," eliminating a restriction on the general powers of a township relating to other governmental units.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 514 be recommitted for a fiscal note to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HB 87, PN 1912**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act providing for the celebration of the 200th Anniversary of the first reading of the newly adopted United States Constitution; and providing for a Joint Session of the General Assembly to be held at Independence Hall in Philadelphia, Pennsylvania.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Pitts.

Mr. PITTS. Thank you, Mr. Speaker.

This is the bill that calls for the joint session of the legislature in Philadelphia on September 18. The Senate has amended the bill to say that the Chief Clerks of the Senate and the House will pay the expenses of the members.

We concur in these amendments and would urge passage of the bill. Thank you, Mr. Speaker.

The SPEAKER. On concurrence, the Chair recognizes the gentleman from Philadelphia, Mr. Kosinski.

Mr. KOSINSKI. Thank you, Mr. Speaker.

I rise to ask my colleagues to concur with the Senate amendments in HB 87. I am looking forward to having you in our native city that weekend in September to enjoy the treats of Philadelphia and also to relive the ratification of this chamber's passage of the Constitution of the United States. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Berks, Mr. Davies.

Mr. DAVIES. Mr. Speaker, would the last speaker consent to brief interrogation?

The SPEAKER. Mr. Kosinski indicates he will.

Mr. DAVIES. Mr. Speaker, would you be glad enough to enlighten me on what the occurrences have been in the last week or so about the controversy between certain groups and their infractions of their expression of freedom of speech, something to do with the infiltration of these groups by the Philadelphia police force, and some of the concerns that some of the members may have about that as far as our lending our meeting to whatever is occurring in the city of Philadelphia?

Mr. KOSINSKI. Yes, Mr. Speaker.

What you have been reading about became evident in a published article in Sunday's Philadelphia Inquirer. It dealt with a story of the Philadelphia Police keeping tabs on certain groups in Philadelphia. Now, the Philadelphia Police are claiming that these groups are subversive and they may in some way affect the bicentennial celebration. The so-called subversive groups have gotten together and have sued the Philadelphia Police Department—I believe the case was filed yesterday—on the basis of violation of civil rights.

The controversy stems from these groups trying allegedly to infiltrate and subvert the ceremonies themselves. The so-called subversive groups claim that they are exercising their freedom-of-speech initiative, and the Philadelphia Police Department is basically fearful of some sort of disruption of the celebrations.

There will be a number of celebrations in Philadelphia. Ours will not be the only one, but I can assure you, as far as the Philadelphia Police are concerned, that we will be adequately protected and the members need not have any extensive fears as far as a session in Philadelphia. In fact, I would have to say you will be very well protected in Philadelphia.

Mr. DAVIES. Mr. Speaker, one other question.

The SPEAKER. All right. You may proceed just as soon as the Speaker gets a little quiet.

Try it now, Mr. Davies.

Mr. DAVIES. Evidently, in the confrontation that occurred, somebody from the committee that is attached with the group that is sponsoring the celebration was involved in this. Do you feel as if there has been no abridgment of the real constitutional guarantees of individuals in this, or are we going to face more of this controversy over the summer on this same subject?

Mr. KOSINSKI. I think that we probably will be facing more of the controversy for a very simple reason. The eyes of the Nation will be on Philadelphia during the celebration, and since the eyes of the Nation are on Philadelphia - the media, the electronic media, the print media - this is a perfect forum for any groups that would like to protest to use in order to get such media attention. But what I am saying is we have the same thing up here, Mr. Speaker. If you notice, we have a number of groups coming up here to protest also, in the rotunda, outside the rotunda. The eyes of the State are on us; the eyes of the Nation are on Philadelphia, so naturally the same type of groups - the special interests or a group that would like to demonstrate - will use Philadelphia because the attention is focused there. It is just like this Capitol Building. We have the same events going on here that they do in Philadelphia, and naturally, we will be used for the same type of demonstrations.

Mr. DAVIES. Mr. Speaker, may I make just one statement?

The SPEAKER. The gentleman may proceed.

Mr. DAVIES. I understand the center of attraction that is caused by the event. My only concern is that thus far in our conduct of our business here, we have not been accused of,

that is, the members have not been accused of being involved in stifling anybody's constitutional rights, and I certainly hope that we take some kind of precautions so that we are not involved in any exercise in which we may lend ourselves to somewhere or other of infringing upon those individual rights; that is, the conduct here has not involved us in that kind of controversy, and I hope that this exercise does not either. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—194

Acosta	Distler	Langtry	Rieger
Angstadt	Dombrowski	Lashingier	Ritter
Argall	Donatucci	Laughlin	Robbins
Arty	Dorr	Leh	Roebuck
Baldwin	Duffy	Lescovitz	Rudy
Barley	Durham	Letterman	Ryan
Battisto	Evans	Levdansky	Rybak
Belardi	Fargo	Linton	Saloom
Belfanti	Farmer	Livengood	Saurman
Birmelin	Fattah	Lloyd	Scheetz
Black	Fee	Lucyk	Schuler
Blaum	Fischer	McCall	Semmel
Book	Flick	McClatchy	Serafini
Bortner	Foster	McVerry	Seventy
Bowley	Fox	Maiale	Showers
Bowser	Freeman	Maine	Sirianni
Boyes	Freind	Manderino	Smith, B.
Brandt	Gallen	Manmiller	Smith, S. H.
Broujos	Gamble	Markosek	Snyder, D. W.
Bunt	Gannon	Mayernik	Snyder, G.
Burd	Geist	Melio	Staback
Burns	George	Merry	Stairs
Bush	Gladeck	Michlovic	Steighner
Caltagirone	Godshall	Micozzie	Stevens
Cappabianca	Gruitza	Miller	Stuban
Carlson	Gruppo	Mochlmann	Sweet
Carn	Hagarty	Morris	Taylor, E. Z.
Cawley	Haluska	Mowery	Taylor, F.
Cessar	Harper	Mrkonic	Taylor, J.
Chadwick	Hasay	Murphy	Telek
Cimini	Hayden	Nahill	Tigue
Civera	Hayes	Noye	Trello
Clark	Heckler	O'Brien	Truman
Clymer	Herman	O'Donnell	Van Horne
Cohen	Hershey	Olasz	Veon
Colafella	Hess	Oliver	Vroon
Cole	Honaman	Perzel	Wambach
Cornell	Hutchinson	Petrarca	Wass
Corrigan	Itkin	Petrone	Weston
Cowell	Jackson	Phillips	Wilson
Coy	Jadlowiec	Pievsky	Wogan
DeLuca	Jarolin	Pistella	Wozniak
DeVerter	Johnson	Pitts	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kennedy	Punt	Wright, R. C.
Davies	Kenney	Raymond	Yandrisevits
Dawida	Kosinski	Reber	
Dietterick	Kukovich	Reinard	Irvis,
Dininni	LaGrotta	Richardson	Speaker

NAYS—1

Pressmann

NOT VOTING—2

Hughes Wiggins

EXCUSED—4

Howlett Josephs McHale Piccola

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.

RESOLUTION

Mr. STEVENS called up **HR 129, PN 1882**, entitled:

Declaring July 19, 1987, as "POW/MIA Recognition Day in Luzerne County."

On the question,

Will the House adopt the resolution?

Mr. JAROLIN offered the following amendments No. A2416:

Amend Title, page 1, lines 1 and 2, by striking out "Luzerne County." and inserting "Pennsylvania."

Amend First Resolve Clause, page 1, line 16, by striking out "Luzerne County" and inserting "Pennsylvania"

On the question,

Will the House agree to the amendments?

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Jarolin, on the amendment.

Mr. JAROLIN. Mr. Speaker, I understand that Representative Pistella has got another amendment also similar to mine. At this time I would like to withdraw my amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the resolution?

Mr. PISTELLA offered the following amendments No. A2423:

Amend Resolution, page 1, before line 1, by striking out "A RESOLUTION" and inserting

A CONCURRENT RESOLUTION

Amend Resolution, page 1, lines 1 through 16, by striking out all of said lines and inserting

Memorializing the Governor to proclaim the week of September 13 through 19, 1987, as "POW-MIA Recognition Week for Pennsylvania."

WHEREAS, Throughout the history of the United States, men and women, both military and civilian, have fought and served bravely and made many sacrifices in the defense of this great nation. Many never returned from the battlefield. Some died, some were captured as prisoners and some became missing in action. A POW-MIA recognition week would be in honor of and a reminder of these POW's and MIA's and their sacrifices. For a country to forget its warriors is not only a travesty against them, but also against what America stands for. Let us not forget them, but honor them; therefore be it

RESOLVED (the Senate concurring), That the General Assembly of the Commonwealth of Pennsylvania memorialize

the Governor to proclaim the week of September 13 through 19, 1987, as "POW-MIA Recognition Week for Pennsylvania," in order to increase public awareness of this issue and thereby assist in efforts to resolve the fate of our missing men; and be it further

RESOLVED, That the Governor be requested to do all within his power to generate interest in "POW-MIA Recognition Week for Pennsylvania" and to coordinate the observance in our Commonwealth with recognition activities on the national level; and be it further

RESOLVED, That the Governor be requested to symbolize support for the policies and efforts of the Government of the United States in obtaining return of and accounting for POW's and MIA's by flying the national POW-MIA Flag over the Capitol on Memorial Day, Veterans' Day, Independence Day, and during "POW-MIA Recognition Week for Pennsylvania" and by displaying the POW-MIA Flag in a conspicuous place inside the Main Capitol Building; and be it further

RESOLVED, That a copy of this resolution be transmitted to the Honorable Robert P. Casey.

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Allegheny, Mr. Pistella.

Mr. PISTELLA. Thank you, Mr. Speaker.

Mr. Speaker, this amendment does a couple of things. One, it changes the language within HR 129 to it being a concurrent resolution. It changes the date from July 19, 1987, to September 13 through 19 and makes it "POW-MIA Recognition Week for Pennsylvania." Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—189

Acosta	Distler	Laughlin	Robbins
Angstadt	Dombrowski	Leh	Roebuck
Argall	Donatucci	Lescovitz	Rudy
Arty	Dorr	Letterman	Ryan
Baldwin	Duffy	Levdansky	Rybak
Barley	Durham	Linton	Saloom
Battisto	Evans	Livengood	Saurman
Belardi	Fargo	Lloyd	Scheetz
Belfanti	Farmer	Lucyk	Schuler
Birmelin	Fee	McCall	Semmel
Black	Fischer	McClatchy	Serafini
Blaum	Flick	McVerry	Seventy
Book	Foster	Maiale	Showers
Bortner	Fox	Maine	Sirianni
Bowley	Freeman	Manderino	Smith, B.
Bowser	Gallen	Manmiller	Smith, S. H.
Boyes	Gamble	Markosek	Snyder, D. W.
Brandt	Gannon	Mayernik	Snyder, G.
Broujos	Geist	Melio	Staback
Bunt	George	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Godshall	Miller	Stevens
Bush	Gruitza	Moehlmann	Stuban
Caltagirone	Gruppo	Morris	Sweet
Cappabianca	Hagarty	Mowery	Taylor, E. Z.
Carlson	Haluska	Mrkonjic	Taylor, F.
Carn	Harper	Murphy	Taylor, J.
Cawley	Hasay	Nahill	Telek
Cessar	Hayden	Noye	Tigue
Chadwick	Hayes	O'Brien	Trello
Cimini	Heckler	O'Donnell	Truman
Clark	Herman	Olasz	Van Horne
Clymer	Hershey	Oliver	Veon
Cohen	Hess	Perzel	Vroon

Colafella	Honaman	Petrarca	Wambach
Cole	Itkin	Petrone	Wass
Cornell	Jackson	Phillips	Weston
Corrigan	Jadlowiec	Pievsky	Wilson
Cowell	Jarolin	Pistella	Wogan
Coy	Johnson	Pitts	Wozniak
DeLuca	Kasunic	Pressmann	Wright, D. R.
DeVerter	Kennedy	Preston	Wright, J. L.
DeWeese	Kenney	Punt	Wright, R. C.
Daley	Kosinski	Raymond	Yandrisevits
Davies	Kukovich	Reber	
Dawida	LaGrotta	Reinard	Irvis,
Dietterick	Langtry	Rieger	Speaker
Dininni	Lashingier	Ritter	

NAYS—0

NOT VOTING—8

Civera	Freind	Hutchinson	Richardson
Fattah	Hughes	Micozzie	Wiggins

EXCUSED—4

Howlett	Josephs	McHale	Piccola
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

Will the House adopt the resolution as amended?

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Saurman. Is it necessary for you to offer your amendment?

Mr. SAURMAN. Mr. Speaker, I do not think so, although I did not hear the last part of the Pistella amendment. Did that do what my amendment wanted, to make it statewide?

The SPEAKER. Yes, it did.

Mr. SAURMAN. All right. Then I withdraw mine. Thank you.

The SPEAKER. The Chair thanks the gentleman.

ADDITIONS OF SPONSORSHIPS

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Pistella.

Mr. PISTELLA. Mr. Speaker, since the nature of the resolution has in fact been changed by the adoption of amendment 2423, a number of people had asked that they cosponsor the amendment and the resolution. I would ask that the names of all the members be added to HR 129, without objection.

The SPEAKER. Unless there be objection, and the Chair hears none, all the names of the members currently seated will be added to this particular resolution.

On the question recurring,

Will the House adopt the resolution as amended?

(A roll-call vote was taken.)

VOTE RETAKEN

The SPEAKER. Who voted "no"? Mr. Markosek, were you voting in error?

Mr. MARKOSEK. Mr. Speaker, a malfunction of my finger there. I will not blame it on the machine that time, Mr. Speaker. I would like to be recorded in the affirmative, please.

The SPEAKER. No. We will take the vote again so that you are officially recorded on the printout.

Mr. MARKOSEK. Thank you.

The SPEAKER. We are taking the vote again on House Concurrent Resolution 129.

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

The following roll call was recorded:

YEAS—194

Acosta	Distler	Langtry	Rieger
Angstadt	Dombrowski	Lashingner	Ritter
Argall	Donatucci	Laughlin	Robbins
Arty	Dorr	Leh	Roebuck
Baldwin	Duffy	Lescovitz	Rudy
Barley	Durham	Letterman	Ryan
Battisto	Evans	Levdansky	Rybak
Belardi	Fargo	Linton	Saloom
Belfanti	Farmer	Livengood	Saurman
Birmelin	Fattah	Lloyd	Scheetz
Black	Fee	Lucyk	Schuler
Blaum	Fischer	McCall	Semmel
Book	Flick	McClatchy	Serafini
Bortner	Foster	McVerry	Seventy
Bowley	Fox	Maiale	Showers
Bowser	Freeman	Maine	Sirianni
Boyes	Freind	Manderino	Smith, B.
Brandt	Gallen	Manmiller	Smith, S. H.
Broujos	Gamble	Markosek	Snyder, D. W.
Bunt	Gannon	Mayernik	Snyder, G.
Burd	Geist	Melio	Staback
Burns	George	Merry	Stairs
Bush	Gladeck	Michlovic	Steighner
Caltagirone	Godshall	Micozzie	Stevens
Cappabianca	Gruitza	Miller	Stuban
Carlson	Gruppo	Moehlmann	Sweet
Carn	Hagarty	Morris	Taylor, E. Z.
Cawley	Haluska	Mowery	Taylor, F.
Cessar	Harper	Mrkonic	Taylor, J.
Chadwick	Hasay	Murphy	Telek
Cimini	Hayden	Nahill	Tigue
Civera	Hayes	Noye	Trello
Clark	Heckler	O'Brien	Truman
Clymer	Herman	O'Donnell	Van Horne
Cohen	Hershey	Olasz	Veon
Colafella	Hess	Oliver	Vroon
Cole	Honaman	Perzel	Wambach
Cornell	Hutchinson	Petrarca	Wass
Corrigan	Itkin	Petrone	Weston
Cowell	Jackson	Phillips	Wilson
Coy	Jadlowiec	Pievsky	Wogan
DeLuca	Jarolin	Pistella	Wozniak
DeVerter	Johnson	Pitts	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kennedy	Preston	Wright, R. C.
Davies	Kenney	Punt	Yandrisevits
Dawida	Kosinski	Raymond	
Dietterick	Kukovich	Reber	Irvis,
Diniani	LaGrotta	Reinard	Speaker

NAYS—0

NOT VOTING—3

Hughes Richardson Wiggins

EXCUSED—4

Howlett Josephs McHale Piccola

The question was determined in the affirmative, and the resolution as amended was adopted.

FILMING PERMISSION

The SPEAKER. Nell McCormack of WITF-TV is being given permission to film for 10 minutes on the floor.

BILL ON THIRD CONSIDERATION POSTPONED

The House proceeded to **HB 110, PN 119**, on third consideration postponed, entitled:

An Act amending the act of August 26, 1971 (P. L. 351, No. 91), known as the "State Lottery Law," prohibiting the awarding of certain prizes.

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.

(A roll-call vote was taken.)

The SPEAKER. Why does the gentleman from Beaver, Mr. Laughlin, rise?

Mr. LAUGHLIN. Mr. Speaker, Mr. Bunt was not on the floor of the House when you called the bill up, and he did have an agreed-to amendment. So would you be kind—

The SPEAKER. Mr. Laughlin, we were informed that both you and Mr. Bunt have withdrawn all amendments.

Mr. LAUGHLIN. Mr. Speaker, I did not have an amendment, but Mr. Bunt's amendment was in question.

The SPEAKER. Mr. Bunt, is it a fact that you withdrew your amendment or is it not a fact?

Mr. BUNT. On the debate on the floor yesterday, Mr. Speaker—

The SPEAKER. Is it a fact that you withdrew your amendment today or did you not withdraw it?

Mr. BUNT. I did not, Mr. Speaker.

The SPEAKER. Fine. Thank you.

VOTE STRICKEN

The SPEAKER. Strike the vote. We were misinformed.

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

Mr. BUNT. Mr. Speaker, Mr. Laughlin raised some objections to my amendment yesterday. We met this morning in Mr. Laughlin's office at 10 o'clock. We revised the amendment. I then forwarded it to the Reference Bureau for redrafting, and, Mr. Speaker, the Reference Bureau does not work quite that fast. I am awaiting the amendment.

BILL PASSED OVER TEMPORARILY

The SPEAKER. Mark the bill over temporarily. Thank you, Mr. Bunt, and thank you, Mr. Laughlin.

WELCOME

The SPEAKER. Representative Mowery has as his guest an 11-year-old page for us. Her name is Angela Ross. She is the daughter of Mr. and Mrs. Paul Ross, and she attends the Town & Country School. Is Angela on the floor? She is. Please rise. Welcome to the hall of the House, Angela.

BILL SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bill, which was then signed:

HB 87, PN 1912

An Act providing for the celebration of the 200th Anniversary of the first reading of the newly adopted United States Constitution; and providing for a Joint Session of the General Assembly to be held at Independence Hall in Philadelphia, Pennsylvania.

SENATE BILLS FOR CONCURRENCE

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

SB 360, PN 386

Referred to Committee on URBAN AFFAIRS, June 30, 1987.

SB 440, PN 477

Referred to Committee on JUDICIARY, June 30, 1987.

SB 664, PN 747

Referred to Committee on EDUCATION, June 30, 1987.

SB 841, PN 1012

Referred to Committee on EDUCATION, June 30, 1987.

SB 869, PN 1072

Referred to Committee on JUDICIARY, June 30, 1987.

SB 939, PN 1194

Referred to Committee on APPROPRIATIONS, June 30, 1987.

The SPEAKER. Mr. O'Donnell, will it be necessary for the Democrats to caucus? Do you wish Mr. Itkin to announce a caucus?

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Mr. Speaker, could you advise me as to your time schedule.

The SPEAKER. 2 o'clock; to return to the floor at 2 o'clock.

Mr. NOYE. I would ask the members to report to the caucus room immediately and we will try to get you out quickly so that you can get lunch and get back before the 2 o'clock session.

The SPEAKER. An immediate caucus on the part of the Republican Party on the declaration of the recess.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, the Democrats will act similarly. We will meet immediately on the declaration of the recess. It should not be too long.

The SPEAKER. An immediate caucus on the part of the Democratic Party on the declaration of the recess.

WELCOME

The SPEAKER. Keith McCall has Connie Caldonetti and John and Kathryn Williams to the left of the Speaker. Please rise. Welcome to the hall of the House. We are delighted to have you here.

FINANCE COMMITTEE MEETING

The SPEAKER. Any announcements for meetings?

The Chair recognizes the gentleman from Allegheny, Mr. Trello.

Mr. TRELLO. Mr. Speaker, there will be a meeting of the House Finance Committee immediately at the call of the recess at the rear of the House. I urge all members to be present.

RECESS

The SPEAKER. The House will stand in recess until 2 p.m.

AFTER RECESS

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1169 be recommitted to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

COMMUNICATION FROM GOVERNOR**BILL SIGNED BY GOVERNOR**

The Secretary to the Governor presented the following communication from His Excellency, the Governor:

APPROVAL OF HB No. 689.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

June 30, 1987

To the Honorable, the House of Representatives
of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed House Bill 689, Printer's No. 1492, entitled "AN ACT PROVIDING FOR THE REVITALIZATION OF RURAL PENNSYLVANIA; ESTABLISHING THE CENTER FOR RURAL PENNSYLVANIA; PROVIDING FOR RURAL EDUCATION PARTNERSHIPS AND ADULT LITERACY PROGRAMS; ALLOCATING FUNDS APPROPRIATED TO THE DEPARTMENT OF COMMERCE FOR A REGIONAL CENTER FOR CONTINUING EDUCATION OF HEALTH SCIENCE PRACTITIONERS IN WESTERN PENNSYLVANIA; MAKING APPROPRIATIONS; AND MAKING A REPEAL."

Robert P. Casey
Governor

LEAVE OF ABSENCE CANCELED

The SPEAKER. The Chair takes note for the record that the gentleman from Philadelphia, Mr. Howlett, was on leave for the morning. He has now returned. His name will be added to the master roll.

FILMING PERMISSION

The SPEAKER. Bill Martin of KDKA is given permission to film on the floor of the House.

John Sanks of WPVI is given permission to film on the floor of the House.

CALENDAR CONTINUED

CONSIDERATION OF HB 110 CONTINUED

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. The Chair rescinds its decision that HB 110 has been agreed to on third consideration as amended.

On the question recurring,

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

Mr. BUNT offered the following amendments No. A2903:

Amend Title, page 1, line 6, by inserting after "appropriation,"

further providing for the powers and duties of the Department of Revenue; and

Amend Bill, page 1, by inserting between lines 9 and 10

Section 1. Section 6(a)(8) of the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, is amended to read:

Section 6. Powers and Duties of the Secretary of Revenue.—(a) In addition to the powers and duties provided by law and "The Administrative Code of 1929," the Secretary of Revenue shall have the power and it shall be his duty to operate

and administer the lottery, and to promulgate rules and regulations governing the establishment and operation thereof, including but not limited to:

(8) The method to be used in selling tickets or shares and in promoting tickets and shares: Provided, however, That all contracts entered into by the secretary for the promotion of tickets or shares shall be with individuals or entities which have their principal place of business in this Commonwealth.

Amend Sec. 1, page 1, line 10, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 10 and 11, by striking out "of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law,"

Amend Sec. 2, page 2, line 6, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Montgomery, Mr. Bunt.

Mr. BUNT. Thank you, Mr. Speaker, and thank you for the courtesy shown this morning.

Mr. Speaker, as we discussed this amendment yesterday, the prime sponsor of HB 110 had placed an objection on some technical language in the bill. That language was stricken. The amendment does meet with the approval of the prime sponsor.

FILMING PERMISSION

The SPEAKER. Bob Costantini of WNEP has permission to film on the floor of the House.

CONSIDERATION OF HB 110 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin, on the Bunt amendment.

Mr. LAUGHLIN. Mr. Speaker, very briefly and for clarification for the membership.

Yesterday, you may recall, Mr. Bunt's amendment carried within its amendment structure a requirement for 50 percent of ownership of any corporation that would be doing business within the State of Pennsylvania relative to advertising with the State lottery. Mr. Bunt has agreed to remove that 50-percent requirement, thereby making it possible that we can have the advertising done within the State of Pennsylvania but not have it wholly owned within the State of Pennsylvania. That way we have the distinct possibility of holding down costs in the State lottery and making more money available for the senior citizens, which I am sure Representative Bunt supports and favors.

I agree with the amendment, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—198

Acosta	Dombrowski	Langtry	Rieger
Angstadt	Donatucci	Lashinger	Ritter
Argall	Dorr	Laughlin	Robbins
Arty	Duffy	Leh	Roebuck
Baldwin	Durham	Lescovitz	Rudy
Barley	Evans	Letterman	Ryan
Battisto	Fargo	Levdansky	Rybak
Belardi	Farmer	Linton	Saloom
Belfanti	Fattah	Livengood	Saurman
Birmelin	Fee	Lloyd	Scheetz
Black	Fischer	Lucyk	Schuler
Blaum	Flick	McCall	Semmel
Book	Foster	McClatchy	Serafini
Bortner	Fox	McVerry	Seventy
Bowley	Freeman	Maiale	Showers
Bowser	Freind	Maine	Sirianni
Boyes	Gallen	Manderino	Smith, B.
Brandt	Gamble	Manmiller	Smith, S. H.
Broujos	Gannon	Markosek	Snyder, D. W.
Bunt	Geist	Mayernik	Snyder, G.
Burd	George	Melio	Staback
Burns	Gladeck	Merry	Stairs
Bush	Godshall	Michlovic	Steighner
Caltagirone	Gruitza	Micozzie	Stevens
Cappabianca	Gruppo	Miller	Stuban
Carlson	Hagarty	Moehlmann	Sweet
Carn	Haluska	Morris	Taylor, E. Z.
Cawley	Harper	Mowery	Taylor, F.
Cessar	Hasay	Mrkonic	Taylor, J.
Chadwick	Hayden	Murphy	Telek
Cimini	Hayes	Nahill	Tigue
Civera	Heckler	Noye	Trello
Clark	Herman	O'Brien	Truman
Clymer	Hershey	O'Donnell	Van Horne
Cohen	Hess	Olasz	Veon
Colafella	Honaman	Oliver	Vroon
Cole	Howlett	Perzel	Wambach
Cornell	Hughes	Petrarca	Wass
Corrigan	Hutchinson	Petrone	Weston
Cowell	Itkin	Phillips	Wiggins
Coy	Jackson	Pievsky	Wilson
DeLuca	Jadlowiec	Pistella	Wogan
DeVerter	Jarolin	Pitts	Wozniak
DeWeese	Johnson	Pressmann	Wright, D. R.
Daley	Kasunic	Preston	Wright, J. L.
Davies	Kennedy	Punt	Wright, R. C.
Dawida	Kenney	Raymond	Yandrisevits
Dietterick	Kosinski	Reber	
Dininni	Kukovich	Reinard	Irvis,
Distler	LaGrotta	Richardson	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—3

Josephs	McHale	Piccola
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The question was determined in the affirmative, and the amendments were 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?

On final passage, the Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, as a point of clarification, when the bill was sent back to committee, it carried with it two amendments - an amendment that had been accepted by the House already which was a part of the bill and an amendment that had been offered earlier by one of the Representatives, I believe Representative Fox. When it came back to the floor of the House, Mr. Speaker, I presume then that the bill still carried the Laughlin amendment and now the Bunt amendment before final passage. Is that correct, Mr. Speaker?

The SPEAKER. It had the Laughlin amendment in it. What do you mean it had Bunt and Laughlin?

Mr. LAUGHLIN. It now has the Bunt amendment that we just passed, Mr. Speaker.

The SPEAKER. It carried the Laughlin amendment because earlier that amendment had been adopted; it now carries the Bunt amendment. On final passage the bill is amended by Mr. Bunt and Mr. Laughlin.

Mr. LAUGHLIN. Thank you, Mr. Speaker.

On the question recurring,

Shall the bill pass finally?

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

YEAS—196

Acosta	Dombrowski	Lashinger	Ritter
Angstadt	Dorr	Laughlin	Robbins
Argall	Duffy	Leh	Roebuck
Arty	Durham	Lescovitz	Rudy
Baldwin	Evans	Letterman	Ryan
Barley	Fargo	Levdansky	Rybak
Battisto	Farmer	Linton	Saloom
Belardi	Fattah	Livengood	Saurman
Belfanti	Fee	Lloyd	Scheetz
Birmelin	Fischer	Lucyk	Schuler
Black	Flick	McCall	Semmel
Blaum	Foster	McClatchy	Serafini
Book	Fox	McVerry	Seventy
Bortner	Freeman	Maiale	Showers
Bowley	Freind	Maine	Sirianni
Bowser	Gallen	Manderino	Smith, B.
Boyes	Gamble	Manmiller	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Mayernik	Snyder, G.
Bunt	George	Melio	Staback
Burd	Gladeck	Merry	Stairs
Burns	Godshall	Michlovic	Steighner
Bush	Gruitza	Micozzie	Stevens
Caltagirone	Gruppo	Miller	Stuban
Cappabianca	Hagarty	Moehlmann	Sweet
Carlson	Haluska	Morris	Taylor, E. Z.
Carn	Harper	Mowery	Taylor, F.
Cawley	Hasay	Mrkonic	Taylor, J.
Cessar	Hayden	Murphy	Telek
Chadwick	Hayes	Nahill	Tigue
Cimini	Heckler	Noye	Trello
Civera	Herman	O'Brien	Truman
Clark	Hershey	O'Donnell	Van Horne
Clymer	Hess	Olasz	Veon
Cohen	Honaman	Oliver	Vroon
Colafella	Howlett	Perzel	Wambach
Cole	Hughes	Petrarca	Wass
Cornell	Hutchinson	Petrone	Weston
Corrigan	Itkin	Phillips	Wiggins
Cowell	Jackson	Pievsky	Wilson
Coy	Jadlowiec	Pistella	Wogan
DeLuca	Jarolin	Pitts	Wozniak

DeVerter	Johnson	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kennedy	Punt	Wright, R. C.
Davies	Kenney	Raymond	Yandrisevits
Dawida	Kosinski	Reber	
Dietterick	Kukovich	Reinard	Irvis,
Dininni	LaGrotta	Rieger	Speaker
Distler	Langtry		

NAYS—0

NOT VOTING—2

Donatucci Richardson

EXCUSED—3

Josephs McHale Piccola

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.

POINT OF ORDER

The SPEAKER. Why does the gentleman from Berks, Mr. Davies, stand in place?

Mr. DAVIES. Point of order, Mr. Speaker.

Just how many different television crews do we have, and what can we expect - a day of this or a day and a night of this?

The SPEAKER. There are three. Each one has been authorized for a period of 10 minutes.

Mr. DAVIES. Thank you, Mr. Speaker.

WELCOMES

The SPEAKER. Is Patrick Hanraty here? There is Patrick Hanraty standing now. Is John Osberg with him? There is John Osberg. Patrick is Representative Langtry's district aide, and they are both here as the guests of Representative Alice Langtry. Welcome to the hall of the House, gentlemen.

Is Oscar Turner here? Oscar is standing now. He is Representative Gordon Linton's guest. He is to the left of the Speaker. Welcome to the hall of the House, Oscar.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 19, PN 681**, entitled:

An Act providing for identification, possession and unlawful use of shopping carts, laundry carts, dairy cases, egg baskets, poultry boxes, bakery trays and bakery baskets; and providing a penalty.

On the question,

Will the House agree to the bill on third consideration?

Mr. FREEMAN offered the following amendments No. A2766:

Amend Title, page 1, line 3, by inserting after "baskets;" providing for item pricing;

Amend Table of Contents, page 1, by inserting between lines 14 and 15

Section 9. Item pricing.

Amend Table of Contents, page 1, line 15, by striking out "9" and inserting

10

Amend Table of Contents, page 1, line 16, by striking out "10" and inserting

11

Amend Table of Contents, page 1, line 17, by striking out "11" and inserting

12

Amend Table of Contents, page 1, line 18, by striking out "12" and inserting

13

Amend Bill, page 5, by inserting between lines 4 and 5 Section 9. Item pricing.

(a) Requirements.—

(1) Every person, firm, partnership, corporation or association which sells, offers for sale or exposes for sale, consumer commodities at retail in a food store or grocery department of a general merchandise store and which uses a laser scanning or other computer-assisted checkout system which records the price of a consumer commodity for sale by scanning the universal product code on the consumer commodity shall disclose to the consumer the item price of the commodity for sale.

(2) Item prices shall be displayed to consumers through markings which are clear, conspicuous and plainly visible. Such markings shall be marked or stamped on, or tagged or affixed to, the item and shall display the selling price in Arabic numerals.

(3) A viewing screen shall be provided at each checkout register and shall be made clearly visible to the consumer so that the consumer can see the price of each item displayed on the viewing screen as it is being recorded by the computerized register.

(b) Injunction.—Whenever the Attorney General or a district attorney has reason to believe that any person is using or is about to use any method, act or practice which violates this section, he may bring an action in the name of the Commonwealth against the person to restrain, by temporary or permanent injunction, the use of such method, act or practice.

(c) Assurance of voluntary compliance.—The Attorney General or district attorney may accept an assurance of voluntary compliance with respect to any method, act or practice deemed to be in violation of this section from any person who has engaged or was about to engage in such method, act or practice. The assurance shall be in writing and shall be filed with the court of common pleas of the judicial district in which the store is located and with the Bureau of Consumer Protection. The assurance of voluntary compliance shall not be considered an admission of violation for any purpose. Matters closed by filing a written assurance may at any time be reopened by the Attorney General or district attorney for further proceedings in the public interest.

(d) Civil penalty.—Any person who violates the terms of an injunction issued under this section or any of the terms of an assurance of voluntary compliance duly filed in court and with the Bureau of Consumer Protection shall forfeit and pay to the Commonwealth a civil penalty of not more than \$5,000 for each violation. For the purposes of this section, the court issuing an injunction or in which an assurance of voluntary compliance is filed shall retain jurisdiction, and the cause shall be continued; and, in such cases, the Attorney General, or the appropriate district attorney, acting in the name of the Commonwealth, may petition for recovery of civil penalties and any other equitable relief deemed necessary or proper.

(e) Willful violations.—In an action brought under this section, if the court finds that a person is willfully using or has willfully used a method, act or practice which violates this section, the Attorney General or the appropriate district attorney, acting in the name of the Commonwealth, may recover, on behalf of the Commonwealth, a civil penalty not exceeding \$1,000 per violation, which civil penalty shall be in addition to other relief which may be granted under this section.

(f) Preemption.—No local ordinance, rule, resolution or regulation which relates to item pricing shall be adopted which would reduce or diminish the standards and requirements of this section or the rules and regulations adopted hereunder.

(g) Rules and regulations.—The Department of Agriculture may, in the manner provided by law, promulgate the rules and regulations necessary to carry out this section.

(h) Inspection and enforcement.—The Bureau of Weights and Measures of the Department of Agriculture or a municipality having a weights and measures agency, shall carry out inspection and enforcement of this section.

(i) Exemptions.—This section shall not apply to:

- (1) Items sold through vending machines.
- (2) Food sold for consumption on the premises.
- (3) Snack food offered for sale in single packages weighing five ounces or less.
- (4) Eggs and unpackaged produce if the price is clearly indicated by a conspicuous sign or otherwise located at or near the point of sale.
- (5) Identical items within a multi-item package that is properly price marked.
- (6) Cigarettes, cigars, tobacco and tobacco products.

Amend Sec. 9, page 5, line 5, by striking out "9" and inserting

10

Amend Sec. 10, page 5, line 11, by striking out "10" and inserting

11

Amend Sec. 11, page 5, line 19, by striking out "11" and inserting

12

Amend Sec. 12, page 5, line 24, by striking out "12" and inserting

13

On the question,

Will the House agree to the amendments?

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

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, this amendment would require item pricing in food stores and the grocery department of general merchandise stores where computerized cash registers that have the capability of recording the price of an item through scanning are used. With this kind of equipment the price of the item can be recorded by the cash register through scanning the universal product code. Without item pricing there is no way for the consumer to verify the price of that item at the checkout counter. My amendment would require item pricing so they can verify as it goes through the checkout process.

Under this amendment we would also require that a viewing screen be made clearly visible to the consumer at the time of purchase so they can also verify through that method as well.

The SPEAKER. Just a moment, Mr. Freeman.

Try to keep it down now, please. People are trying to hear Mr. Freeman's comments so they may comment on his amendment; they cannot hear him. Please, quiet down.

Try it now, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

I would appreciate the attention of the members of the House because this is a very important consumer protection amendment.

In addition to the requirement that item pricing be used in stores that have the new electronic scanners and the requirement that viewing screens be made clearly visible to the consumer to verify the price being recorded, the amendment also provides for an enforcement procedure whereby, at least in the first instance of a violation, voluntary compliance can be worked out, and it provides for the exemption of certain items which traditionally have not been subject to item pricing in supermarkets and food stores.

There is a genuine need for this type of legislation. In the course of hearings that were held by the Consumer Affairs Committee in my hometown of Easton, testimony was offered which showed that a number of violations have occurred in stores using the new electronic scanners. One testimony offered showed that in one instance the individual went to pick up some milk which should have cost only \$1.50 and would have been charged \$3.99 because the scanner had been programmed with the wrong information. Luckily this individual was able to catch the error because he had only picked up one item. Had he been doing his entire grocery shopping for the week, it is very doubtful he would have been able to catch that error and would have been out \$2.50 at least on that one item.

Other testimony that we heard that day in Easton was given by cashiers who work at a store where item pricing and the scanners are both used. Because of that, they and the customers were able to catch errors. But the scanner was producing errors at a rate of 25 percent. The only way for the consumer to catch these errors and to make sure they were charged the appropriate price was through the use of item pricing.

With the advent of the scanner as a tool of supermarkets, there have been some benefits. Lines are able to move more quickly, and probably in the future supermarkets will be able to use the scanners for inventory purposes. This is not an anti-scanning amendment; it is a proconsumer amendment. The intent of this legislation is to allow scanning to continue, but where it is used in the supermarket, item pricing would be required as a means to protect the consumer.

We are basically asking supermarkets to do what they have always done in terms of item pricing - to continue a practice which is long established. There is nothing new in this amendment. I would urge the members to support this piece of legislation and to vote proconsumer today on it. Thank you.

The SPEAKER. On the Freeman amendment, the Chair recognizes the gentleman from Chester, Mr. Morris.

Mr. MORRIS. Thank you, Mr. Speaker.

I am sure that the proponents of this amendment are very well intentioned. Unfortunately, if this amendment gets attached to this bill, it is going to ruin a bill which is in great demand by various segments of the agricultural industry of the Commonwealth. Of course, the purpose of the bill is to

prevent, if possible, the stealing of dairy cases, egg baskets, poultry boxes, et cetera, et cetera, and when this amendment, which is highly controversial, becomes attached to the bill, the Senate is certainly not going to take it and we are going to be back in a conference committee, quite possibly, and hold up the beneficial results of the legislation which SB 19 was intended to produce. I therefore urge all the members to vote against this amendment.

The SPEAKER. The Chair recognizes the gentleman from Bradford, Mr. Chadwick, on the amendment.

Mr. CHADWICK. Thank you, Mr. Speaker.

I join with Mr. Morris in urging the members to vote "no" on this amendment. I agree that the maker of this amendment is well intentioned, but I think there are some problems with the amendment that cause us to have serious concerns about it.

First of all, I think that the fines are excessive. Under this amendment it is conceivable that a supermarket that unintentionally mislabels a box of cornflakes could end up paying a fine of \$5,000. I think that that is excessive and that we need to take a good look at this "fine" section of the amendment. Further, I think that the equipment requirements are extremely burdensome to our supermarkets and grocery stores, and I think that is going to be a real problem that may not be realized by the maker of this amendment.

Furthermore, I think there are some proconsumer things that the amendment does not address. First of all, it says nothing about shelf signs, and I think clearly labeled shelf signs would go a long way toward alleviating the problem. Secondly, many supermarkets like the Acme have price-accuracy guarantees, and there is nothing in the amendment about price-accuracy guarantees.

For all those reasons I think we should oppose this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the lady from Lancaster, Mrs. Honaman.

Mrs. HONAMAN. Thank you, Mr. Speaker.

I would like to second what Representative Morris said about what it would do to the agricultural community. I would also like to speak as a consumer. I am one of those people who go to the grocery store once or twice a week with a pretty good list of items. I have my choice of about 15 to 20 stores in our vicinity. I go to one of the two stores which do use the present system of a scanner and the price lists on the shelves. I do it for two reasons. Number one, the prices are cheaper in those stores, and number two, the line moves faster. In the first place, it is well known that the more labor that is involved in getting a product to the market, the higher the price is going to be, and it is only natural that if prices have to be changed on new orders and boxes, it will take more labor than simply changing it on a shelf.

I agree, too, with Mr. Morris that this bill is a necessary bill as it is; it is a clean bill, and I do ask a "no" vote on the amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, I urge the members to defeat amendment A2766. It has been identified as a consumer amendment, and I suggest to you that it is not. A bill of this nature will do nothing but increase the costs of groceries at the stores and will be a further burden on the people that are less able to pay for groceries.

I have made personal studies on these scanning machines and on the procedures of grocery stores, and I can attest to you that these machines save time and save money in such a way that it will reduce prices. There is a very good auditing procedure done under the present system, and that is that these grocery people provide shelf pricing and they provide a completely itemized cash register receipt that gives every detail that you would need to self-audit any purchase that you would make.

This amendment is only in the interests of those that print those price stickers. It is not in the interests of the consumer. Mr. Speaker, I urge the defeat of this amendment.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Allegheny, Mr. DeLuca.

Mr. DeLUCA. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Freeman amendment. It is an amendment that I think is much needed by the consumers. We have heard about it not being a consumer amendment. I challenge anyone here, with over 20,000 items in a store, that they can tell me from week to week what they are paying for a certain item.

Mr. Speaker, also, it is amazing to hear that this is going to raise costs, since only one-third of the supermarkets in the Commonwealth of Pennsylvania have item scanners.

I would imagine that they, the supermarkets that have item scanners in their stores, are doing the bulk of the business. That is strictly not true. Today to be in business you have to be competitive, and a lot of supermarkets that do not have item-pricing equipment are very competitive. There are also supermarkets in other States that have done both because the consumers have demanded that they see what they are paying for certain items. There is no way, with this person going in and doing weekly shopping, that they can remember a shelf price even though they get a printed tape.

So I ask this House to vote in the affirmative on this amendment. Thank you, Mr. Speaker.

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

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to the Freeman amendment. The gentleman states that this amendment does nothing new. He also states that supermarkets are only required to do what they have always done. What the maker of the amendment fails to do is recognize the new technology and what benefits that has to the consumers. To say that this is a consumer-oriented piece of legislation simply to have an item price listed on the can fails to recognize how the scanners are used. It fails to recognize that the price of the item is right in front of the purchaser on the shelf. It fails to recognize that when the receipt is given for the product, that the price, the

description, the quantity, and the units are right there for permanent keeping if the purchaser wishes.

Finally, on the issue of being a consumer oriented or not piece of legislation, the consumer has the bottom-line right to decide whether or not he wants to shop at a particular supermarket that prices their objects this way. If he feels that it is not in his best interests, he has the right or she has the right to shop somewhere else. But to ignore the fact that this type of scanning procedure reduces costs on the items sold is not looking at the issue itself. To continue to do what we have always done and to continue to allow technology to be retarded simply because we do not want to change the status quo I do not think is in the right movement, and I would say we should vote against the Freeman amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Olasz.

Mr. OLASZ. Mr. Speaker, with all due respect to my colleague, Mr. Freeman, I think the lady who was paying \$1.94 for a quart of milk was in the wrong store. I think she must have been in the store that we were debating the issue about yesterday.

But in 34 years of married life I have done about 99 percent of the grocery shopping for my family, and there are six of us. But in this modern day of technology, for someone to tell me that a consumer is not aware of the prices that are displayed on a shelf, they must have been living in the Dark Ages for many, many years. With all the coupon cutters and the advertising supplements that go into the Sunday newspapers, I ask Mr. Freeman to go to the supermarket someday and watch the envelopes those people are opening up and all the coupons being presented to them. Every Sunday, in addition to the coupon section, we have page after page of itemized listings of product costs, which I am waving to you here, and this is for every market that does business in Pennsylvania. Further, if you go there, you will see these women and men with calculators calculating out every price of every item that appears on a shelf.

We spend approximately \$150,000 in these stores to computerize the cash registers, and when you talk about item pricing, approximately 15 to 20 percent of the items that are sold in those supermarkets are item priced, and I am referring to the meat counters. Every package of meat has the item price on it, and then when you come to the checkout counters, you receive a printout tape, and right on the back of those Sunday supplements is an ad, a full-page ad, guaranteeing you that item free if that item is priced incorrectly.

In conclusion, I challenge anyone to tell me that they have ever gone to supermarkets that still have item pricing where they have not been incorrect. I know many, many times there are items on there that are out of sync. You may get an older can with a week or two prior price listing.

I submit this is not needed. It is not necessary. I am certainly consumer oriented, but I cannot see the need for such a bill. All it is going to do is put more labor, make those stores more labor intensive, and that cost is going to be passed on to

the very person we are trying to protect, the consumer. For that reason I would ask for a negative vote. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, would Mr. Freeman submit to a brief question, please?

The SPEAKER. Mr. Freeman will if he can hear you.

Mr. SERAFINI. Mr. Speaker, in many of the grocery stores in my legislative district the scanning units announce the price as the item is passed over the scanner. Would these units be exempt from your pricing system?

Mr. FREEMAN. No, they would not, and there is a good reason for that. Although they do announce the price in some of the scanning machines, they are only announcing what has been programmed into the machine. They are not necessarily announcing the actual price. You may have the wrong information programmed into the machine, which has happened on a number of occasions in supermarkets, and they are merely repeating that information. The actual price which was marked on the shelf may be entirely different from what is being recorded and what is being announced by the scanning machine. So they, too, should be covered if our intent, as it is in this amendment, is to make sure that the consumer is being charged the price that they had seen on the shelf.

Mr. SERAFINI. Thank you very much, Mr. Speaker. Thank you, Mr. Freeman.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, I believe that there should be before this House the full cost implications in the sense of a fiscal note to know the cost that industry and the consumer is going to have to pay. Even though there has been at least one hearing, I believe that the hearing should be full and complete and respond to all of the questions that this legislature has raised today. In addition, this is neither the time nor place to have this amendment tacked onto this bill, and I would ask that this amendment be defeated.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Gamble.

Mr. GAMBLE. Mr. Speaker, I, too, oppose this amendment. While well intentioned as proconsumer, it is anticonsumer. Let us just remember that the consumer always pays. The consumer will pay for the extra marking, the cost of the marking of the product, and the consumer, too, will pay up to the \$5,000 fine in one way or another. Let us oppose this amendment.

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Durham.

Mrs. DURHAM. Thank you, Mr. Speaker.

Mr. Speaker, unlike many of the members, I happen to be someone who is in the supermarket every week, and for the past 3 years this idea of item pricing has been bouncing around the legislature, and I have taken it upon myself to notice carefully just the way supermarkets operate.

The items that people run out of most during the week are milk and eggs and bread, and if you have to go to the super-

market, one would think that those items would be right in the front of the store, but they are not. They are all the way in the back of the store, and they are right next to the aisle where all the snacks are and all the cookies and the soda. Now, we know why - because they want you to walk all the way through the store and see the items that we all like to buy most. Most recently in my legislative district I noticed that we got new shopping carts, and the new shopping carts are larger. They are larger so you can buy more items. Noticing those two things, I came to the conclusion that perhaps the super-market managers are not as concerned with the consumer as you and I are.

If you go into the market— And I am going to relay an incident that happened to me this week. I tried to buy some pink lemonade. It does not seem like a big job.

Mr. Speaker, can I have some order?

The SPEAKER. The lady listened patiently and silently while the men were speaking on the floor. May I suggest that you return the courtesy.

Try it now, Mrs. Durham.

Mrs. DURHAM. Thank you, Mr. Speaker.

As I was saying, this weekend I tried to buy some pink lemonade. When I went to the frozen section, it took me several minutes to find the little sign that designated pink lemonade, and on the sign it said "PKL." So first you have to figure out that "PKL" means pink lemonade. But it did not tell you what brand and it also did not tell you what quantity, and it had a price. Now, after wasting 5 minutes leaning over the frozen-food counter, I decided to buy the first pink lemonade in my hand. However, I want you to think about people who are on fixed incomes, people who are on modest incomes, who are trying to buy the daily items of life.

The SPEAKER. Just a moment, Mrs. Durham.

Are you all incapable of silence? Sit down. Thank you.

Try it now, Mrs. Durham.

Mrs. DURHAM. Thank you, Mr. Speaker.

It is very difficult to figure out what the item is on the sign because it is not spelled out; it is an abbreviation, and the quantity, when it is there, is in even smaller letters than the print that designates what the item is. I am someone who wears glasses, so it is difficult for me to see the signs. I have great empathy for elderly people who try to read these signs. This works a definite hardship. And when you get up to the counter and they run it over the scanner—and sometimes it takes three and four times over the scanner—the price does flash up, but it is very difficult to remember how much a half-pound box of elbow macaroni costs from the time that you picked it up off the shelf until the time you get to the scanner.

This is one of the most consumer-oriented amendments that we have voted on this session. The supermarkets argue against it because they say they have expended all these moneys in their scanners. We are not asking them to take the scanners out. We think the scanner system is fine, but what we are asking for is that when your constituents and mine go to the supermarket, they know how much each item costs.

I urge you to support the Freeman amendment.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Pressmann.

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, previous members of this House that have stood up and spoken against this issue have made several points that I think should be spoken to.

One has been partially addressed by the lady, Mrs. Durham, in the fact that the price is right in front of you. Well, if you have ever done any shopping— And recently a gentleman from my district who is 67 years old said to me, he does not really mind the fact that the prices are not on the items, but his problem is trying to read those little signs that are on the shelves. Now, the ones at eye level are all right, but if you have ever been in a supermarket, you know there is a bottom shelf, and on the bottom shelf there is a price. Now, when a person is 67 years old, do you expect a person to get down on their hands and knees to see what the price of an item is?

The second issue that was raised by one of the gentlemen on this floor is that a consumer has a choice, that he can go to a store that item-prices or does not. Well, some senior citizens do not have that choice. They have to go to the closest super-market. They cannot go to a supermarket across town that may item-price. One of the most competitive food stores in my district in price and service in every which way both item-prices and uses the scanners, which I think completely refutes the idea that the consumer will be hurt by a price increase.

And just one final note of a personal nature. A year and a half ago when my son was born, my wife asked me to do the shopping. I usually do not do that task. I went to the section where they have the baby things, and I was buying diapers and the wipes and the creams and all those things, and I was trying to figure out what the best bargain was. And I consider myself a half-intelligent person—I know some people may question that—but I had a heck of a time trying to figure this whole thing out.

Now, one final note. Recently my friend, the minority leader, when we were talking about another issue, talked about votes being political. Believe me, Mr. Speaker, this is a political vote, because as Mrs. Durham said, this is one of the biggest consumer issues that we are going to face this year, and I urge you all to vote "yes." Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Trello.

Mr. TRELLO. Mr. Speaker, I rise to support the amendment. At the first look at the amendment, I decided that I was going to vote against it, but after some serious thought, I think the amendment should be part of the legislature's law on the books.

First of all, this State is orientated to safeguard all the rights of our consumers. First of all, we have a department called Weights and Measures that visits all of our supermarkets and grocery stores, checking to see that the packages in the meat market weigh what they say they weigh, the produce weighs what they say it weighs, and the price is right. We do that for

certain items in the grocery store now, but we do not do it for Vimco spaghetti, cans of beans, and so forth right now. I think they should be marked, because even when I do go shopping, which is about two times a year, I like to look for prices and know what I am paying for. So I encourage everybody not to have the State have double standards. If we do it for produce and meat, let us do it for spaghetti and canned beans.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Kosinski.

Mr. KOSINSKI. Thank you, Mr. Speaker.

Unlike most of the members in here, I am a major consumer. I notice Representative Laughlin had the biggest laugh out of that one. But in my trips—or I should say my expeditions—to the supermarket, I, like Representative Pressmann, am confused at a supermarket that does not use a unit-pricing system.

Now, I have received numerous complaints in my travels around my district from senior citizens. And unlike Representative Pressmann, I was a liberal arts student who actually did get A's in mathematics, and I cannot figure out the system used in my local supermarket. It does confuse me. And frankly, I think that Representative Pressmann hit it right on the head when he said this is a major consumer vote. Many things we do in here our constituents really do not care that much about, but this is something that affects them at least once a week when they go to the market.

A good vote here is a "yes" vote. It is a proconsumer vote. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Levdansky.

Mr. LEVDANSKY. Thank you, Mr. Speaker.

Mr. Speaker, previously Representative Olasz and others raised the specter that passage of this amendment would increase the cost of items and hence ultimately would hurt consumers and were trying to persuade us that this is an anti-consumer vote. Nothing could be further from the truth, and to accept that line of reasoning, you have to have absolutely no understanding of economics.

There are two points I would like to make. Number one, from personal experience, having worked in grocery stores to finance my way through college, I can attest to the fact that it takes literally seconds, seconds, to itemize and item-stamp a given case full of items. So go ahead and try to calculate how many seconds it would take to stamp all the items in the store and what effect it would have on the consumer. I would argue that it would have a very minuscule effect, if any, on prices.

Secondly, the argument rests on a faulty assumption, the assumption being that the prices would increase if you item-stamp. That would not occur, because all you need to do is look back and look at the grocery stores that have implemented the new technology. Did they lower your prices whenever they put in computer scanners? No. Your prices probably even went up. At best they stayed the same. They were not reduced to reflect the labor cost saving by implementing the new technology. Just as they did not cut your prices at the

checkout counter then, there is hence no reason for them to raise the prices now. They have experienced those savings by implementing the technology. They can just as soon afford to pay a stock clerk to stamp a few items, and it is not going to result in any change in your final purchase price.

For those reasons and for others—I am sure we could all go on—I would just argue and concur that this is in fact a major proconsumer vote and would urge the members to adopt. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Van Horne.

Mr. VAN HORNE. Mr. Speaker, speaking after 17 years of experience in the grocery industry, some good and some not so good, I would like to oppose the amendment offered by Mr. Freeman.

There are a couple of things I would like to mention. The previous speaker just talked about the prices and what the technology did and they should have been lowered. If anybody noticed the study last week on pricing in various regions of the country, the Pittsburgh area, and the southwestern Pennsylvania area in particular of Pennsylvania, is the third lowest pricing area in the United States, third lowest metropolitan area in the country as far as pricing. I guarantee if this amendment is passed, that will change.

In addition, we talked about scanner receipts. One thing about scanner receipts—and they talk about not knowing prices and flashing on cash registers—scanner receipts are very comprehensive. They give you much more information probably than you want to know - size, weight, in addition to the price.

Thirdly, the previous speaker also mentioned about the matter of seconds to individually price items. But when you have over 15,000 items in a grocery store and/or supermarket, there is obviously a large margin of error that could take place. It is a very labor-intensive industry, and the profit margins of this industry are among the lowest of any industry throughout the United States.

Fourthly, when you talk about bending down to lower shelves and whatever, one thing you can never control is the vandalism that takes place by moving the signs back and forth and whatever. The scanner is at least one constant that can be used to provide updated information and pricing information to our constituents.

Lastly, this should add, if it would take effect, 3 to 4 to 5 percent to any owner's cost, and I do not think that is what we should be doing and intruding into private enterprise.

I would urge a "no" vote on the amendment.

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

Mr. COHEN. Mr. Speaker, if it is true that this will raise consumer costs, then the consumers of Pennsylvania will come to us and say we made a mistake and we ought to change the law again, but right now consumers all over Pennsylvania are saying that they want what the Freeman amendment proposes. They want item pricing.

I think we ought to be responsive to the will of the consumers of Pennsylvania and do what they want, and let us see what happens. Right now any place that does not have item pricing has a slight competitive advantage over those places that do have item pricing. That ought not to be the case. There ought to be standard rules for everyone.

I urge support of the Freeman amendment.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Snyder.

Mr. D. W. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, I did not mean to belabor this issue by following the other speakers, but listening to the arguments, I am starting to begin to wonder back to several years ago when the Speaker mentioned the role of State Government and the need for State Government to get involved in different areas and the test that we have to use to decide do we need to pass laws, or do we need to allow the marketplace or the public themselves to choose.

We talked today about this being a very important consumer vote. It may be a political vote because many people may use this as an issue to say you are for or against senior citizens, but what role does the State have in determining who can pick pink lemonade or Cheerios versus cornflakes? This is an area, if the consumers are that concerned about, that the consumers vote by their pocketbooks and where they shop. The food markets deal on a profit margin of 1 to 2 percent. I think if we want to help consumers, let us put price limits on the profits, or let us do other things so it can actually reduce the price.

I really think that as a role of State Government we ought to really consider our position and why we are sitting in this hall, and I do not think that we want to begin to intrude in an area that really the consumers have their own way of counteracting. I look for opposition to this amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Clark, on the amendment.

Mr. CLARK. Thank you, Mr. Speaker.

I urge my colleagues to oppose the Freeman amendment but for a different reason than anyone has talked about.

I was surprised to hear my colleagues from western Pennsylvania get up and support this amendment, the same colleagues who try to promote western Pennsylvania and Pennsylvania itself as being a high-tech area to bring your high-tech company. We are now telling the grocery industry, the food industry, the people that sell us products, not to use high technology to cut the cost of products and to make their operation more efficient. It is ridiculous that we would come here today in the General Assembly and say do not use new technology at the same time we are trying to tout our State as a maker of new technology and a developer of new technology. The idea behind a scanner is to make a business more efficient, and when a business is more efficient, the product is sold at a lesser cost.

I urge my colleagues to defeat this amendment and help consumers in Pennsylvania.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, very briefly, the arguments that have been made before the House were made very strenuously in hearings across this State on the issues of weights and measures and also price marking. The gentleman who is offering the amendment today knows well that we traveled to his district, and we had specific hearings in his area relative to this matter. We asked the companies and the corporations involved in the grocery industry for the kind of price structure that was involved in purchasing scanners and automated systems for their stores. The prices that we were quoted were anywhere from \$50,000 to \$100,000, and yet they claimed that they could sell goods in their stores cheaper than what their competitor could who was pricing the goods. Now, if we are talking about a consumer issue, we are talking about saving the consumer money. And if we are talking about a consumer issue, we are talking about doing what is best for that consumer.

Now, Mr. Speaker, I am not totally convinced of the issue that Mr. Freeman brings before us today. After hearings, we have asked the industry this question: In the event that a customer finds an incorrect price when they are checking it through your scanners, what would your response be? Their response was an ad in the paper that they purchased and a sign in their store that they put up, and it said, we will give to that customer the item that is incorrectly priced free of charge. Mr. Speaker, I have not heard from my constituents recently about complaints about price marking, because now they are getting the item that is marked incorrectly free of charge.

But, Mr. Speaker, I was not satisfied with that. I went beyond that issue. I went to the company, and I asked them to check a store that does price marking against one that does computers. That is, Mr. Speaker, a fair comparison for accuracy and a fair comparison for price margin that would benefit the consumer. Mr. Speaker, the end result of that was that there were a greater number of incorrect prices where it was done without the scanners.

Now, Mr. Speaker, that did not convince me totally that scanners were the right way to go, and for that reason, Mr. Speaker, we have in our committee two bills - one by Representative Freeman, one by Representative DeLuca, and I believe another member even may have one, a third member - on this issue. So I am aware of the concern for the people of this State on consumer issues, and I say this to you: When I can say without any concern that the consumers of Pennsylvania are going to benefit by this system that he proposes, I would be the first one to vote for it.

Mr. Speaker, at this time I am not convinced that that is the way to go. I intend to carry on the investigation further. Representative Freeman will undoubtedly be a part of it if his amendment fails. I can assure you that the consumers of this State will not get a half-done situation where we have neither fish nor fowl as to whether we are saving them money, but we will have a definite response to save them that income.

With response to one of the members stating about price marking on shelves, Mr. Speaker, our proposal would be a uniform-type marking on shelves that senior citizens could view and see and be able to really read without the difficulty that many of them have. Those are the kinds of things we are looking into.

I am not going to say that Representative Freeman does not have reason for offering his amendment. He has been a strong supporter of this position for as long as I have known him, and I give him credit for it. But, Mr. Speaker, in this case I am not convinced that this is the way to go yet and would not recommend an affirmative vote based on that.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Very briefly, we heard a minute ago or a while ago that it only takes a second to do these. If we could do 1 a second, we would do 360 in an hour's time, and at \$12 an hour, that would add 3 1/3 cents to that product cost. Obviously, that is going to be spread over a lot of other products, but that is an increase in cost and somebody has to pay it, and it is the consumer that will pay it. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Freeman, for the second time.

Mr. FREEMAN. Thank you, Mr. Speaker.

Briefly, just to answer some of the misconceptions that were raised by the opponents of item pricing. First, in regard to the gentleman, Mr. Clark's argument, this is not an anti-scanning argument. Scanning has its place. It is a new technology. It will improve certain facets of the supermarket industry, obviously. We accept that. But we also recognize a need for item pricing to protect the consumer, to insure the consumer is not ripped off by a deceptive practice either intentionally or unintentionally, to insure that they are charged the price that they thought they would be charged from what they viewed on the shelf.

Mr. Laughlin made reference to the hearings we have had, and I should note that in the course of those hearings we have not heard a single consumer oppose item pricing. On the contrary, item pricing has been heavily supported by the consumers who attended our hearings.

One of the issues raised by the opposition to this amendment today is that it will increase the price of goods in the supermarket. That is absolutely wrong. We heard testimony at our hearing in Easton from an executive of the Laneco food chain, a rather large food chain in our area, who made testimony that their places were competitive with other stores that have scanners and do not item-price. At Laneco they do both; they item-price and they scan. And the reason for that is the fact that there was a consumer demand to have both. There was an uproar when they did away with item pricing, so they reinstated item pricing in addition to their scanning. Their prices are competitive with all the other chains which have just scanning and not item pricing, so there is no truth to the argument that this will increase prices. On the contrary, it will save the consumer, because the consumer will now be able to make

sure that the price they are being charged is the price that is stamped on that item.

The bottom line to this issue is all we are doing with item pricing is protecting the consumer's right to know. That is what this amendment is. It is a "right to know" amendment. The consumers should have the right to know what price they are expected to pay at the checkout counter and be able to verify that the price they are being asked to pay is the price they assumed they would be paying based upon the price that was marked on the shelf. The only way to guarantee that consumer right to know is to have item pricing.

I urge the members of this House today to support the consumer in this and to vote for this amendment. Thank you.

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

The following roll call was recorded:

YEAS—74

Acosta	Fattah	Manderino	Ritter
Angstadt	Fee	Markosek	Roebuck
Battisto	Fox	Mayermik	Rybak
Belardi	Freeman	Melio	Schuler
Belfanti	Freind	Michlovic	Serafini
Blaum	George	Micozzie	Smith, B.
Bowley	Haluska	Miller	Stevens
Burns	Harper	Mrkonic	Taylor, J.
Caltagirone	Hasay	Murphy	Telek
Carn	Hayden	O'Donnell	Trello
Cawley	Howlett	Oliver	Veon
Civera	Hughes	Perzel	Weston
Cohen	Itkin	Pievsky	Wiggins
Cowell	Kosinski	Pistella	Wozniak
DeLuca	Kukovich	Pressmann	Wright, R. C.
Dombrowski	Levdansky	Punt	Yandrisevits
Donatucci	Linton	Raymond	
Durham	Lloyd	Richardson	Irvis,
Evans	Maine	Rieger	Speaker

NAYS—121

Argall	Dawida	Johnson	Reinard
Arty	Dietterick	Kasunic	Robbins
Baldwin	Dininni	Kennedy	Rudy
Barley	Distler	Kenney	Ryan
Birmelin	Dorr	LaGrotta	Saloom
Black	Duffy	Langtry	Saurman
Book	Fargo	Lashinger	Scheetz
Bortner	Farmer	Laughlin	Semmel
Bowser	Fischer	Leh	Seventy
Boyes	Flick	Lescovitz	Showers
Brandt	Foster	Livengood	Sirtianni
Broujos	Gallen	Lucyk	Smith, S. H.
Bunt	Gamble	McCall	Snyder, D. W.
Burd	Gannon	McClatchy	Snyder, G.
Bush	Geist	McVerry	Staback
Cappabianca	Gladeck	Maiale	Stairs
Carlson	Godshall	Manmiller	Steighner
Cessar	Gruitza	Merry	Stuban
Chadwick	Gruppo	Moehlmann	Sweet
Cimini	Hagarty	Morris	Taylor, E. Z.
Clark	Hayes	Mowery	Taylor, F.
Clymer	Heckler	Nahill	Tigue
Colafella	Herman	Noye	Van Horne
Cole	Hershey	Olasz	Vroon
Cornell	Hess	Petrarca	Wambach
Corrigan	Honaman	Petrone	Wass
Coy	Hutchinson	Phillips	Wilson
DeVerter	Jackson	Pitts	Wogan
DeWeese	Jadlowiec	Preston	Wright, D. R.
Daley	Jarolin	Reber	Wright, J. L.
Davies			

NOT VOTING—3

Letterman O'Brien Truman
EXCUSED—3
Josephs McHale Piccola

The question was determined in the negative, and the amendments were not agreed to.

The SPEAKER. Why does the gentleman from Philadelphia, Mr. Cohen, interrupt?

Mr. COHEN. Mr. Speaker, on the last vote I was recorded erroneously. I would like to be recorded—

The SPEAKER. No. Wait a moment, Mr. Cohen. Let us not interrupt the flow of business for that. When we get to that point, we will put your name down and we will recognize you and we will correct it.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. RYAN offered the following amendments No. A2899:

Amend Bill, page 1, lines 1 through 18, by striking out all of said lines and inserting

Amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for identification, possession and unlawful use of shopping carts, laundry carts, dairy cases, egg baskets, poultry boxes, bakery trays and bakery baskets; and providing a penalty.

Amend Bill, page 2, lines 3 through 30; pages 3 and 4, lines 1 through 30; page 5, lines 1 through 25, by striking out all of said lines on said pages and inserting

Section 1. Sections 6705 and 6706 of Title 18 of the Pennsylvania Consolidated Statutes are repealed.

Section 2. Title 18 is amended by adding a section to read: § 6712. Use of carts, cases, trays, baskets, boxes and other containers.

(a) General rule.—A person owning shopping carts, laundry carts or containers may adopt and use a name or mark on the carts or containers and may register the same pursuant to 54 Pa.C.S. Ch. 15 (relating to reusable marked articles and receptacles).

(b) Prohibited uses of containers.—A person may not do any of the following:

(1) Use for any purpose, when not on the premises of the owner or an adjacent parking area, a container of another which is identified with or by any name or mark unless the use is authorized by the owner.

(2) Sell, or offer for sale, a container of another which is identified with or by a name or mark unless the sale is authorized by the owner.

(3) Deface, obliterate, destroy, cover up or otherwise remove or conceal a name or mark on a container of another without the written consent of the owner.

(c) Presumption of possession.—Any person who is in possession of any shopping cart, laundry cart or container which has a name or mark and is not on the premises of the owner or an adjacent parking area shall be presumed to be in possession of stolen property.

(d) Transportation of containers; bill of lading.—It shall be unlawful for any common carrier or private carrier for hire, except those engaged in the transporting of dairy products, eggs and poultry to and from farms where they are produced, to receive or transport any container marked with a name or mark unless the carrier has in his possession a bill of lading or invoice therefor.

(e) Unlawful removal of containers.—It is a violation of this section for any person to remove a container from the premises, parking area or any other area of any processor, distributor or retail establishment, or from any delivery vehicle, unless legally authorized to do so, if:

(1) The container is marked on at least one side with a name or mark.

(2) A notice to the public, warning that use by any person other than the owner is punishable by law, is visibly displayed on the container.

(f) Illegal use of shopping carts and laundry carts.—It is a violation of this section:

(1) To remove any shopping cart or laundry cart from the premises or parking area of a retail establishment with intent to temporarily or permanently deprive the owner of the cart, or the retailer, of possession of the cart.

(2) To remove a shopping cart or laundry cart, without written authorization from the owner of the cart, from the premises or parking area of any retail establishment.

(3) To possess, without the written permission of the owner or retailer in lawful possession thereof, any shopping cart or laundry cart off the premises or parking lot of the retailer whose name or mark appears thereon.

(4) To remove, obliterate or alter any serial number, name or mark affixed to a shopping cart or laundry cart.

(g) Deposits.—The requiring, taking or accepting of any deposit, upon delivery of a container, shopping cart or laundry cart, shall not be deemed a sale thereof, optional or otherwise.

(h) Penalty.—A person who violates this section commits a summary offense and shall, upon conviction, be sentenced to pay a fine not exceeding \$300 or to imprisonment for not more than 90 days. Each violation shall constitute a separate offense.

(i) Scope of section.—This section shall not apply to the owner of a shopping cart, laundry cart or container, or to a customer or any other person who has written consent from the owner of a shopping cart, laundry cart or container, or from a retailer, in lawful possession thereof, to remove it from the premises or the parking area of the retail establishment.

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

“Bakery basket.” A wire or plastic container which holds bread or other baked goods and is used by a distributor or retailer, or his agent, as a means to transport, store or carry bakery products.

“Bakery tray.” A wire or plastic container which holds bread or other baked goods and is used by a distributor or retailer, or his agent, as a means to transport, store or carry bakery products.

“Container.” A bakery basket, bakery tray, dairy case, egg basket, poultry box or any other container used to transport, store or carry any product.

“Dairy case.” A wire or plastic container which holds 16 quarts or more of beverage and is used by distributors or retailers, or their agents, as a means to transport, store or carry dairy products.

“Egg basket.” Any permanent type of container which contains four dozen or more shell eggs and is used by distributors or retailers, or their agents, as a means to transport, store or carry eggs.

“Laundry cart.” A basket which is mounted on wheels and used in a coin-operated laundry or drycleaning establishment by a customer or an attendant for the purpose of transporting laundry and laundry supplies.

“Name” or “mark.” Any permanently affixed or permanently stamped name or mark which is used for the purpose of identifying the owner of shopping carts, laundry carts, dairy cases, egg baskets, poultry boxes, bakery trays or bakery boxes.

“Parking area.” A lot or other property provided by a retail establishment for the use of customers to park automobiles or other vehicles while doing business in that establishment.

“Poultry box.” Any permanent type of container which is used by processors, distributors, retailers or food service establishments, or their agents, as a means to transport, store or carry poultry.

“Shopping cart.” A basket which is mounted on wheels, or a similar device, generally used in a retail establishment by a customer for the purpose of transporting goods of any kind.

Section 3. No person who returns a shopping cart, laundry cart or container, which was removed from the premises of the owner prior to the effective date of this act, to its owner within 60 days after the effective date of this act be prosecuted under the provisions of 18 Pa.C.S. § 6712 (relating to use of carts, cases, trays, baskets, boxes and other containers).

Section 4. This act shall take effect in 90 days.

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the minority leader.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, my amendment does not do harm to the bill that is before the House. My legal staff advised me that the provisions of the bill that are before us cover subject matter that is really covered under the Crimes Code. So what my amendment does is it essentially strips the title and puts the Crimes Code title into the bill so that future generations of judges and lawyers will look into the Crimes Code for things that are crimes as opposed to having to look into a separate act, which is what this particular bill is. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' (195 total). Includes names like Acosta, Angstadt, Argall, Arty, Baldwin, Barley, Battisto, Belardi, Belfanti, Birmelin, Black, Blaum, Book, Bortner, Bowley, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Bush, Caltagirone, Cappabianca, Carlson, Cawley, Cessar, Chadwick, Donatucci, Dorr, Duffy, Durham, Evans, Fargo, Farmer, Fattah, Fee, Fischer, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Gannon, Geist, George, Gladeck, Godshall, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayden, Langtry, Lashinger, Laughlin, Leh, Lescovitz, Letterman, Levdansky, Linton, Livengood, Lloyd, Lucyk, McCall, McClatchy, McVerry, Maiale, Maine, Manderino, Manmiller, Markosek, Mayernik, Melio, Merry, Michlovic, Micozzie, Miller, Moehlmann, Morris, Mowery, Mrkonic, Ritter, Robbins, Roebuck, Rudy, Ryan, Rybak, Saloom, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Steighner, Stevens, Stuban, Sweet, Taylor, E. Z., Taylor, F., Taylor, J., Telek.

Table listing names of members who voted 'NAYS' (1 total) and 'NOT VOTING' (2 total). Includes names like Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cornell, Corrigan, Cowell, Coy, DeLuca, DeVerter, DeWeese, Daley, Davies, Dawida, Dieterick, Dininni, Distler, Dombrowski, Hayes, Heckler, Herman, Hershey, Hess, Honaman, Howlett, Hughes, Hutchinson, Itkin, Jackson, Jadlowiec, Jarolin, Johnson, Kasunic, Kennedy, Kenney, Kosinski, Kukovich, LaGrotta, Murphy, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Petrarca, Petrone, Phillips, Pistella, Pitts, Pressmann, Preston, Punt, Raymond, Reinard, Richardson, Rieger, Tigue, Trello, Truman, Van Horne, Veon, Vroon, Wambach, Wass, Weston, Wiggins, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Wright, R. C., Yandrisevits, Irvis, Speaker.

NAYS—1

Reber

NOT VOTING—2

Carn

Pievsky

EXCUSED—3

Josephs

McHale

Piccola

The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. OLASZ offered the following amendment No. A2534:

Amend Sec. 10, page 5, line 18, by inserting after “establishment.”

For the purposes of this section, the term “written consent” includes tokens and other indicia of consent which may be established by the owner of the carts or the retailer.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Olasz.

Mr. OLASZ. Mr. Speaker, in the center city where a lot of the supermarkets are located, the senior citizens and that poor old lady who sits in that rocking chair in the wintertime have difficulty carrying their groceries home. So what my amendment does is say that if they have a chit of some sort authorizing removal of that cart from the premises, that they be so authorized to do so, because they will have no other means to get their groceries home. So I would ask for an affirmative vote.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Table listing names of members who voted 'YEAS' (195 total). Includes names like Acosta, Angstadt, Argall, Arty, Baldwin, Donatucci, Dorr, Duffy, Durham, Evans, Lashinger, Laughlin, Leh, Lescovitz, Letterman, Rieger, Ritter, Robbins, Roebuck, Rudy.

Barley	Fargo	Levdansky	Ryan
Battisto	Farmer	Linton	Rybak
Belardi	Fattah	Livengood	Saloom
Belfanti	Fee	Lloyd	Saurman
Birmelin	Fischer	Lucyk	Scheetz
Black	Flick	McCall	Schuler
Book	Foster	McClatchy	Semmel
Bortner	Fox	McVerry	Serafini
Bowley	Freind	Maiale	Seventy
Bowser	Gallen	Maine	Showers
Boyes	Gamble	Manderino	Smith, B.
Brandt	Gannon	Manmiller	Smith, S. H.
Broujos	Geist	Markosek	Snyder, D. W.
Bunt	George	Mayernik	Snyder, G.
Burd	Gladeck	Melio	Staback
Burns	Godshall	Merry	Stairs
Bush	Gruitza	Michlovic	Steighner
Caltagirone	Gruppo	Micozzie	Stevens
Cappabianca	Hagarty	Miller	Stuban
Carlson	Haluska	Moehlmann	Sweet
Carn	Harper	Morris	Taylor, E. Z.
Cawley	Hasay	Mowery	Taylor, F.
Cessar	Hayden	Mrkonic	Taylor, J.
Chadwick	Hayes	Murphy	Telek
Cimini	Heckler	Nahill	Tigue
Civera	Herman	Noye	Trello
Clark	Hershey	O'Brien	Truman
Clymer	Hess	O'Donnell	Van Horne
Cohen	Honaman	Olasz	Veon
Colafella	Howlett	Oliver	Vroon
Cole	Hughes	Perzel	Wambach
Cornell	Hutchinson	Petrarca	Wass
Corrigan	Itkin	Petrone	Weston
Cowell	Jackson	Phillips	Wiggins
Coy	Jadlowiec	Pievsky	Wilson
DeLuca	Jarolin	Pistella	Wogan
DeVerter	Johnson	Pitts	Wozniak
DeWeese	Kasunic	Pressmann	Wright, D. R.
Daley	Kennedy	Preston	Wright, J. L.
Davies	Kenny	Punt	Wright, R. C.
Dawida	Kosinski	Raymond	Yandrisevits
Dieterick	Kukovich	Reber	
Dininni	LaGrotta	Reinard	Irvis,
Distler	Langtry	Richardson	Speaker
Dombrowski			

NAYS—2

Blaum Freeman

NOT VOTING—1

Sirianni

EXCUSED—3

Josephs McHale Piccola

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?

On final passage, the Chair recognizes the gentleman from Washington, Mr. Sweet.

Mr. SWEET. Mr. Speaker, is there someone on the floor of the House who could answer a question or two about this bill?

Mr. Speaker, would the gentleman, Mr. Ryan, since he now has sponsored an amendment which is apparently the major part of this bill, answer a few questions?

Mr. RYAN. No.

Mr. Speaker, the gentleman asked if there was anyone on the floor of the House who knew anything about this bill. Joe Murphy from our legal department is right over here. I would be glad to let him meet with the gentleman on the side and perhaps explain it.

Mr. SWEET. Mr. Speaker, I suppose the only thing more bizarre than considering this bill right now is asking questions about it and debating it, but I am not sure Mr. Murphy's explanation is going to help—

Mr. RYAN. Well, why do you not try asking a few questions and then we will see if we can help.

Mr. SWEET. Okay. Mr. Speaker, what is the problem that is being addressed by this bill?

Mr. RYAN. Apparently the Senate was concerned at some point with the theft of shopping carts out of shopping center parking lots and decided that it was the type thing that almost deserved to be in the Crimes Code but did not quite put it there, which is what I did.

Mr. SWEET. And, Mr. Speaker, you believe that this has become such a serious problem in this Commonwealth that we are going to make the possession of a shopping cart that has some indicia of ownership by another party a crime?

Mr. RYAN. If you are asking me do I think that it is a serious problem, I say yes. I believe—and I think anyone who watches the various educational television shows and other prime-time "20/20"-type shows where they are dealing with the subject of pilferage, shoplifting, and things such as that—there is every indication that there are high losses to the business community through petty thefts of a shoplifting nature or stealing these carts and other materials like that. I believe it drives the price of all of the products sold in department stores and grocery stores up to the disadvantage of all of our people. Now, it may be a few people who will be harmed, and they will not be able to keep their little shopping carts, but that is not too big a price to pay for the rest of the population.

Mr. SWEET. I see. Thank you, Mr. Speaker.

May I just make a brief comment?

The SPEAKER. On final passage, the gentleman is so recognized.

Mr. SWEET. Accepting everything that the previous speaker said, I am just individually and personally a little surprised that we are going to bring the majesty of the criminal justice system and the law enforcement apparatus and our court system into dealing with this issue in this way, and I am going to vote "no."

The SPEAKER. On final passage, the Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the gentleman, Mr. Sweet, I know to be a distinguished member of the Pennsylvania Bar, and it has probably slipped his mind that right now the Crimes Code does have a provision, a summary offense—and this is still a summary offense—on having containers that bear the

owner's name. So we are really not doing anything dramatically different, Mr. Speaker, and I think it is worthy of our attention. It is a summary offense. We have spent days here on the floor of the House worrying about \$10 and \$5 and \$25 fines in different areas of the law, and I think the possession of someone else's property where their name is even stamped on it certainly deserves to make the Crimes Code.

The SPEAKER. The Chair recognizes Mr. Sweet.

Mr. SWEET. Mr. Speaker, I do not want to prolong matters, although I assume we are here because other things are going on and this is what we are here to do this afternoon. I am a little surprised that the most distinguished and articulate spokesman of a conservative party, who thinks that the law ought not reach out too far, is standing here telling us how important it is that we define what a dairy case is and an egg basket and a laundry cart and that we bring all of this into the world of criminal justice, and I guess I want to welcome you to the wee band of brothers over here or the overregulators of Pennsylvania's society.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, if I did not know better, I would think that I have just heard from a man who has bookshelves made of dairy cases.

The SPEAKER. Are you going to deal with him, Mr. Sweet?

Mr. SWEET. I do not now own a bookshelf that is a dairy case. I do own bookshelves. It could be that later action by this body will allow me to buy better bookshelves, and even books, Mr. Speaker.

I just think that it is a little surprising that we are going to enter into this massive legislative effort here on a very important day to deal with a problem that you say is already covered by the Crimes Code, and we are going to create legal presumptions and perhaps have people hauled before the district magistrate because they have a dairy case or a shopping cart. It surprised me more than anything else that you, the distinguished minority leader, were sponsoring this major legislative initiative, and I am proud of you.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. This is a Senate-sponsored bill, but here on this side we are out to take care of the little criminal as well as the big criminal. We do not distinguish nor do we discriminate in that respect.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, on final passage.

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

I rise for several reasons to raise some very major concerns about this bill. Number one, I think that it is a very dangerous bill. While we are after big criminals and little criminals, it certainly seems to me that the little people in the street who are considered street people are going to be affected by this bill.

I do not know if you have been in Philadelphia lately, but I have been around Philadelphia and some of the suburbs of Philadelphia and I have seen a number of so-called street people pushing carts that may have their wares in them. Now,

where they got them from, I cannot answer that question, and I think that in a lot of respects you will find that a number of individuals who in fact are pushing carts may have had them for some time or may have seen them left somewhere and they picked them up themselves and started pushing some of their wares around. It seems to me that we are targeting a group of people who in fact may not be able to defend themselves against the law when in fact they may be stopped. It seems to me that when we see a number of bag persons out in the street today, we for some reason do not consider these kinds of little, small things that are being made to be a big issue here today on the floor of this House.

When I look at shopping carts and I think of laundry carts, I think in terms of those items that people push around for the purpose of getting from one place to another. And I do not know whether or not the summary offense is already on the books or not dealing with this issue, but I think that in certain municipalities, certain ordinances have been passed in order to cover, basically, some of this law now that is being asked to be taken on at the State level. It seems to me that what we need to be concerned with is whether or not in these stores they are using all the mechanisms necessary to make sure that these carts are collected when people finish using them as they do at a number of other chain stores within the Commonwealth. They make sure that there is a guard there to make sure that their items do not leave the premises. The other thing that they do is they assure themselves by having persons on point at the place to go out into the actual parking lot to bring those carts back in. They are attendants, I guess, who work for the supermarket or the chain being involved.

It seems to me that we are making such a big point on such a small issue when you look at it across the board. Whether or not there are statistics that are insurmountable that say that this is a gigantic problem within our community and that we really need to be looking out for that, I have not seen that kind of inquiry, and I think that it would be important for us to probably lay ourselves in a position of thinking about, but for the grace of God, there go I. What if you are caught in that situation where maybe it is your child that may be playing with a cart. It does not belong to him or her, but they just may be in possession of that. Does that possession mean that they took the cart from the store or from the premises of a particular chain establishment, or does it mean that they just may have found it and, as a result of finding that, they in fact have done some things to try to help correct that?

I think this stretches the point a little bit too far, and I think this is a dangerous piece of legislation, and at this time, Mr. Speaker, I would ask for a negative vote on the bill.

On the question recurring,
Shall the bill pass finally?

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

YEAS—176

Acosta	Dombrowski	Leh	Robbins
Angstadt	Donatucci	Lescovitz	Rudy
Argall	Dorr	Levdansky	Ryan
Arty	Durham	Linton	Rybak

Baldwin	Fargo	Livengood	Saloom
Barley	Farmer	Lloyd	Saurman
Battisto	Fee	Lucyk	Scheetz
Belardi	Fischer	McCall	Schuler
Belfanti	Foster	McClatchy	Semmel
Birmelin	Fox	McVerry	Serafini
Black	Freeman	Maiale	Seventy
Book	Freind	Maine	Showers
Bowley	Gallen	Manderino	Sirianni
Bowser	Gamble	Manmiller	Smith, B.
Boyes	Gannon	Markosek	Smith, S. H.
Brandt	Geist	Mayernik	Snyder, D. W.
Broujos	George	Merry	Snyder, G.
Bunt	Gladeck	Micozzie	Staback
Burd	Godshall	Miller	Stairs
Burns	Gruppo	Moehlmann	Steighner
Bush	Hagarty	Morris	Stevens
Caltagirone	Haluska	Mowery	Stuban
Cappabianca	Harper	Mrkonic	Taylor, E. Z.
Carlson	Hasay	Murphy	Taylor, F.
Cessar	Hayes	Nahill	Taylor, J.
Chadwick	Heckler	Noye	Telek
Cimini	Herman	O'Brien	Trello
Civera	Hershey	O'Donnell	Van Horne
Clark	Hess	Olasz	Veon
Clymer	Honaman	Oliver	Vroon
Cohen	Howlett	Perzel	Wambach
Colafella	Hutchinson	Petrarca	Wass
Cole	Itkin	Petrone	Weston
Cornell	Jackson	Phillips	Wiggins
Corrigan	Jadlowiec	Pievsky	Wilson
Cowell	Jarolin	Pistella	Wogan
Coy	Johnson	Pitts	Wozniak
DeLuca	Kasunic	Pressmann	Wright, D. R.
DeVerter	Kennedy	Preston	Wright, J. L.
DeWeese	Kosinski	Punt	Wright, R. C.
Daley	Kukovich	Raymond	Yandrisevits
Davies	LaGrotta	Reinard	
Dietterick	Langtry	Rieger	Irvis,
Dininni	Lashingier	Ritter	Speaker
Distler	Laughlin		

NAYS—19

Blaum	Evans	Kenney	Roebuck
Bortner	Flick	Melio	Sweet
Cawley	Gruitza	Michlovic	Tigue
Dawida	Hayden	Reber	Truman
Duffy	Hughes	Richardson	

NOT VOTING—3

Carn	Fattah	Letterman
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EXCUSED—3

Josephs	McHale	Piccola
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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.

PRESENTATION OF BOOKS

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Pitts. Will the gentleman please come to the clerk's microphone.

Mr. PITTS. Thank you, Mr. Speaker.

I would like to ask the other members of the Capitol Preservation Committee to join me at the podium - Representative Pete Wambach, who has served diligently on the publications subcommittee, and Representative Jim Wright and Representative Belardi.

The SPEAKER. Members of the Capitol Preservation Committee, please come forward.

Mr. PITTS. Mr. Speaker, I am pleased to announce the publication of the Civil War flag book and to make a presentation. The documentary history of the "Pennsylvania Civil War Battle Flags," first volume, has just been released. All of you have had a part in publishing this book with the approval of appropriations for the textile lab as well as sponsorships. Many of your constituencies have sponsored individual flags. We have raised over \$130,000 for Civil War flags, and I hope that many of you will take the opportunity of the summer break to visit the lab and see the 200 flags that have now been unfurled. In this volume are the color pictures of those flags and a detailed regimental history of half of the units. This is the first volume.

Today, on behalf of the Capitol Preservation Committee, we would like to make a presentation to the two individuals to whom the book is dedicated. The documentary history is dedicated to two outstanding Commonwealth officials whose inspiration and leadership in the cause of preserving our Capitol and its historic artifacts has made this work possible. These distinguished officials are our Speaker, K. Leroy Irvis, and Republican leader, Representative Matt Ryan. In their respective service as members of the House, floor leaders, and Speakers of the House, they have provided bipartisan leadership and support for a variety of endeavors dedicated to preserving our Pennsylvania heritage, our Capitol, and all of its historic artifacts and the transmission of that inheritance to future generations. In view of their unique contributions and their leadership, the Capitol Preservation Committee has decided that it would be fitting that this special volume, which documents the crucial role of Pennsylvania during our Nation's Civil War, be dedicated to them.

At this time I would like to ask Representative Pete Wambach and Representative Wright and Representative Belardi to present the volumes to Representative Ryan and Speaker Irvis.

The SPEAKER. Would the gentleman, Mr. Ryan, like to reply? The Chair asks Mr. Ryan to temporarily become Speaker.

THE SPEAKER PRO TEMPORE
(MATTHEW J. RYAN) IN THE CHAIR

The SPEAKER pro tempore. Ah, but for one vote.

This seems rather insignificant, I suppose, in the life of the legislature that the Speaker and I would be honored by a group of people, frankly, that we appointed in connection with this project. It is a project, however— And I am repeating myself somewhat, but for the benefit of the new members, many years ago when Mr. Irvis and I had dark hair,

good teeth, and good eyes and were relatively young legislators, we together introduced a resolution—and I am guessing this was in 1963 or 1964 or 1965, but certainly during my first or second term in the legislature—dealing with this subject as well as other historical subjects here at the Capitol Building. It is an area that I suppose, if I had to list my personal interests while a legislator, would take first priority, other than meeting, knowing, and exchanging ideas, information, and really good fellowship with the fellow members of the House. But it was an important part of my legislative career; it remains an important part of my legislative career, and I am very flattered, very honored, and, frankly, am going to take to heart some of the words. I think they used “distinguished.” I will put that somewhere in the back of my head when I am criticized the next time by Jim Wright or Joe Pitts, and I will pull out some of these words again and feed it back to them. But, truthfully, thank you very much.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

The SPEAKER. The gentleman, Mr. Ryan, has been too kind. It was really his idea. I joined him, and we owe him a very deep debt of gratitude and so do the people of this Commonwealth, because what he has done, with the help of a few of the rest of us who joined him, is to renew the very spirit of this building.

Those of you who are much younger now enjoy the open fireplaces, the beautiful candelabra, the hanging lights, many of which were thrown down in the basement as scrap until Mr. Ryan decided that that had to be changed. Some of you who now have open offices with marble paneling or mahogany paneling may be shocked to know that only a few years ago they had dropped the ceilings so that they were no more than 8 feet off the floor and there was rather cheap plywood paneling cemented to the walls. That has ended because of what Mr. Ryan has done.

Although he diminishes his own contribution, I shall not diminish that contribution of his, for what Mr. Ryan has in fact done is to say to the people of the Commonwealth of Pennsylvania, this building is symbolic of the great achievements of the people of Pennsylvania, who were the very first people on Earth to create a government of the people. Nowhere else on Earth had that government arisen, nowhere, until the people of Pennsylvania created it. Mr. Ryan has reminded us of our greatness and indeed has hinted that perhaps there are greater things yet ahead for Pennsylvania.

Matthew Ryan, I thank you.

CONSERVATION COMMITTEE MEETING

The SPEAKER. Why is the gentleman from Clearfield, Mr. George, at the microphone?

Mr. GEORGE. I would like to announce a meeting of the Conservation Committee at the call of the Speaker's adjournment.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 525, PN 578

By Rep. TRELLO

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled “Tax Reform Code of 1971,” further providing for exclusions from retail sales tax.

FINANCE.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 404, PN 1715**, entitled:

An Act requiring certain statutes, rules, regulations and contracts to be written in plain language; and providing remedies and penalties.

On the question,

Will the House agree to the bill on third consideration?

Mr. GLADECK offered the following amendment No. A2874:

Amend Sec. 203, page 11, by inserting between lines 16 and 17

(5) Contracts used by financial institutions which are subject to examination or other supervision by State or Federal regulatory authorities.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Gladeck, on the amendment.

Mr. GLADECK. Thank you, Mr. Speaker.

Mr. Speaker, this exempts financial institutions from the subjects of this bill that are subject to the examination or supervision by State or Federal regulatory authorities. I am referring to agencies such as banks, savings and loan associations, savings banks, and financial lending companies. These organizations are today subject to conforming to the requirements of the Federal Truth-in-Lending Act. It is my feeling that that act is fairly complex, and it, I believe, regulates these institutions very well. I think that to force these institutions to conform to the provisions of HB 404 is going a little bit too far.

I certainly would support and would appreciate your consideration of the amendment. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I would ask the members to vote “no” on this amendment. I would remind them that this bill has passed this chamber in two consecutive sessions, and to work out any problems we would have with this bill, we amended this in committee, accepting all of the amendments that were passed in committee last session and on the floor of the House last session, so this bill could be placed in the identical fashion in which it passed the House last session by a vote of 196 to 4.

I have made a number of compromises on this bill, and it seems like every time I do, the banking institutions in particu-

lar always have another amendment. And after this one, if it goes to the Senate, there will be another amendment and then another.

This amendment will be a huge loophole for the banking industry. It will probably wipe out all of the consumer contracts to obtain credit and virtually every other type of contract with a banking institution. I think that would be a mistake. It would be a loophole that we do not want to see in this State, and many of the other States that have passed plain language legislation have not done this.

I would ask the members to vote "no" on this amendment. The Truth-in-Lending Act does not deal with the visibility of the language, the readability of the language, and will not solve the problem that this bill was intended to deal with. I would ask the members to vote "no" on this amendment and keep the bill in the same fashion in which it passed last session.

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Gallen, on the Gladeck amendment.

Mr. GALLEN. Mr. Speaker, I rise in support of the amendment. I think that without this amendment this bill would just be a redundancy, and I think the banks are already regulated and the language is quite clear in various other codes and laws. I think that this amendment is well thought out and should be adopted. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Markosek, on the amendment.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I rise to interrogate the maker of the amendment, please.

The SPEAKER. Mr. Gladeck indicates he will stand for interrogation. You may proceed, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

I have a question. The amendment points out that these financial institutions which apply here are those that are subject to the examination or other supervision by State or Federal regulatory authorities. Would the gentleman be kind enough to point out exactly what those are and translate that for us, please?

Mr. GLADECK. I think it says exactly what it—

Mr. MARKOSEK. Mr. Speaker, to have an example of an institution supervised by a State or Federal regulatory authority, are we talking about all banks here?

Mr. GLADECK. Earlier in my initial comments I said what I am referring to are banks, savings and loans, savings banks, and financial lending companies.

Mr. MARKOSEK. Okay. So that is pretty comprehensive then. Is that correct?

Mr. GLADECK. That is right. It would be any financial institutions which are subject to the examination or other supervision by State and Federal regulatory authorities. Primarily the institutions that I was referring to were the four that I described, and if you are familiar with the Federal Truth-in-Lending Act, they would be regulated quite pervasively by that act. The Federal Truth-in-Lending Act is fairly complex and it is administered through a constant updating of regulatory requirements in order to keep pace

with the changes in consumer loan products. This law, as I understand it, represents Congress' conclusions as to how consumer loan provisions should be disclosed to their customers. I simply think that it is not necessary to supplement the Federal Truth-in-Lending Act. Anything that the Federal Truth-in-Lending Act addresses would supersede anything that Representative Kukovich would do in his bill, as I understand it. And really, while I appreciate Representative Kukovich's attempt to define and to create the perfect piece of legislation, I do not think that he is doing so in the case as far as the institutions that I have described are concerned.

Mr. MARKOSEK. Thank you, Mr. Speaker.

That ends my interrogation. I would like to comment on the amendment, please.

The SPEAKER. The gentleman may proceed.

Mr. MARKOSEK. If I understand this correctly, with the number of institutions that would be involved with this amendment, it would pretty much gut the bill, from my perspective, and therefore, I would ask the members to offer a negative vote to the amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Gladeck, for the second time.

Mr. GLADECK. Mr. Speaker, I would just like to add to that. I do not agree that the amendment guts the bill. Mr. Kukovich would know a little bit more about that than I, but I do think that perhaps we are missing the point.

The most important parts of this legislation, I believe, are the sections in the bill that deal with the piece of legislation that we ourselves introduce and the amendments that we introduce. I think these are the ones that should be subject to plain language much more so than the agencies such as I have described, which are already regulated. And I honestly feel that to ask another individual, another agency, to come in and regulate the institutions that I have discussed, such as the Attorney General, I do not think that the AG really would have the ability to regulate those financial institutions as well as they are currently being regulated. And with that, I would appreciate very much your affirmative vote on the amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—98

Angstadt	Diminni	Jadlowiec	Robbins
Argall	Distler	Johnson	Ryan
Arty	Dorr	Kennedy	Saurman
Barley	Durham	Kenney	Scheetz
Battisto	Fargo	Langtry	Schuler
Birmelin	Farmer	Lashinger	Semmel
Black	Fischer	Leh	Serafini
Book	Flick	McClatchy	Sirianni
Bowser	Foster	McVerry	Smith, B.
Boyes	Fox	Manmiller	Smith, S. H.
Brandt	Freind	Merry	Snyder, D. W.
Bunt	Gallen	Micozzie	Snyder, G.
Burd	Gannon	Miller	Stairs
Burns	Geist	Mochlmann	Stevens
Bush	Gladeck	Nahill	Taylor, E. Z.
Carlson	Godshall	Noye	Taylor, J.
Cessar	Gruppo	O'Brien	Telek

Chadwick	Hagarty	Perzel	Vroon
Cimini	Hayes	Phillips	Wass
Civera	Heckler	Pitts	Weston
Clymer	Herman	Punt	Wilson
Cornell	Hershey	Raymond	Wogan
DeVerter	Hess	Reber	Wright, J. L.
Davies	Honaman	Reinard	Wright, R. C.
Dietterick	Jackson		

NAYS—99

Acosta	Evans	Livengood	Ritter
Baldwin	Fattah	Lloyd	Roebuck
Belardi	Fee	Lucyk	Rudy
Belfanti	Freeman	McCall	Rybak
Blaum	Gamble	Maiale	Saloom
Bortner	George	Maine	Seventy
Bowley	Gruitza	Manderino	Showers
Broujos	Haluska	Markosek	Staback
Caltagirone	Harper	Mayernik	Steighner
Cappabianca	Hasay	Melio	Stuban
Carn	Hayden	Michlovic	Sweet
Cawley	Howlett	Morris	Taylor, F.
Clark	Hughes	Mrkonic	Tigue
Cohen	Hutchinson	Murphy	Trello
Colafella	Itkin	O'Donnell	Truman
Cole	Jarolin	Olasz	Van Horne
Corrigan	Kasunic	Oliver	Veon
Cowell	Kosinski	Petrarca	Wambach
Coy	Kukovich	Petrone	Wiggins
DeLuca	LaGrotta	Pievsky	Wozniak
DeWeese	Laughlin	Pistella	Wright, D. R.
Daley	Lescovitz	Pressmann	Yandrisevits
Dawida	Letterman	Preston	
Dombrowski	Levdansky	Richardson	Irvis,
Donatucci	Linton	Rieger	Speaker
Duffy			

NOT VOTING—1

Mowery

EXCUSED—3

Josephs McHale Piccola

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.

YEAS—196

Acosta	Dombrowski	Lashingner	Ritter
Angstadt	Donatucci	Laughlin	Robbins
Argall	Dorr	Leh	Roebuck
Arty	Duffy	Lescovitz	Rudy
Baldwin	Durham	Letterman	Ryan
Barley	Evans	Levdansky	Rybak
Battisto	Fargo	Linton	Saloom
Belardi	Farmer	Livengood	Saurman
Belfanti	Fattah	Lloyd	Scheetz
Birmelin	Fee	Lucyk	Schuler
Black	Fischer	McCall	Semmel
Blaum	Flick	McClatchy	Serafini
Book	Foster	McVerry	Seventy
Bortner	Fox	Maiale	Showers
Bowley	Freeman	Maine	Sirianni
Bowser	Freind	Manderino	Smith, B.

Boyes	Gallen	Manmiller	Smith, S. H.
Brandt	Gamble	Markosek	Snyder, D. W.
Broujos	Gannon	Mayernik	Snyder, G.
Bunt	Geist	Melio	Staback
Burd	George	Merry	Stairs
Burns	Gladeck	Michlovic	Steighner
Bush	Godshall	Micozzie	Stevens
Caltagirone	Gruitza	Miller	Stuban
Cappabianca	Gruppo	Moehlmann	Sweet
Carlson	Hagarty	Morris	Taylor, E. Z.
Carn	Harper	Mrkonic	Taylor, F.
Cawley	Hasay	Murphy	Taylor, J.
Cessar	Hayden	Nahill	Telek
Chadwick	Hayes	Noye	Tigue
Cimini	Heckler	O'Brien	Trello
Civera	Herman	O'Donnell	Truman
Clark	Hershey	Olasz	Van Horne
Clymer	Hess	Oliver	Veon
Cohen	Honaman	Perzel	Vroon
Colafella	Howlett	Petrarca	Wambach
Cole	Hughes	Petrone	Wass
Cornell	Hutchinson	Phillips	Weston
Corrigan	Itkin	Pievsky	Wiggins
Cowell	Jackson	Pistella	Wilson
Coy	Jadlowiec	Pitts	Wogan
DeLuca	Jarolin	Pressmann	Wozniak
DeVerter	Johnson	Preston	Wright, D. R.
DeWeese	Kasunic	Punt	Wright, J. L.
Daley	Kennedy	Raymond	Wright, R. C.
Davies	Kenney	Reber	Yandrisevits
Dawida	Kosinski	Reinard	
Dietterick	Kukovich	Richardson	Irvis,
Dininni	LaGrotta	Rieger	Speaker
Distler	Langtry		

NAYS—0

NOT VOTING—2

Haluska

Mowery

EXCUSED—3

Josephs McHale Piccola

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.

WELCOME

The SPEAKER. Pat and Ed Soloda, Emily and Ralph Hamilton, and Nanette Willis are here to the left of the Speaker. They are the guests of Representative Paul Clymer. Will you please stand. They are to the left. Welcome to the hall of the House. We are delighted to have you here.

There will be no further votes taken on this day's session. Listen, please. The Chair will not be adjourning the House until, at the latest, about 10:50 tomorrow morning. Staff is advised to be here 10 minutes before the hour of 11. Count on it. We shall be here tomorrow, tomorrow, and tomorrow as it creeps at its petty pace.

**APPROPRIATIONS COMMITTEE MEETING
HOUSE SCHEDULE**

The SPEAKER. The Chair recognizes the majority whip.
Mr. O'DONNELL. Thank you, Mr. Speaker.

I would like to announce that there is a meeting of the Appropriations Committee immediately on the recess in the rear of the House.

As the Speaker has indicated, we are not going to adjourn; we are merely going to recess. We will reconvene at 11 o'clock tomorrow morning. There will be no budget tonight. There is every prospect of a budget tomorrow. When we reach the floor at 11 o'clock, the Democrats will ask for a caucus immediately to discuss the available budget options tomorrow morning. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I just simply join in the remarks of the gentleman, Mr. O'Donnell, that all those people that asked me earlier today if they could go out and play golf can leave now and get it out of their system today so that they are here tomorrow to work. Thank you, Mr. Speaker.

CONFERENCE COMMITTEE MEETING

The SPEAKER. Why does the gentleman from Northampton, Mr. Yandrisevits, rise?

Mr. YANDRISEVITS. Mr. Speaker, the meeting of the Conference Committee on HB 210, which was recessed earlier this morning, will reconvene at the rear of the hall of the House upon the call of the recess.

The SPEAKER. The Chair thanks the gentleman.

Mr. Cohen, you wanted to correct the record? You do not wish to correct it. All right.

LIQUOR CONTROL COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Saloom. Do you wish to make an announcement?

Mr. SALOOM. Mr. Speaker, I just wanted to remind the members of the House Liquor Control Committee that there will be a meeting tomorrow morning in room 402 at 10 o'clock. Thank you, Mr. Speaker.

SENATE BILL FOR CONCURRENCE

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

SB 940, PN 1232

Referred to Committee on APPROPRIATIONS, June 30, 1987.

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

HB 998, PN 1985 (Amended)

By Rep. OLIVER

An Act providing for a nonbinding referendum relating to a mandatory seat belt law.

STATE GOVERNMENT.

BILLS REREPORTED FROM COMMITTEE

SB 139, PN 1238 (Amended)

By Rep. PIEVSKY

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, transferring the pension service credit of certain former county employees to the State Employees' Retirement System.

APPROPRIATIONS.

SB 815, PN 1178

By Rep. PIEVSKY

An Act making an appropriation to the Treasury Department for interest payments on tax anticipation notes.

APPROPRIATIONS.

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

SB 938, PN 1225

By Rep. PIEVSKY

An Act reenacting and amending the act of July 2, 1984 (P. L. 533, No. 110), entitled "Engineering School Equipment Act," extending the expiration date of the act.

APPROPRIATIONS.

SB 939, PN 1194

By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 561, No. 112), entitled "Pennsylvania Conservation Corps," extending the expiration of the act.

APPROPRIATIONS.

SB 940, PN 1232

By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 555, No. 111), entitled, as amended, "Small Business Incubators Act," further providing for small business incubator grants and loans and for the powers and duties of the board; further providing for loans and grants; and extending the expiration date of the act.

APPROPRIATIONS.

SB 941, PN 1226

By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 520, No. 105), entitled "Business Infrastructure Development Act," extending the expiration date of the act.

APPROPRIATIONS.

SB 942, PN 1227

By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 568, No. 113), entitled "Employee-Ownership Assistance Program Act," further providing for the transfer of certain appropriations; and extending the expiration date of the act.

APPROPRIATIONS.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority whip.

Mr. O'DONNELL. Mr. Speaker, I move that the following bills be lifted from the table and placed on the active calendar:

SB 939;
SB 940;
SB 938;
SB 941; and
SB 942.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RECESS

The SPEAKER. This House now stands in recess subject to the call of the Chair.

AFTER RECESS

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

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 334, PN 1229**.

BILL SIGNED BY SPEAKER

The Chair gave notice that he was about to sign the following bill, which was then signed:

SB 334, PN 1229

An Act amending the act of November 4, 1983 (P. L. 217, No. 63), entitled "Pharmaceutical Assistance Contract for the Elderly Act," changing the definitions of "prescription drug" and "private contractor"; further providing for eligible claimants who receive other assistance, for funding and for reports by the Department of Aging; further providing for the continuation of the program by receiving additional proposals for the purpose of providing pharmaceutical assistance for the elderly; further providing for program criteria and for reports by the Pharmaceutical Assistance Review Board; and further providing for the penalty for violation of the act.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that rule 15 be suspended so that we may continue beyond 11 p.m.

On the question,

Will the House agree to the motion?

Motion was agreed to.

RECESS

The SPEAKER. The House will stand in recess subject to the call of the Chair.

AFTER RECESS

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky, who announces that there will be an immediate meeting at the rear of the hall of the House of the Appropriations Committee. All members of the Appropriations Committee within hearing of my voice, please alert other members that there is to be an immediate and important meeting of the Appropriations Committee at the rear of the hall of the House.

HOUSE SCHEDULE

The SPEAKER. This is a general announcement to all the members of the House of Representatives.

We shall not be convening the session for July 1 until 15 minutes past 1; 1:15 p.m. today we will convene the July 1, 1987, session. To repeat: There is no need for the membership to report on the floor of the House at this time. You are to report at 1:15 today for the session of July 1.

There is, however, a meeting immediately at the rear of the hall of the House of the Appropriations Committee.

COMMITTEE MEETING POSTPONED

The SPEAKER. To the members of the Appropriations Committee, the meeting which was simply announced about 3 minutes ago has been delayed. Certain bills must come from the Senate to the Appropriations Committee of the House. Those bills have not yet arrived. There can be no meeting of the Appropriations Committee at this time.

The Chair repeats: The meeting which was announced at the rear of the hall of the House has been delayed. There can be no meeting of the Appropriations Committee at this time. The Appropriations Committee is awaiting certain bills from the Senate which have not been sent to the House. The estimate now is that it will be after 12 noon before the Appropriations Committee will have the requisite bills, and at that time the Chair will announce a meeting.

To repeat: There is no Appropriations Committee meeting at this time. The bills which should have been here from the Senate have not been delivered and the Appropriations Committee will not meet at this time. The best estimate is that the

Appropriations Committee will meet at 12 noon or a few moments thereafter.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. YANDRISEVITS presented the Report of the Committee of Conference on **HB 210, PN 2009**.

The SPEAKER. The Chair will recess the session of June 30 until 1 p.m. Officially we shall be recessed subject to the call of the Chair, but the Chair does not believe it will be necessary for any of us to be back here until 1 o'clock this afternoon. At about 1:15, if the Senate has sent over the bills which we require, we will begin the session of July 1.

RECESS

The SPEAKER. The session for June 30 stands in recess subject to the call of the Chair.

AFTER RECESS

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

The SPEAKER. This will be the session of Tuesday, June 30, which is simply in recess. Members may take their seats. This is the Tuesday session. We are simply in recess. We are opening the session so as to receive messages from the Senate. When we are finished with those messages, we will close the Tuesday session and then open the Wednesday session.

CALENDAR CONTINUED BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 252, PN 1230**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," extending the permissible time period in which to file a crime victim compensation claim.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 252 be recommitted to the Committee on Appropriations.

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

SENATE BILLS FOR CONCURRENCE

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

SB 516, PN 1243

Referred to Committee on APPROPRIATIONS, June 30, 1987.

SB 805, PN 1237

Referred to Committee on APPROPRIATIONS, June 30, 1987.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair wants to congratulate Mr. and Mrs. McHale on the birth of a baby girl yesterday. Congratulations.

That is the best thing that happened yesterday, I will guarantee you that.

For the information of the members gathered, we are still on Tuesday's session. We are awaiting the Appropriations Committee's reports. Once we get through with those reports we will then go to the session for Wednesday. Right now the House will stand at ease awaiting the reports of the Committee on Appropriations.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The gentleman from Philadelphia, Mr. Pievsky, has announced that there is to be an important meeting of the Appropriations Committee at the rear of the hall of the House at 1:45; Appropriations Committee meeting, 1:45, at the rear of the hall of the House.

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Cambria, Mr. Haluska, rise?

Mr. HALUSKA. I want to correct a vote. Can I do that now?

The SPEAKER. All right. We will hear it.

Mr. HALUSKA. On HB 404 I wanted to be recorded in the affirmative.

The SPEAKER. The gentleman's remarks will be spread upon the record.

Mr. HALUSKA. Thank you.

COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Cappabianca. Why do you rise in place, sir?

Mr. CAPPABIANCA. Mr. Speaker, while the House is standing at ease, I would like to call a brief meeting of the select committee to study nonprofits at the rear of the House. It will only take one minute if the members will report to the back of the House.

The SPEAKER. The Chair thanks the gentleman.

BILLS REREPORTED FROM COMMITTEE

SB 200, PN 1251 (Amended)

By Rep. PIEVSKY

An Act amending the act of July 2, 1984 (P. L. 527, No. 106), entitled "Recreational Improvement and Rehabilitation Act," further providing for the use of funds; providing additional funds to the Department of Community Affairs; and extending the provisions of the law for an additional period.

APPROPRIATIONS.

SB 252, PN 1230 (Amended)

By Rep. PIEVSKY

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," extending the permissible time period in which to file a crime victim compensation claim.

APPROPRIATIONS.

SB 257, PN 1253 (Amended)

By Rep. PIEVSKY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, increasing the annual registration fee for certain trucks and truck tractors; adding provisions relating to the motor carriers road tax; further providing for motor carrier identification markers; deleting provisions relating to the axle tax; further providing for the operation of certain vehicles on sidewalks; and imposing limitations on the distribution of gasoline tax proceeds to municipalities.

APPROPRIATIONS.

SB 514, PN 567

By Rep. PIEVSKY

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), entitled "The Second Class Township Code," eliminating a restriction on the general powers of a township relating to other governmental units.

APPROPRIATIONS.

SB 747, PN 1254 (Amended)

By Rep. PIEVSKY

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," providing for confectionery containing alcohol or liquor.

APPROPRIATIONS.

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 516, PN 1255 (Amended)

By Rep. PIEVSKY

An Act amending the act of January 22, 1968 (P. L. 42, No. 8), entitled, as amended, "Pennsylvania Urban Mass Transportation Law," further defining certain transit entities; requiring one-third local or private funding matches for State grants, with certain exceptions; removing certain limitations in State grants; further providing for annual appropriations and new formulas for distribution of the appropriations to transportation organizations and companies; providing for advertising by authorities; and requiring certain transit entities to appoint controllers.

APPROPRIATIONS.

SB 805, PN 1237

By Rep. PIEVSKY

An Act providing for the establishment within the Department of Public Welfare of a program to coordinate job training, job placement and other services for welfare recipients; and providing for insurance coverage for basic health-care benefits to qualified individuals.

APPROPRIATIONS.

SB 864, PN 1174

By Rep. PIEVSKY

An Act empowering the Department of Community Affairs to declare certain municipalities as financially distressed; providing for the restructuring of debt of financially distressed municipalities; limiting the ability of financially distressed municipalities to obtain government funding; authorizing municipalities to participate in Federal debt adjustment actions and bankruptcy actions under certain circumstances; and providing for consolidation or merger of contiguous municipalities to relieve financial distress.

APPROPRIATIONS.

BILLS ON SECOND CONSIDERATION

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

SB 747, PN 1254; SB 514, PN 567; and SB 200, PN 1251.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the following bills be lifted from the tabled calendar and placed on the active calendar:

SB 516;
SB 805; and
SB 864.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. There being no further business to be brought before this day's session of Tuesday, June 30, 1987, the Chair recognizes the gentleman from Bucks, Mr. Heckler.

Mr. HECKLER. Mr. Speaker, I move that this House do now adjourn until Wednesday, July 1, 1987, at 2 p.m., e.d.t., unless sooner recalled by the Speaker.

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

Motion was agreed to, and at 1:58 p.m., e.d.t., July 1, 1987, the House adjourned.