

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

WEDNESDAY, MAY 4, 1988

SESSION OF 1988

172D OF THE GENERAL ASSEMBLY

No. 27

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:

From the length and the breadth and the depth of Thy love, O God, we reach out to Thee in confidence and assurance. We humbly pray that Thou wilt instill confidence into each one of us, that Thou wilt forgive our errors, that Thou wilt never leave us comfortless, and that Thou wilt work in and through us to the honor and glory of Thy blest name. We beseech Thee to grant us the assurance that Thou art ever by our side, that Thou dost never fail us in time of need, and that Thou dost constantly give to us the power and strength and might of Thy indwelling presence. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal for Tuesday, May 3, 1988, in this the regular session of the House of Representatives will be postponed until that Journal is in print, and the Chair hears no objection thereto.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2429 By Representatives PITTS, BELARDI, FLICK, NAHILL, BATTISTO, BARLEY, MORRIS, HERSHEY, GAMBLE, E. Z. TAYLOR, MILLER, HONAMAN, BOOK, DORR, TRELLO, HECKLER, McHALE, HESS, DISTLER, BOWSER, MICOZZIE, OLASZ, RAYMOND, ROBBINS, SAURMAN, MELIO, LANGTRY, LASHINGER, ARTY, VEON, BLACK, SEMMEL, FOX and R. C. WRIGHT

An Act amending the act of December 15, 1986 (P.L.1610, No.181), known as the "Rabies Prevention and Control in Domestic Animals and Wildlife Act," further providing for testing.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 4, 1988.

No. 2430 By Representatives STUBAN, JAROLIN, McCALL, MRKONIC, LUCYK, PETRARCA, COLE, COY, BATTISTO, SHOWERS, HASAY, MELIO, STABACK, WAMBACH, O'DONNELL, PIEVSKY, D. R. WRIGHT, HECKLER, DIETTERICK, BELFANTI, PETRONE, SERAFINI, FEE, RITTER, DOMBROWSKI, CLARK, CAPPABIANCA, BLAUM, TIGUE, CAWLEY, BELARDI, MAINE, DALEY and GEORGE

An Act providing for the observance of July 27 of each year as "Korean War Veterans Day."

Referred to Committee on MILITARY AND VETERANS AFFAIRS, May 4, 1988.

No. 2431 By Representatives HASAY, JAROLIN and HERMAN

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the "Emergency Medical Services Act," providing for the continuing certification of certain emergency medical technicians.

Referred to Committee on HEALTH AND WELFARE, May 4, 1988.

No. 2432 By Representatives BUNT, BOWSER, CARLSON, LASHINGER, McHALE, GODSHALL, FARGO, NAHILL, JOSEPHS, FOX, COHEN and CORNELL

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania Election Code," further providing for form of official primary ballot.

Referred to Committee on STATE GOVERNMENT, May 4, 1988.

No. 2433 By Representatives CAWLEY and BELARDI

An Act amending the act of July 3, 1947 (P.L.1242, No.507), entitled "An act relating to police and firemen's pension fund in cities of the second class A, and directing such cities to appropriate certain moneys thereto, and requiring reports and audits," further providing for credit for military service.

Referred to Committee on APPROPRIATIONS, May 4, 1988.

No. 2434 By Representatives CAWLEY and BELARDI

An Act amending the act of September 23, 1959 (P.L.970, No.400), referred to as the Second Class A City Employee Pension Law, further providing for credit for military service.

Referred to Committee on APPROPRIATIONS, May 4, 1988.

No. 2435 By Representative IRVIS

An Act making an appropriation to the Department of Commerce for the use of the American Wind Symphony Orchestra.

Referred to Committee on APPROPRIATIONS, May 4, 1988.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 266

(Concurrent) By Representatives GEORGE, LETTERMAN, FEE, TRELLO, BOWLEY, DOMBROWSKI, MRKONIC, WOZNIAK, RUDY, BILLOW, LLOYD, WASS, McCALL, RIEGER, OLIVER, LUCYK, HARPER, ACOSTA, HAYDEN, McVERRY, REBER, FISCHER, MILLER, GALLEN, REINARD, JAROLIN, STEIGHNER, MICHLOVIC, FREEMAN, CALTAGIRONE, TIGUE, GRUPPO, MERRY, D. W. SNYDER, SCHEETZ, JACKSON, FARGO, HONAMAN, RAYMOND, R. C. WRIGHT, FLICK, VROON, LEH, FARMER, FOX, NAHILL, BOWSER, JOSEPHS, LEVDANSKY, RITTER, PRESSMANN and LIVENGOOD

Designating the week of the first Sunday in June as "Pennsylvania Garden Week."

Referred to Committee on RULES, May 4, 1988.

No. 267 By Representatives WAMBACH, MANMILLER, DININNI and PICCOLA

Commending the Pennsylvania Chiefs of Police Association for supporting the Special Olympics.

Referred to Committee on RULES, May 4, 1988.

SENATE BILL FOR CONCURRENCE

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

SB 1275, PN 1986

Referred to Committee on CONSUMER AFFAIRS, May 4, 1988.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 1879 and HB 1880 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.

LEAVES OF ABSENCE

The SPEAKER. Does the gentleman from Lawrence, Mr. Fee, have any requests for leaves?

Mr. FEE. Yes, Mr. Speaker. The gentleman from Chester, Mr. MORRIS, for today, and the gentleman from Westmoreland, Mr. PETRARCA, for today.

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

The Chair recognizes the minority whip. Do you have any requests?

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Washington County, Mr. FISCHER, for the day.

The SPEAKER. The leave is granted, there being no objection.

WELCOMES

The SPEAKER. The Chair welcomes George Jackson's guests - the Lebanon Christian Academy. They are in the balcony. Welcome to the hall of the House. We are delighted to have you here.

The Chair has just been informed that George's wife, Esther Jackson, is in the balcony, and Mr. and Mrs. Peter Colban. Welcome to the hall of the House. We are delighted to have you here.

ADDITIONS AND DELETIONS OF SPONSORS

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

The following list was submitted:

ADDITIONS:

HB 994, Distler; HB 1278, Hutchinson; HB 1435, Pressmann, Carn, Roebuck, DeLuca, Manderino, O'Donnell, Josephs; HB 1626, Petrone; HB 1928, Petrone; HB 2213, Vroon, Freind; HB 2238, Richardson; HB 2240, Veon; HB 2248, McVerry; HB 2249, McVerry; HB 2250, Roebuck, Jarolin, Dombrowski, Perzel, Blaum; HB 2253, Richardson; HB 2254, Richardson; HB 2261, Broujos; HB 2308, Pistella; HB 2309, Pistella; HB 2310, Pistella; HB 2316, Farmer; HB 2333, Langtry, Broujos; HB 2335, Langtry; HB 2338, Itkin, DeLuca; HB 2339, Langtry; HB 2356, Langtry; HB 2359, J. J. Taylor; HB 2360, McHale; HB 2361, Blaum; HB 2364, Burd; HB 2365, Pitts, Cohen, Hershey; HB 2421, Trello; HB 2425, Trello; HR 31, Richardson; HR 223, Richardson; HR 254, Farmer; HR 259, Colafella; HR 264, Langtry.

DELETIONS:
HB 2226, Van Horne.

WELCOME

The SPEAKER. Is Dr. Louis Hebert here? Welcome to the hall of the House. Dr. Hebert is the guest of Jon Fox. We are glad to have you here. He is to the left of the Speaker.

MASTER ROLL CALL

The SPEAKER. The Chair advises the members that the Chair is about to take the master roll call for the day. Members will proceed to vote on the master roll.

The following roll call was recorded:

PRESENT—192

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Fischer Haluska Petrarca Seventy
Freind Morris

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that SB 4 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.

WELCOME

The SPEAKER. Bob Robbins, Jim Merry, and Connie Maine have as their guests Dawn Gill and Sheila Frantz. Dawn is the State president of the Vocational Industrial Clubs of America. They are to the left of the Speaker. Please rise. We are delighted to have you here as our guests. Welcome to the hall of the House.

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:

HB 2369, PN 3168; HB 2411, PN 3210; HB 2412, PN 3211; HB 2413, PN 3212; HB 2414, PN 3213; HB 2415, PN 3214; HB 2416, PN 3215; HB 2370, PN 3169; HB 2371, PN 3170; HB 2372, PN 3171; HB 2373, PN 3172; HB 2374, PN 3173; HB 2375, PN 3174; HB 2376, PN 3175; HB 2377, PN 3176; HB 2378, PN 3177; HB 2379, PN 3178; HB 2380, PN 3179; HB 2381, PN 3180; HB 2382, PN 3181; HB 2383, PN 3182; HB 2384, PN 3183; HB 2385, PN 3184; HB 2386, PN 3185; HB 2387, PN 3186; HB 2388, PN 3187; HB 2389, PN 3188; HB 2390, PN 3189; HB 2391, PN 3190; HB 2392, PN 3191; HB 2393, PN 3192; HB 2394, PN 3193; HB 2395, PN 3194; HB 2396, PN 3195; HB 2397, PN 3196; HB 2398, PN 3197; HB 2399, PN 3198; HB 2400, PN 3199; HB 2401, PN 3200; HB 2402, PN 3201; HB 2403, PN 3202; HB 2404, PN 3203; HB 2405, PN 3204; HB 2406, PN 3205; HB 2407, PN 3206; HB 2408, PN 3207; HB 2409, PN 3208; and HB 2410, PN 3209.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1769, PN 2839**, entitled:

An Act amending the act of December 17, 1981 (P. L. 435, No. 135), known as the "Race Horse Industry Reform Act," further providing for simulcasts by racing corporations who did not have a 1986 racing schedule.

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

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

The question is, shall the bill pass finally?

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

YEAS—168

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

NAYS—19

Barley	Geist	Mowery	Schuler
Birmelin	Hayes	Phillips	Smith, S. H.
Clymer	Hershey	Piccola	Vroon
DeVerter	Hess	Pitts	Wass
Flick	Johnson	Scheetz	

NOT VOTING—5

Fattah	Maiale	Richardson	Wiggins
Kitchen			

EXCUSED—6

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

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

BILL ON FINAL PASSAGE POSTPONED

The House proceeded to consideration on final passage postponed of **SB 803, PN 1952**, entitled:

An Act providing for certain disclosures by practitioners of the healing arts when making patient referrals; providing penalties; and conferring powers and duties on the several licensing boards in the Bureau of Professional and Occupational Affairs.

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that the bill was agreed to on third consideration as amended. The Chair hears no objection.

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

AMENDMENT A1702 RECONSIDERED

The SPEAKER. The Chair recognizes that the lady from Lehigh, Karen Ritter, has filed a reconsideration motion whereby she moves that we reconsider the vote by which amendment A1702 to SB 803, offered by the gentleman, Mr. Lashingier, was passed.

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

The following roll call was recorded:

YEAS—186

Acosta	Dininni	LaGrotta	Reber
Angstadt	Distler	Langtry	Reinard
Argall	Dombrowski	Lashingier	Rieger
Arty	Donatucci	Leh	Ritter
Barley	Dorr	Lescovitz	Robbins
Battisto	Duffy	Letterman	Roebuck
Belardi	Durham	Levdansky	Rudy
Belfanti	Evans	Linton	Ryan
Billow	Fargo	Livengood	Rybak
Birmelin	Farmer	Lloyd	Saloom
Black	Fee	Lucyk	Saurman
Blaum	Flick	McCall	Scheetz
Book	Foster	McClatchy	Schuler
Bortner	Fox	McHale	Semmel
Bowley	Freeman	McVerry	Serafini
Bowser	Gallen	Maiale	Showers
Boyes	Gamble	Maine	Sirianni
Brandt	Gannon	Manderino	Smith, B.
Broujos	Geist	Manmiller	Smith, S. H.
Bunt	George	Markosek	Snyder, D. W.
Burd	Gladeck	Mayernik	Snyder, G.
Burns	Godshall	Melio	Staback

Bush	Gruitza	Merry	Stairs
Caltagirone	Gruppo	Michlovic	Steighner
Cappabianca	Hagarty	Micozzie	Stuban
Carlson	Harper	Miller	Sweet
Carn	Hasay	Moehlmann	Taylor, E. Z.
Cawley	Hayden	Mowery	Taylor, F.
Cessar	Hayes	Mrkonic	Taylor, J.
Chadwick	Heckler	Murphy	Telek
Civera	Herman	Nahill	Tigue
Clark	Hershey	Noye	Trello
Clymer	Hess	O'Brien	Van Horne
Colafella	Honaman	O'Donnell	Veon
Cole	Howlett	Olasz	Vroon
Cornell	Hughes	Oliver	Wambach
Corrigan	Itkin	Perzel	Wass
Cowell	Jackson	Petrone	Weston
Coy	Jadlowiec	Phillips	Wogan
DeLuca	Jarolin	Piccola	Wozniak
DeVertter	Johnson	Pievsky	Wright, D. R.
DeWeese	Josephs	Pistella	Wright, J. L.
Daley	Kasunic	Pitts	Wright, R. C.
Davies	Kennedy	Pressmann	Yandrisevits
Dawida	Kenney	Preston	
Dempsey	Kosinski	Punt	Irvis,
Dietterick	Kukovich	Raymond	Speaker

NAYS—0

NOT VOTING—6

Cohen	Hutchinson	Richardson	Wiggins
Fattah	Kitchen		

EXCUSED—6

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

On the question recurring,

Will the House agree to the amendments?

The clerk read the following amendments No. A1702:

Amend Title, page 1, line 2, by removing the period after "referrals" and inserting

; providing penalties; and conferring powers and duties on the several licensing boards in the Bureau of Professional and Occupational Affairs.

Amend Sec. 1, page 1, by inserting between lines 8 and 9 "Bureau." The Bureau of Professional and Occupational Affairs in the Department of State.

Amend Sec. 2, page 1, line 13, by inserting before "Any"

(a) General rule.—

Amend Bill, page 2, lines 4 through 8, by striking out "Any person who violates the" in line 4, all of lines 5 through 8 and inserting

(b) Penalty.—A person who violates this section shall be liable to the Commonwealth for a civil penalty not to exceed \$1,000.

(c) Enforcement.—The licensing boards in the bureau shall enforce this section.

Section 3. Notice.

The licensing boards in the bureau shall notify licensees of the provisions of this act by publication of a notice in the Pennsylvania Bulletin.

Section 4. Effective date.

This act shall take effect as follows:

(1) Section 3 and this section shall take effect immediately.

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

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

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

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, since it has been a while for some of the members, I will attempt to refresh their memories as to what this amendment did, and in my opinion, it is unfortunate that we are still here debating this amendment. This amendment has now been passed twice by this House, and I am sure we will hear an explanation as to why the opponents of the amendment want it out of the legislation.

This legislation requires disclosure by a practitioner of the healing arts when that practitioner makes a referral to a business when he or she owns an interest in that business. The best hypothetical would be a medical doctor, an orthopedic surgeon, who made a referral to a physical therapist, who might then build a knee brace or some other orthopedic device to help that individual or that patient. If the doctor owned a portion of the business to which he made a referral—and it has been a while since I have looked at the bill; my recollection is there is not any minimum requirement of ownership, only owns an interest in the facility to which he makes a referral—he would have to disclose to that patient.

I agreed with that concept. The debate became, when a physician or a health care practitioner fails to make a disclosure to a patient, how should that health care practitioner be penalized? It was my opinion and the opinion of the majority of the membership of this House that the penalty should be civil in nature. The bill originally called for criminal sanctions. I drew an analogy between the criminal sanction that was in the bill that Senator Afflerbach sent to us and similar sanctions. I believe the penalty was a minimum of 1 year of imprisonment and a fine of— I believe the maximum, as a third-degree misdemeanor, is, I want to say \$1,000 but I have not checked the Crimes Code. What I did was turned it over to the licensure boards across the Commonwealth that license each health care practitioner, allowed for the same dollar penalty, but took it away from the Crimes Code and away from the prosecutorial bailiwick of the Attorney General.

Mr. Speaker, my amendment simply says that the practitioner must disclose, which was an agreement with the original intent; and secondly, that that person who fails to disclose— And keep in mind that health care practitioners across the board are diversifying. They are looking at their bottom lines in order to increase profits. They are looking at getting into businesses that they have not traditionally been in. So this is an increasing practice. It is going to cover a lot of people, not just a few. If they fail to disclose, then the licensure board should handle it as they do other failures on the part of practitioners, and that is, handle it through the disciplinary actions of that licensure board - penalize them administratively by the licensure board, penalize them monetarily, but do not make the health care practitioner a common criminal, and that is what you are doing. This person would now be charged with a third-degree misdemeanor.

I do not think—and I have talked to some assistant attorneys general—I do not think it is going to be high on their list of prosecutions. I do not think we will get the enforcement activity that we are all hoping we will get. We monitor the licensure boards now through the sunset review process. I think we will be able to better track what they are doing with the statute through the sunset review process, through each administrative agency that has the responsibility.

Finally, if you take out my amendment, which the lady, Ms. Ritter, will attempt to do, you will also take out a provision that requires publication, which the original bill did not do. The original bill just said do it and did not give any requirement or did not force any requirement for publication. My amendment also requires publication on the part of the licensure boards to notify how the disclosure should be made, when it has to be made. The original bill did not take care of that.

So I think my amendment cleans it up. I think it is a very reasonable approach. And generally I agree with the concept—there has to be disclosure but not criminalized for failure to disclose.

I would ask for a “yes” vote on the amendment that we are reconsidering and remind the members that you have already approved this amendment twice. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the lady from Lehigh, Ms. Ritter.

Ms. RITTER. Thank you, Mr. Speaker.

We did discuss this bill before, and some of the reasons that we felt this amendment should be opposed were because we felt that criminal penalties should be applicable in these cases as in other cases of consumer fraud. We felt that it was important that there be a uniformity of enforcement throughout the State rather than having the individual licensure boards handle enforcement separately.

I also want to let you know the groups that support SB 803 without amendment, and they include the Pennsylvania Dental Hygienists Association, the Pennsylvania Dietetic Association, the Pennsylvania Optometric Association, the Pharmaceutical Association, the Physical Therapy Association, the Occupational Therapy Association, the Pennsylvania Nurses Association, the Association of Medical Suppliers, and the Coalition for Alternatives in Nutrition and Health Care. Also, the Allentown-Lehigh County Chamber of Commerce reviewed SB 803 without amendment, and the board has notified us of their support for this bill.

So I would ask that the members oppose the Lashinger amendment and then support the bill on final passage. Thank you, Mr. Speaker.

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

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

Mr. Speaker, as a member of the Health and Welfare Committee who listened to the presentation on SB 803, I agree with Representative Lashinger that this concept is necessary to further strengthen what is already part of the ethical code of the medical practice.

However, Mr. Speaker, members of the committee on both sides of the aisle were very concerned about making this a crime. They were also concerned about the ability to enforce such an action through the district justice system and through the district attorneys system. I think that the Lashinger amendment provides for a system through the licensure boards to not only establish the standards for enforcement of this act but also to provide for the ability of a patient to refer a complaint to the licensing board for full investigation and to take penalizing activity if required.

Mr. Speaker, I think that the amendment only serves to strengthen the act, not weaken it, and I would ask for concurrence on this amendment.

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

The following roll call was recorded:

YEAS—105

Angstadt	Dempsey	Jackson	Raymond
Argall	Dietterick	Jadlowiec	Reber
Arty	Dininni	Johnson	Reinard
Barley	Distler	Kennedy	Robbins
Battisto	Dorr	Kenney	Ryan
Birmelin	Duffy	Langtry	Saurman
Black	Durham	Lashinger	Scheetz
Blaum	Fargo	Leh	Schuler
Book	Farmer	McClatchy	Semmel
Bowley	Flick	McVerry	Serafini
Bowser	Foster	Manmiller	Sirianni
Boyes	Fox	Merry	Smith, B.
Brandt	Gallen	Micozzie	Smith, S. H.
Broujos	Gannon	Miller	Snyder, D. W.
Bunt	Geist	Moehlmann	Snyder, G.
Burd	Gladeck	Mowery	Stairs
Burns	Godshall	Mrkonic	Sweet
Bush	Gruppo	Nahill	Taylor, E. Z.
Carlson	Hagarty	Noye	Taylor, J.
Cessar	Hasay	O'Brien	Telek
Chadwick	Hayes	O'Donnell	Vroon
Civera	Heckler	Perzel	Wass
Clymer	Herman	Phillips	Weston
Cornell	Hershey	Piccola	Wogan
Corrigan	Hess	Pitts	Wright, J. L.
DeVerter	Honaman	Punt	Wright, R. C.
Davies			

NAYS—82

Acosta	Fattah	Linton	Roebuck
Belardi	Fee	Livengood	Rudy
Belfanti	Freeman	Lloyd	Rybak
Billow	Gamble	Lucyk	Saloom
Bortner	George	McCall	Showers
Caltagirone	Gruitza	McHale	Staback
Cappabianca	Harper	Maine	Steighner
Carn	Hayden	Manderino	Stuban
Cawley	Howlett	Markosek	Taylor, F.
Clark	Hughes	Mayernik	Tigue
Cohen	Hutchinson	Melio	Trello
Colafella	Itkin	Michlovic	Van Horne
Cole	Jarolin	Murphy	Veon
Cowell	Josephs	Olasz	Wambach
Coy	Kasunic	Petrone	Wiggins
DeLuca	Kosinski	Pievsky	Wozniak
DeWeese	Kukovich	Pistella	Wright, D. R.
Daley	LaGrotta	Pressmann	Yandrisevits
Dawida	Lescovitz	Preston	
Dombrowski	Letterman	Richardson	Irvis,
Evans	Levdanský	Ritter	Speaker

NOT VOTING—5

Donatucci Maiale Oliver Rieger
Kitchen

EXCUSED—6

Fischer Haluska Petrarca Seventy
Freind Morris

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?

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

YEAS—186

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

NAYS—2

Broujos Corrigan

NOT VOTING—4

Cole Kitchen Melio Wiggins

EXCUSED—6

Fischer Haluska Petrarca Seventy
Freind Morris

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.

WELCOMES

The SPEAKER. Carmel Sirianni has a guest here today. She is Shirly Masters from Susquehanna County. Please rise. Welcome to the hall of the House. We are delighted to have you here, Shirly.

Dick Kasunic has guests in the balcony. They are a group of students from Frazier High School. They are here with their chaperons and counselors. Their student government sponsor, Mr. Scott Campbell, is here also with them. Welcome to the hall of the House, children. We are delighted to have you here.

RESOLUTIONS

Mr. ITKIN called up HR 57, PN 1032, entitled:

Urging the Pennsylvania Fish Commission not to levy any fee or assessment on a nonpowered boat.

On the question,

Will the House adopt the resolution?

The SPEAKER. On the resolution, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, I rise in opposition to this resolution.

I am much aware of what is going on and I am much aware of what the kayak people are saying. You know, the kayak people, Mr. Speaker, are the ones that are making the money off of renting the kayaks. They use the Fish Commission landing spots along the river that we prepare for them out of the fees that are paid by the other boatowners, and I think it is about time that they start to pay their fee.

The other thing is, if any of these people take a kayak or a canoe on a State park lake or body of water, they must buy a permit. Our permit and our license fee would be the same as they pay for that permit. I do not see any reason why these people should be left off when they are the ones where most of the accidents are happening, and our Fish Commission has to spend Fish Commission dollars to go out and they have to supervise what is happening with all these different races and everything that they put on.

I believe it is about time that we put the real horse up there where we can vote for it the way it should be, and they should be paying a fee if they are going to use the facilities paid for by the Fish Commission. I ask for a "no" vote.

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

Mr. ITKIN. Mr. Speaker, I am sorry I have to disagree with my good colleague from Centre County.

It may be true that the Fish Commission may desire and in fact may require additional funds to carry out its program, but that is no reason for the Fish Commission to look to a time-honored tradition that nonpowered boats should not have a fee attached to them just because a resident lives in Pennsylvania.

Mr. Letterman is correct. If these boats are used on Fish Commission properties and in their waters, there is in fact attached a fee, because that is a fee for a service the Fish Commission provides. But there are hundreds of thousands of people that own canoes and kayaks and other nonpolluting craft in Pennsylvania, and they should not be burdened by an assessment of the Fish Commission because the Fish Commission does not have adequate funds to do the things it wishes to do.

Mr. Speaker, I have received scores of letters and telegrams and calls from interested parties who do have these kinds of nonpowered boats urging me not to support this measure. This measure is no different from what the Senate adopted unanimously—I believe unanimously—last year. That was a resolution introduced by Senator Lincoln in which he urged his colleagues to vote for a resolution which would request the Fish Commission not to consider this proposal. That is all we are doing today, taking a referendum: Do you believe that the Fish Commission should impose this kind of an imposition on boatowners or not?

I will stand by the hundreds of thousands of canoeists and kayak owners who choose not to pay this onerous fee and have no reason to pay this fee. Thank you.

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

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman, Mr. Letterman, stand for interrogation?

The SPEAKER. Mr. Letterman indicates he will stand for interrogation. You may proceed.

Mr. PRESSMANN. Mr. Speaker, I am not as familiar with the boating laws and regulations and a lot of those things, so if I could ask some questions of the chairman.

Mr. Speaker, currently there is no licensing fee put on canoes or kayaks. Is that correct? There is none at all?

Mr. LETTERMAN. No, that is not correct. If you go onto State park land, you must pay a fee to put it on State park land.

Mr. PRESSMANN. Only if you are in a State park?

Mr. LETTERMAN. Right.

Mr. PRESSMANN. Okay.

Is there a fee placed on the big rubber rafts that they use for white-water rafting or anything like that if they would go through a State park?

Mr. LETTERMAN. No, and this is not talking to that at all.

Mr. PRESSMANN. Okay.

Is the Fish Commission planning to put a fee on those non-powered vehicles like the rafts and canoes and kayaks that are not used in State parks?

Mr. LETTERMAN. If they pass this—and they have only talked about this—if they decide to do it, it would be on all of them, wherever you use them.

Mr. PRESSMANN. Okay.

Mr. Speaker, many people who use nonpowered boats have said to me that they do not really feel that they get any return from the Fish Commission if they are not fishermen but they are only sport kayakers or sport canoers. Would you care to say what advantages the nonpowered boater would get if there would be a fee passed? What kinds of services would be available to him?

Mr. LETTERMAN. Well, what they tell you is not true, because every time they use the river, they use Fish Commission landing spots where we pay out of the Fish Commission Fund to buy the land to put the landing area there, and it is put there for the nonpowered boaters.

The powered boaters on most of our rivers cannot even use the rivers because they are too low in most cases. So those are the people who are really taking advantage of the spaces that we buy and we make along the rivers. We make picnic areas so they can pull up and have their lunches and things like this, and they use these facilities all the time.

Mr. PRESSMANN. Mr. Speaker, what kind of fee are we talking about?

Mr. LETTERMAN. A \$5 fee is what I have heard. It has never really been proposed to us. They are only thinking about it, and that is why I think this piece of legislation is wrong at this time.

Mr. PRESSMANN. What would be the length of time for the fee, 1 year or—

Mr. LETTERMAN. It is for 1 year.

Mr. PRESSMANN. For a year.

Mr. LETTERMAN. The big argument that the kayaker has is that he goes into a race—say he has five kayaks that he uses personally—so he says, well, I am only going to be using one at a time, and that is his argument, but he does take them all out. He uses them all that same day. What we are saying is we should be licensing them if we have to regulate these kinds of races and everything also.

One of the big things, too, in a rowboat, you know, all the rowboats— And the other thing is the large sailboats. The large sailboats that are out there on our lakes are not licensed if they do not have power on them, and they are mammoth. They take up more space. You must give them the right-of-way and everything else. They have all the rights-of-way on the waters. The people who are paying for a license have to look out for the people who are not licensed.

Mr. PRESSMANN. Mr. Speaker, sailboats that are used in a State park are licensed though. Would that be correct?

Mr. LETTERMAN. They are not licensed. They buy a permit to put it on, the same as they would have to buy for any State water.

Mr. PRESSMANN. A permit. Okay.

Thank you, Mr. Speaker, and I thank the gentleman.

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

Mr. DAVIES. Thank you, Mr. Speaker.

I am one of those owners and have been for over 50 years and have had a free ride on the waters of this Commonwealth, and I look at it with mixed emotions. But at the same time when we look at it, most of the accidents and deaths and injury that we have are from the nonpowered sector. The nonpowered sector requires as much enforcement by the Fish Commission when it implements the laws to protect those people, and therefore, they are gaining additional service already as far as that particular function of the Fish Commission.

I do not think that this is the way in which we should address the particular issue. I think that we have to have a long study, that we have to look at this issue from all aspects of it. The possible permitting of one boat or a series of boats to one member could be a possibility in any legislation that may be forthcoming as far as the income. With all of the boats and all of the equipment that we have on the waters today, we need some source of revenue that is going to address those particular issues that the Fish Commission is concerned with.

I think rather than address it this way in a resolution and saying no, we should be doing something intelligent by study and, really, the process of deliberation. I would ask that we vote this down and do it by that particular method rather than this method. Thank you, Mr. Speaker.

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

Mr. BROUJOS. Mr. Speaker, I support Representative Letterman's observations with respect to safety. An estimated 50 percent of the accidents on waterways result from nonpowered vehicles. In addition, the waterways are becoming more crowded, significantly more crowded. And finally, canoes and kayaks are and can be dangerous in their operation. Even though the skillful canoeist can handle a canoe, there are many, many children and adults using canoes that do not understand the safety involved in canoes. It would not only be a means of revenue, it would be a means of access to these people and of safety education programs.

I would ask for the defeat of the resolution.

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

Mr. GODSHALL. Mr. Speaker, I would like to interrogate Representative Letterman.

The SPEAKER. Mr. Letterman will stand for further interrogation. You may proceed, Mr. Godshall.

Mr. GODSHALL. Mr. Speaker, as I understand this proposal, it really pertains to all nonpowered boats used in any body of water in the Commonwealth. Is that right?

Mr. LETTERMAN. I do not think it would mean on a farm pond; I do not think they are talking about farm ponds.

Mr. GODSHALL. That was the concern that I approached certain personnel of the Fish Commission about some time ago—and it was a number of months back—and they had said to me that as long as that boat was being used on any waterway, any pond, in the Commonwealth, it was to have a \$5 license fee on it.

Mr. LETTERMAN. Mr. Speaker, one of the main reasons that I oppose this piece of legislation is because as the chairman of the Fish and Game Committee, I intend to have hearings on this piece of legislation and find out what the real truth is about the entire proposal and the entire piece of legislation, which this bill just precludes us from doing. It is just way ahead of its time; it is not needed. When the proper time comes, this committee that I chair will do a proper function on that bill, and we will know the truth about it, because we will have enough hearings and we will depend on the people out there to tell us what to do. I think that is the way legislation should be committed to this House of Representatives, not in this manner.

Mr. GODSHALL. Thank you, Mr. Speaker.

May I continue to make a statement, Mr. Speaker?

The SPEAKER. The gentleman has the floor, and he may proceed.

Mr. GODSHALL. What we are looking at here, I guess we are really not certain as to what the Fish Commission proposal is, and my opinion of what they are proposing is that it affects every boat in every pond, every farmer's pond, in the whole Commonwealth. If he has two boats, he has to get two licenses or two permits at \$5 each. I am not sure of what value that they would be.

I agree with Representative Letterman that there possibly should be hearings on this, but I am not convinced as to what the Fish Commission really intends to do. It is in their power to create this policy, to adopt this policy, and charge everyone in the Commonwealth this \$5 fee. I do not know what it would hurt to tell the Fish Commission that this legislature, at least as of now, based on what we have heard with the proposals, which we do not exactly know what they are saying, we are opposed to it.

So I am going to vote "no," and I would urge a "no" vote at this time. Thank you.

RESOLUTION TABLED

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

Mr. MERRY. Mr. Speaker, I rise to applaud the remarks of Representative Letterman and Representative Davies. Their remarks point out to you the unnecessary reasons for this resolution.

The resolution appears to address a very narrow section of the law when you talk about not levying a fee on any nonpowered boat. Yet the ones that seem to have a special interest in this issue are those that have kayaks and canoes. A bill, if it was properly presented before the committee and before the House, would have the necessary language to define the overall intent of the issue. It goes well beyond canoes and kayaks; at least it could.

We must understand that the licensing arrangement that we presently have was approved by the General Assembly somewhere in excess of 20 years ago when it established a \$4 and a \$6 fee for powered boats, and to this day that is the only fee that remains out there. Whether you have a boat that is 40 feet long or whether it is 16 feet, you pay a fee of \$6. There are presently no titling arrangements in Pennsylvania, only this limited registration which fails to address many of the needs of the boater out there.

I represent a district in northwestern Pennsylvania that has five major lakes in it. We have many uses for boats. In fact, the people that appear to be in favor of this resolution are the people from the urban areas that want to come up to our areas and use our facilities. I do not suggest that a fee upon canoes is exactly proper, but I feel that there is a proper way to look at a bill in the future here that addresses the issue of registration fees for all boats.

We no longer can afford to use 20-year-old rates for 20- and 30-foot boats. We perhaps can no longer permit one department of our State to charge a permit fee and another department to not be able to put a fee on a nonpowered boat that may very well be a 20- or 25-foot sailboat or some other non-canoer- or nonkayak-type vessel. The issue is very broad, Mr. Speaker. I think that the resolution is ill timed, and if we take an affirmative action on it, it will send a wrong message to the sportsmen in Pennsylvania that are now asking for greater facilities out there.

I have an area in Erie County called the Elk Creek access area that for many safety reasons requires to be built by the Pennsylvania Fish Commission. They say they do not have the income to buy the land and to put in the facilities. There are other areas in eastern Erie County that have the same problem - areas in the Pymatuning area, the Edinboro area, Lake Erie, wherever. I am sure that throughout the State you have areas that need additional funds and can no longer be paid from a 20-year-old registered boat formula.

Mr. Speaker, for these reasons and other reasons that have been quoted by other speakers here this morning, I make a motion that this resolution be tabled.

The SPEAKER. Mr. Davies, come back. The Speaker may have spoken too rapidly. Let us check.

The Chair heard the motion to table.

Mr. Godshall, we know what you are standing for, we believe. You want to enter an erratum in your statement. Your recommendation was contrary to your statement. We will recognize you for that point. You may clear it up for the record. Take the microphone before we place the question.

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

Mr. GODSHALL. Thank you, Mr. Speaker.

What I meant to say is that I was voting "no" on the proposal, meaning the proposal of the Fish Commission, at this time, because I think until we actually see what they actually want to propose in the State, I think it is wrong for us to try to give them any encouragement at all on this subject until we actually see their proposal. I do not have a lot of access areas in my area, but I do have a lot of boatowners who are not paying this fee now. I want to see in advance what the Fish Commission is going to propose, and so I would urge a "yes" vote on the resolution and a "no" vote, really, on the Fish Commission proposal. That is what I meant to say, and I appreciate the chance, Mr. Speaker.

The SPEAKER. There is a motion on the floor. The gentleman, Mr. Merry, made a motion to table the resolution. On that motion— Do you want to speak on the motion, Mr. Wass? Well, I am sorry; the Chair has been advised by the Parliamentarian you cannot. It is not debatable.

The question is, will the House place upon the tabled calendar HR 57? Those in favor—

Mr. WASS. Mr. Speaker?

The SPEAKER. It is not debatable, Mr. Wass.

Mr. WASS. I would like to have a parliamentary inquiry.

The SPEAKER. We cannot answer your question, although we anticipate what it is, until we deal with the matter on the floor. The matter on the floor is the motion to table.

Those in favor of tabling the resolution will vote "aye"; those opposed will vote "no."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—125

Acosta	Davies	Lashingier	Rudy
Argall	Dietterick	Lescovitz	Ryan
Arty	Distler	Letterman	Rybak
Barley	Donatucci	Levdansky	Saloom
Battisto	Dorr	Livengood	Saurman
Belfanti	Durham	Lloyd	Scheetz
Billow	Evans	Lucyk	Serafini
Birmelin	Farmer	McCall	Sirianni
Black	Fee	McClatchy	Smith, B.
Blaum	Flick	McHale	Smith, S. H.
Book	Foster	Maine	Snyder, G.
Bortner	Freeman	Manderino	Staback
Bowley	Gallen	Merry	Stairs
Brandt	Gamble	Michlovic	Steighner
Broujos	Gannon	Micozzie	Stuban
Burd	Geist	Mowery	Taylor, E. Z.
Burns	George	Nahill	Taylor, J.
Bush	Gruppo	Noye	Telek
Caltagirone	Hagarty	O'Brien	Trello
Carn	Hasay	Olasz	Veon
Cawley	Hayden	Perzel	Vroon
Civera	Heckler	Petrone	Wass
Clymer	Hess	Phillips	Weston
Cohen	Honaman	Pievsky	Wogan
Colafella	Hughes	Pistella	Wozniak
Cole	Hutchinson	Preston	Wright, J. L.
Cornell	Jackson	Raymond	Wright, R. C.
Corrigan	Jarolin	Reber	Yandrisevits
Cowell	Josephs	Reinard	

Coy	Kenney	Rieger	Irvis,
DeLuca	Kosinski	Robbins	Speaker
DeVerter	LaGrotta	Roebuck	

NAYS—56

Angstadt	Dombrowski	Kukovich	Piccola
Belardi	Duffy	Langtry	Pitts
Bowser	Fargo	Leh	Pressmann
Boyes	Fox	Linton	Punt
Bunt	Gladeck	McVerry	Richardson
Cappabianca	Godshall	Manmiller	Ritter
Carlson	Gruitza	Markosek	Schuler
Cessar	Hayes	Melio	Semmel
Chadwick	Herman	Miller	Showers
Clark	Hershey	Moehlmann	Snyder, D. W.
Daley	Itkin	Mrkonic	Sweet
Dawida	Jadlowiec	Murphy	Taylor, F.
Dempsey	Johnson	O'Donnell	Tigue
Dininni	Kasunic	Oliver	Van Horne

NOT VOTING—11

DeWeese	Howlett	Maiale	Wiggins
Fattah	Kennedy	Mayernik	Wright, D. R.
Harper	Kitchen	Wambach	

EXCUSED—6

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Wass. Now you may make your parliamentary inquiry.

Mr. WASS. Mr. Speaker, the gentleman, Mr. Letterman, made the suggestion that we could hold public hearings on this resolution. I am wondering, as this resolution is tabled, if the committee could hold public hearings on it.

The SPEAKER. The answer is, no, it could not. In order for the committee to hold public hearings, it would have to have custody of the resolution. Right now the House has custody of the resolution. It is merely on the tabled calendar. If a motion were placed—and Mr. Davies came up; that is the reason that we called him back—if a motion were placed to recommit this resolution to the Fish and Game Committee and if the House agreed, then the Fish and Game Committee would have custody of it and could hold public hearings.

Mr. WASS. Mr. Speaker, is that motion in order?

The SPEAKER. You would first have to remove the resolution from the table. If you succeed, it is immediately on the active calendar again. Then you could place your motion to recommit.

Mr. WASS. Mr. Speaker, I would like to do that.

RESOLUTION REMOVED FROM TABLE

The SPEAKER. Moved by the gentleman from Indiana, Mr. Wass, that HR 57 be lifted from the tabled calendar and immediately appear on the active calendar. The purpose of this is to put the bill into a committee where it can hold public hearings.

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

The following roll call was recorded:

YEAS—165

Acosta	Dempsey	Kosinski	Ritter
Angstadt	Dietterick	Kukovich	Robbins
Arty	Dininni	LaGrotta	Roebuck
Barley	Distler	Langtry	Rudy
Battisto	Dombrowski	Lashingner	Ryan
Belardi	Donatucci	Leh	Rybak
Belfanti	Dorr	Lescovitz	Saloom
Billow	Durham	Letterman	Saurman
Birmelin	Fargo	Levdansky	Scheetz
Black	Farmer	Linton	Schuler
Blaum	Fee	Livengood	Semmel
Book	Flick	Lloyd	Serafini
Bortner	Foster	Lucyk	Showers
Bowley	Fox	McCall	Sirianni
Bowser	Freeman	McClatchy	Smith, B.
Boyes	Gamble	McHale	Smith, S. H.
Brandt	Gannon	McVerry	Snyder, D. W.
Broujos	Geist	Maine	Snyder, G.
Bunt	George	Manmiller	Staback
Burd	Gladeck	Markosek	Stairs
Burns	Godshall	Mayernik	Stuban
Bush	Gruitza	Merry	Taylor, E. Z.
Caltagirone	Gruppo	Michlovic	Taylor, F.
Cappabianca	Hagarty	Micozzie	Taylor, J.
Carlson	Harper	Miller	Telek
Carn	Hasay	Moehlmann	Tigue
Cawley	Hayden	Nahill	Trello
Chadwick	Hayes	Noye	Veon
Civera	Heckler	O'Brien	Vroon
Clark	Herman	Oliver	Wambach
Clymer	Hershey	Perzel	Wass
Cohen	Hess	Petrone	Weston
Cole	Honaman	Pievsky	Wogan
Cornell	Howlett	Pistella	Wozniak
Corrigan	Hughes	Pitts	Wright, D. R.
Cowell	Jackson	Pressmann	Wright, J. L.
Coy	Jadlowiec	Preston	Wright, R. C.
DeLuca	Jarolin	Punt	Yandrisevits
DeWeese	Johnson	Raymond	
Daley	Josephs	Reber	Irvis,
Davies	Kasunic	Reinard	Speaker
Dawida	Kenney	Rieger	

NAYS—15

Cessar	Itkin	Mrkonic	Piccola
DeVerter	Manderino	O'Donnell	Steighner
Duffy	Melio	Olasz	Van Horne
Gallen	Mowery	Phillips	

NOT VOTING—12

Argall	Fattah	Kitchen	Richardson
Colafella	Hutchinson	Maiale	Sweet
Evans	Kennedy	Murphy	Wiggins

EXCUSED—6

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

RESOLUTION RECOMMENDED

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Mr. Speaker, I move that HR 57 be recommit-
ted to the Committee on Game and Fisheries.

On the question,

Will the House agree to the motion?

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

Mr. ITKIN. Mr. Speaker, I rise to oppose the motion.

The Fish and Game Committee has considered legislation
of this type. In the 1986 session it considered HB 2157, PN
2940, which was introduced by Mr. Letterman for the purpose
of imposing additional fees on crafts, including nonpowered
boats. In terms of the speculation as to what the commission
may or may not do, this bill reflected what the commission
wanted at that time. The commission wanted a \$6 annual fee
on nonpowered boats. The commission suggested to the com-
mittee that they adopt a \$6 fee on nonpowered boats and in
addition to which there would be a fee that could be charged
by the issuing agent up to \$2. So we are not talking about a \$5
fee; we are talking about a \$6 fee plus we are talking about an
issuing agency, which under this bill, HB 2157 of last session,
could amount to \$8. It is common knowledge that the Fish
Commission has, through its own papers and other types of
documents, indicated that it wishes to oppose these types of
fees on nonpowered boats.

POINT OF ORDER

Mr. DAVIES. Mr. Speaker?

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

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

Is the gentleman speaking to the motion of recommitment?
He is speaking about all kinds of different fees, and I have not
seen any fee at all in either his proposal or any other proposal.

The SPEAKER. Mr. Davies, it is the impression of the
Chair that Mr. Itkin was giving evidence why the resolution
should not go to this committee, his argument being the com-
mittee has already considered it and he does not think there is
any need for it to go further.

Have you finished, Mr. Itkin?

Mr. ITKIN. Just one other point, Mr. Speaker, in dealing
with consideration of this type of legislation.

It was asked before and Mr. Letterman said he did not
think—he did not think—that this would apply to somebody's
boat on their own property, right? You heard it just 10
minutes ago. That is what he said. But this is HB 2157, intro-
duced by Mr. Letterman at the request of the Fish Commis-
sion, and it says as follows: "It is unlawful for any person to
operate or navigate, or cause to be operated or navigated,
any...boat upon, over or through the waters of this Common-
wealth unless the...boat is registered in accordance with this
chapter." And it does not say public or private, and it applies
to your own lake. If you go ahead and obtain a—

The SPEAKER. Now, Mr. Itkin, you are going beyond the
parameters of argument. No more details on that, please.

Mr. ITKIN. Mr. Speaker, I am asking the House not to
send the bill to committee, and if that resolution is success-
ful—because I know that there are many of you not familiar
with the legislation—I would then move to have the bill placed
on the final passage postponed calendar.

So I would ask of my colleagues to vote "no" on the
motion to recommit and then to vote "yes" on my motion to
place the bill on the final passage postponed calendar.

The SPEAKER. On the motion to recommit, the Chair rec-
ognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Mr. Speaker, the prior speaker enforces my
statement and request that we have public hearings on this
particular piece of legislation. The discussion in the last half
hour has pointed out there are many unanswered questions
about this legislation, and I am not for or against the bill at
this time. I am struggling with the bill. I am not against the
Fish Commission. I think a good public hearing across this
State will point out that the legislation is in order. The only
thing I am saying is let us get the facts on this piece of legisla-
tion, the need, the impact, and let us do that through a public
hearing that was suggested by the chairman of the Game and
Fisheries Committee just a little while ago.

The SPEAKER. On the motion, the Chair recognizes the
gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, I rise for a recommitment
motion, and the reason for it is I signed that piece of legisla-
tion hoping to get it into my committee so that I could have
public hearings. That was only a proposal made by the Fish
Commission, and I have never turned over and rolled over
and played dead for anyone yet, and I do not intend to for the
Fish Commission. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—116

Argall	Donatucci	Linton	Saloom
Arty	Durham	Livengood	Saurman
Barley	Evans	Lloyd	Scheetz
Battisto	Farmer	Lucyk	Schuler
Belfanti	Fee	McCall	Semmel
Billow	Flick	McClatchy	Serafini
Birmelin	Foster	Maine	Smith, B.
Black	Fox	Manderino	Smith, S. H.
Bowley	Gallen	Markosek	Snyder, G.
Broujos	Gamble	Melio	Staback
Bunt	Gannon	Merry	Stairs
Burns	Gruitza	Micozzie	Stuban
Bush	Gruppo	Miller	Taylor, E. Z.
Caltagirone	Hagarty	Moehlmann	Taylor, J.
Carlson	Harper	Nahill	Telek
Carn	Hayden	Noye	Trello
Cessar	Heckler	Perzel	Veon
Civera	Hess	Petrone	Vroon
Clymer	Hughes	Phillips	Wass
Cohen	Hutchinson	Pievsky	Weston
Colafella	Jackson	Pitts	Wogan
Cole	Jadlowiec	Preston	Wozniak
Cornell	Josephs	Raymond	Wright, D. R.
Cowell	Kenney	Reber	Wright, J. L.
Coy	Kosinski	Reinard	Wright, R. C.
DeVerter	Kukovich	Rieger	Yandrisevits
DeWeese	LaGrotta	Robbins	
Davies	Lashingier	Roebuck	Irvis,

Dietterick Distler	Lescovitz Letterman	Rudy	Speaker
NAYS—68			
Angstadt	Dempsey	Itkin	Oliver
Belardi	Dininni	Jarolin	Piccola
Blaum	Dombrowski	Johnson	Pistella
Book	Dorr	Kasunic	Pressmann
Bortner	Duffy	Langtry	Punt
Bowser	Fargo	Leh	Ritter
Boyes	Freeman	Levdansky	Ryan
Brandt	Geist	McHale	Rybak
Burd	George	McVerry	Showers
Cappabianca	Gladeck	Manmiller	Sirianni
Cawley	Godshall	Mayernik	Snyder, D. W.
Chadwick	Hasay	Michlovic	Steighner
Clark	Hayes	Mowery	Sweet
Corrigan	Herman	Mrkonic	Taylor, F.
DeLuca	Hershey	Murphy	Tigue
Daley	Honaman	O'Donnell	Van Horne
Dawida	Howlett	Olasz	Wambach

NOT VOTING—8			
Acosta	Kennedy	Maiale	Richardson
Fattah	Kitchen	O'Brien	Wiggins

EXCUSED—6			
Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

* * *

Mr. MANMILLER called up **HR 242, PN 2972**, entitled:

Designating the week of May 14 through 21, 1988, as "Community General Osteopathic Week."

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—188			
Acosta	Dininni	LaGrotta	Reinard
Angstadt	Distler	Langtry	Richardson
Argall	Dombrowski	Lashingier	Rieger
Arty	Donatucci	Leh	Ritter
Barley	Dorr	Lescovitz	Robbins
Battisto	Duffy	Letterman	Roebuck
Belardi	Durham	Levdansky	Rudy
Belfanti	Evans	Linton	Ryan
Billow	Fargo	Livengood	Rybak
Birmelin	Farmer	Lloyd	Saloom
Black	Fattah	Lucyk	Saurman
Blaum	Fee	McCall	Scheetz
Book	Flick	McClatchy	Schuler
Bortner	Foster	McHale	Semmel
Bowley	Fox	McVerry	Serafini
Bowser	Freeman	Maine	Showers
Boyes	Gallen	Manderino	Sirianni
Brandt	Gamble	Manmiller	Smith, B.
Broujos	Gannon	Markosek	Smith, S. H.
Bunt	Geist	Mayernik	Snyder, D. W.
Burd	George	Melio	Snyder, G.
Burns	Gladeck	Merry	Staback
Bush	Godshall	Michlovic	Stairs
Caltagirone	Gruitza	Micozzie	Steighner
Cappabianca	Gruppo	Miller	Stuban
Carlson	Hagarty	Moehlmann	Sweet
Carn	Harper	Mowery	Taylor, E. Z.
Cawley	Hasay	Mrkonic	Taylor, F.
Cessar	Hayden	Murphy	Taylor, J.
Chadwick	Hayes	Nahill	Telek

Civera	Heckler	Noye	Tigue
Clark	Herman	O'Brien	Trello
Clymer	Hershey	O'Donnell	Van Horne
Cohen	Hess	Olasz	Veon
Colafella	Honaman	Oliver	Vroon
Cole	Howlett	Perzel	Wambach
Cornell	Hughes	Petrone	Wass
Corrigan	Hutchinson	Phillips	Weston
Cowell	Itkin	Piccola	Wogan
Coy	Jackson	Pievsky	Wozniak
DeLuca	Jadlowiec	Pistella	Wright, D. R.
DeVerter	Jarolin	Pitts	Wright, J. L.
DeWeese	Johnson	Pressmann	Wright, R. C.
Daley	Josephs	Preston	Yandrisevits
Davies	Kasunic	Punt	
Dawida	Kenney	Raymond	Iris,
Dempsey	Kosinski	Reber	Speaker
Dietterick	Kukovich		

NAYS—0			
NOT VOTING—4			

Kennedy	Kitchen	Maiale	Wiggins
EXCUSED—6			

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

* * *

Mr. DALEY called up **HR 248, PN 2991**, entitled:

Urging that the State flag be displayed wherever the national flag is displayed.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—182			
Acosta	Dempsey	Kenney	Punt
Angstadt	Dietterick	Kosinski	Raymond
Argall	Dininni	Kukovich	Reber
Arty	Distler	LaGrotta	Reinard
Barley	Dombrowski	Langtry	Rieger
Battisto	Donatucci	Lashingier	Ritter
Belardi	Dorr	Leh	Robbins
Belfanti	Duffy	Lescovitz	Roebuck
Billow	Durham	Letterman	Rudy
Birmelin	Evans	Levdansky	Ryan
Black	Fargo	Linton	Rybak
Blaum	Farmer	Livengood	Saloom
Book	Fattah	Lloyd	Saurman
Bortner	Fee	Lucyk	Scheetz
Bowley	Flick	McCall	Schuler
Bowser	Foster	McClatchy	Semmel
Boyes	Fox	McHale	Serafini
Brandt	Freeman	McVerry	Showers
Broujos	Gamble	Maine	Sirianni
Bunt	Geist	Manderino	Smith, B.
Burd	George	Manmiller	Smith, S. H.
Burns	Gladeck	Markosek	Snyder, D. W.
Bush	Godshall	Mayernik	Snyder, G.
Caltagirone	Gruitza	Melio	Staback
Cappabianca	Gruppo	Merry	Stairs
Carlson	Hagarty	Michlovic	Steighner
Carn	Harper	Micozzie	Stuban
Cawley	Hasay	Miller	Taylor, E. Z.
Cessar	Hayden	Moehlmann	Taylor, F.
Chadwick	Hayes	Mowery	Taylor, J.
Civera	Heckler	Mrkonic	Tigue
Clark	Herman	Murphy	Trello

Clymer	Hershey	Nahill	Van Horne
Cohen	Hess	Noye	Veon
Colafella	Honaman	O'Brien	Vroon
Cole	Howlett	O'Donnell	Wambach
Cornell	Hughes	Olasz	Wass
Corrigan	Hutchinson	Oliver	Weston
Cowell	Itkin	Perzel	Wogan
Coy	Jackson	Petrone	Wright, D. R.
DeLuca	Jadlowiec	Phillips	Wright, J. L.
DeVerter	Jarolin	Piccola	Wright, R. C.
DeWeese	Johnson	Pievsky	Yandrisevits
Daley	Josephs	Pistella	
Davies	Kasunic	Pitts	Irvis,
Dawida	Kennedy	Pressmann	Speaker

NAYS—1

Preston

NOT VOTING—9

Gallen	Maiale	Sweet	Wiggins
Gannon	Richardson	Telek	Wozniak
Kitchen			

EXCUSED—6

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

* * *

Mr. CAWLEY called up **HR 251, PN 3065**, entitled:

Memorializing Congress to enact legislation allowing the Pennsylvania Housing Finance Agency to continue to issue tax-exempt securities.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—187

Acosta	Dininni	Kosinski	Reber
Angstadt	Distler	Kukovich	Reinard
Argall	Dombrowski	LaGrotta	Rieger
Arty	Donatucci	Langtry	Ritter
Barley	Dorr	Lashinger	Robbins
Battisto	Duffy	Leh	Roebuck
Belardi	Durham	Lescovitz	Rudy
Belfanti	Evans	Letterman	Ryan
Billow	Fargo	Levdansky	Rybak
Birmelin	Farmer	Linton	Saloom
Black	Fattah	Livengood	Saurman
Blaum	Fee	Lloyd	Scheetz
Book	Flick	Lucyk	Schuler
Bortner	Foster	McCall	Semmel
Bowley	Fox	McClatchy	Serafini
Bowser	Freeman	McHale	Showers
Boyes	Gallen	McVerry	Sirianni
Brandt	Gamble	Maine	Smith, B.
Broujos	Gannon	Manderino	Smith, S. H.
Bunt	Geist	Manmiller	Snyder, D. W.
Burd	George	Markosek	Snyder, G.
Burns	Gladeck	Mayernik	Staback
Bush	Godshall	Melio	Stairs
Caltagirone	Gruitza	Merry	Steighner
Cappabianca	Gruppo	Michlovic	Stuban
Carlson	Hagarty	Micozzie	Sweet
Carn	Harper	Miller	Taylor, E. Z.
Cawley	Hasay	Moehlmann	Taylor, F.
Cessar	Hayden	Mowery	Taylor, J.
Chadwick	Hayes	Mrkoncic	Telek
Civera	Heckler	Murphy	Tigue

Clark	Herman	Nahill	Trello
Clymer	Hershey	Noye	Van Horne
Cohen	Hess	O'Brien	Veon
Colafella	Honaman	Olasz	Vroon
Cole	Howlett	Oliver	Wambach
Cornell	Hughes	Perzel	Wass
Corrigan	Hutchinson	Petrone	Weston
Cowell	Itkin	Phillips	Wogan
Coy	Jackson	Piccola	Wozniak
DeLuca	Jadlowiec	Pievsky	Wright, D. R.
DeVerter	Jarolin	Pistella	Wright, J. L.
DeWeese	Johnson	Pitts	Wright, R. C.
Daley	Josephs	Pressmann	Yandrisevits
Davies	Kasunic	Preston	
Dawida	Kennedy	Punt	Irvis,
Dempsey	Kenney	Raymond	Speaker
Dietterick			

NAYS—0

NOT VOTING—5

Kitchen	O'Donnell	Richardson	Wiggins
Maiale			

EXCUSED—6

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

* * *

Mr. DeWEESE called up **HR 259, PN 3140**, entitled:

Honoring and congratulating the Pennsylvania Cable Television Industry on the occasion of its 40th anniversary.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—186

Acosta	Dininni	Kukovich	Reber
Angstadt	Distler	LaGrotta	Reinard
Argall	Dombrowski	Langtry	Rieger
Arty	Donatucci	Lashinger	Ritter
Battisto	Dorr	Leh	Robbins
Belardi	Duffy	Lescovitz	Roebuck
Belfanti	Durham	Letterman	Rudy
Billow	Evans	Levdansky	Ryan
Birmelin	Fargo	Linton	Rybak
Black	Farmer	Livengood	Saloom
Blaum	Fattah	Lloyd	Saurman
Book	Fee	Lucyk	Scheetz
Bortner	Flick	McCall	Schuler
Bowley	Foster	McClatchy	Semmel
Bowser	Fox	McHale	Serafini
Boyes	Freeman	McVerry	Showers
Brandt	Gallen	Maine	Sirianni
Broujos	Gamble	Manderino	Smith, B.
Bunt	Gannon	Manmiller	Smith, S. H.
Burd	Geist	Markosek	Snyder, D. W.
Burns	George	Mayernik	Snyder, G.
Bush	Godshall	Melio	Staback
Caltagirone	Gruitza	Merry	Stairs
Cappabianca	Gruppo	Michlovic	Steighner
Carlson	Hagarty	Micozzie	Stuban
Carn	Harper	Miller	Sweet
Cawley	Hasay	Moehlmann	Taylor, E. Z.
Cessar	Hayden	Mowery	Taylor, F.
Chadwick	Hayes	Mrkoncic	Taylor, J.
Civera	Heckler	Murphy	Telek
Clark	Herman	Nahill	Tigue
Clymer	Hershey	Noye	Trello

Cohen	Hess	O'Brien	Van Horne
Colafella	Honaman	O'Donnell	Veon
Cole	Howlett	Olasz	Vroon
Cornell	Hughes	Oliver	Wambach
Corrigan	Hutchinson	Perzel	Wass
Cowell	Itkin	Petrone	Weston
Coy	Jackson	Phillips	Wogan
DeLuca	Jadlowiec	Piccola	Wozniak
DeVerter	Jarolin	Pievsky	Wright, D. R.
DeWeese	Johnson	Pistella	Wright, J. L.
Daley	Josephs	Pitts	Wright, R. C.
Davies	Kasunic	Pressmann	Yandrisevits
Dawida	Kennedy	Preston	
Dempsey	Kenney	Punt	Irvis,
Dietterick	Kosinski	Raymond	Speaker

NAYS—0

NOT VOTING—6

Barley	Kitchen	Richardson	Wiggins
Gladeck	Maiale		

EXCUSED—6

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

CONCURRENT RESOLUTION

Mr. LETTERMAN called up **HR 243, PN 2973**, entitled:

Memorializing the Congress of the United States to enact legislation regulating the use of replacement workers to settle labor disputes.

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—148

Acosta	Daley	Lescovitz	Ritter
Angstadt	Davies	Letterman	Roebuck
Argall	Dawida	Levdansky	Rudy
Arty	Dietterick	Linton	Rybak
Battisto	Dininni	Livengood	Saloom
Belardi	Dombrowski	Lloyd	Semmel
Belfanti	Donatucci	Lucyk	Serafini
Billow	Duffy	McCall	Showers
Black	Durham	McClatchy	Smith, B.
Blaum	Evans	McHale	Smith, S. H.
Book	Farmer	McVerry	Snyder, D. W.
Bortner	Fattah	Maine	Snyder, G.
Bowley	Fee	Manderino	Staback
Bowser	Freeman	Manmiller	Stairs
Boyes	Gallen	Markosek	Steighner
Broujos	Gamble	Mayernik	Stuban
Bunt	Gannon	Melio	Sweet
Burd	Geist	Michlovic	Taylor, E. Z.
Burns	George	Micozzie	Taylor, F.
Bush	Gruitza	Miller	Taylor, J.
Caltagirone	Gruppo	Mowery	Telek
Cappabianca	Hasay	Mrkonic	Tigue
Carlson	Hayden	Murphy	Trello
Carn	Herman	O'Brien	Van Horne
Cawley	Howlett	Olasz	Veon
Cessar	Hughes	Oliver	Wambach
Civera	Hutchinson	Perzel	Wass
Clark	Jarolin	Petrone	Weston
Clymer	Johnson	Phillips	Wogan
Cohen	Josephs	Pievsky	Wozniak
Colafella	Kasunic	Pistella	Wright, D. R.

Cole	Kennedy	Pressmann	Wright, J. L.
Corrigan	Kenney	Preston	Wright, R. C.
Cowell	Kosinski	Punt	Yandrisevits
Coy	Kukovich	Raymond	
DeLuca	LaGrotta	Reber	Irvis,
DeVerter	Lashingier	Rieger	Speaker
DeWeese	Leh		

NAYS—36

Barley	Flick	Hess	Pitts
Birmelin	Foster	Honaman	Reinard
Brandt	Fox	Jackson	Robbins
Chadwick	Gladeck	Jadlowiec	Ryan
Cornell	Godshall	Merry	Saurman
Dempsey	Hagarty	Moehlmann	Scheetz
Distler	Hayes	Nahill	Schuler
Dorr	Heckler	Noye	Sirianni
Fargo	Hershey	Piccola	Vroon

NOT VOTING—8

Harper	Kitchen	Maiale	Richardson
Itkin	Langtry	O'Donnell	Wiggins

EXCUSED—6

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 1492, PN 3235 (Amended)

By Rep. COWELL

An Act amending the act of July 18, 1974 (P. L. 483, No. 174), known as "The Institutional Assistance Grants Act," further providing for the definition of "eligible institution"; and limiting the use of certain grants; and making an appropriation.

EDUCATION.

HB 2279, PN 3236 (Amended)

By Rep. COHEN

An Act regulating the inspection and approval of antique boilers; providing for certain powers and duties of the Department of Labor and Industry; providing a penalty; and making a repeal.

LABOR RELATIONS.

SB 730, PN 2017 (Amended)

By Rep. COHEN

An Act amending the act of September 1, 1965 (P. L. 459, No. 235), entitled "An act requiring that certain buildings and facilities constructed with Commonwealth funds adhere to certain principles, standards and specifications to make the same accessible to and usable by the physically handicapped, and providing for enforcement," further providing for standards and the applicability of standards and for enforcement; making editorial changes; and making an appropriation.

LABOR RELATIONS.

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Bucks, Mr. Melio, rise?

Mr. MELIO. On SB 803, Mr. Speaker, I would like to be in the affirmative. I was not recorded.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the rules of the House be temporarily suspended so that we may immediately consider HR 269.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—177

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

NAYS—0

NOT VOTING—15

Broujos	Geist	Lucyk	Richardson
Dempsey	Hagarty	Maiale	Trello
Flick	Howlett	Mowery	Wiggins
Gamble	Kitchen	Petrone	

EXCUSED—6

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

RESOLUTION ADOPTED

The SPEAKER. The clerk will immediately read HR 269.

The following resolution was read:

House Resolution No. 269

A RESOLUTION

Recognizing "Healthy Baby Week."

WHEREAS, The March of Dimes Birth Defects Foundation has declared the week of May 8 through 14, 1988, to be "Healthy Baby Week," in order to spread the word about the importance of prenatal care and nutrition to a healthy pregnancy; and

WHEREAS, Although birth defects strike in a number of ways and every family is vulnerable, much has been learned in recent years about reducing the risks of known causes of physical and mental damage during pregnancy; and

WHEREAS, Early, regular prenatal care is a pregnant woman's first line of defense for protecting her baby: if problems arise, the earlier they are detected, the more likely they are to respond to treatment; and

WHEREAS, Today's pregnant woman can benefit from new knowledge, new skills and new technology to monitor a healthy birth and to diagnose and treat high-risk problems that occur; therefore be it

RESOLVED, That the General Assembly recognize the week of May 8 through 14, 1988, as "Healthy Baby Week," and urge every mother and prospective mother to contact the March of Dimes Birth Defects Foundation and allied organizations for literature to keep herself informed on what she can do to protect her baby's health: eating wisely; avoiding infections such as rubella; not using prescribed or over-the-counter drugs without a doctor's advice; getting plenty of rest and exercise; and using caution about drinking, smoking and, of course, illicit drugs.

Elinor Z. Taylor
 Connie G. Maine
 Carmel Sirianni
 Donald W. Dorr
 Karen A. Ritter
 Richard J. Cessar
 Jeffrey W. Coy
 Thomas W. Dempsey
 Joseph R. Pitts
 Raymond T. Book
 J. Scot Chadwick
 Kenneth E. Brandt
 Elaine F. Farmer
 Alice S. Langtry

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—185

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

NAYS—0

NOT VOTING—7

Howlett	Maiale	Richardson	Wiggins
Kitchen	O'Brien	Weston	

EXCUSED—6

Fischer	Haluska	Petrarca	Seventy
Freind	Morris		

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

CAUCUS CANCELED

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

Mr. ITKIN. Mr. Speaker, I just want to make it clear to this side of the aisle there was a caucus scheduled at the break today, but because we are going to terminate our activities at this time, we will hold the caucus not today but we will hold it on Monday as we normally have it. So there will be no caucus today. We will caucus on Monday.

REPORT OF COMMITTEE ON COMMITTEES

The SPEAKER. The Chair is in receipt of a communication from the Honorable Amos K. Hutchinson, chairman of the Committee on Committees, wherein the committee has resolved that Representative Robert Godshall, Montgomery County, is elected a member of the Game and Fisheries Committee vice Representative Roger Raymond Fischer resigned.

The following report was read:

Committee on Committees
Supplemental Report

In the House of Representatives
May 4, 1988

RESOLVED, That Representative Robert Godshall, Montgomery County, is elected a member of the Game and Fisheries Committee vice Representative Roger Raymond Fischer resigned.

Respectfully,
Amos K. Hutchinson
Chairman
Committee on Committees

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

REMARKS ON VOTES

The SPEAKER. Why does the gentleman from Adams, Mr. Cole, rise?

Mr. COLE. Mr. Speaker, I would like to be recorded in the affirmative on SB 803.

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

Why does the gentleman from Erie, Mr. Bowser, rise?

Mr. BOWSER. I would like to be recorded in the negative on HR 243.

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

Why does the gentleman from Berks, Mr. Leh, rise?

Mr. LEH. Mr. Speaker, I would like to be recorded in the negative on HR 243.

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

LABOR RELATIONS COMMITTEE MEETING

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

Mr. COHEN. Mr. Speaker, I would like to announce that the meeting of the Labor Relations Committee which was

recessed yesterday will resume Tuesday at 10 o'clock at a room to be announced shortly.

The SPEAKER. The Chair thanks the gentleman.

REMARKS ON VOTE

The SPEAKER. Why does the gentleman from Delaware, Mr. Wright, rise?

Mr. R. C. WRIGHT. Mr. Speaker, yesterday on HB 1900 my vote was not recorded. I would like to be recorded in the affirmative.

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

ANNOUNCEMENT BY MR. FOX

The SPEAKER. Why does the gentleman from Montgomery, Mr. Fox, rise?

Mr. FOX. Mr. Speaker, I am filing today some bills for the increase of the penalty for child abuse. They are at the bill clerk's desk if other members would like to sign. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Bowser.

Mr. BOWSER. Mr. Speaker, I would like a little personal privilege to ask the Speaker a question.

The SPEAKER. I will try to hear you. Go ahead.

Mr. BOWSER. Mr. Speaker, I read in the papers, we all read in the papers that the CAT Fund (Catastrophic Loss Trust Fund) will not be accepted back from the Senate by this body. Can you enlighten us? Is there a stalemate? Is it going to continue? Should we offer new legislation in this body or what should we do on this particular problem?

The SPEAKER. Await the judgment and the sincerity of the Speaker. Do not worry about it. We have not received it in a form which the rules of the House permit us to handle. It has absolutely nothing to do with the substance of the bill. What the Senate did was to send us a report in which they accepted certain sentences and rejected other clauses in separate amendments. We have no way of handling that. We do not have the machinery.

We now have had two meetings with the Senate. The Parliamentarian has been there. I understand there was another meeting today. I do not have a report on that. I am sure we will get it resolved with the Parliamentarians working together. There is no need for you to introduce any further legislation. We will eventually get it on the floor.

Mr. BOWSER. Thank you, Mr. Speaker.

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Robbins. Why do you rise?

Mr. ROBBINS. Mr. Speaker, I was recorded on HB 1769 in the affirmative and would wish to be recorded in the negative.

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

The Chair recognizes the gentleman from Cumberland, Mr. Broujos. Why do you rise?

Mr. BROUJOS. Mr. Speaker, I would like to be recorded in the negative on HB 1769.

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

Mr. BROUJOS. Mr. Speaker, also, I would like to introduce a bill if the floor could be kept open for another half hour. If it is not convenient, that is all right.

The SPEAKER. The Chair advises the gentleman that it would accept the responsibility for accepting the bill on the floor of the House but it need not do that. We do not have to be in session for you to introduce a bill, so whenever you are ready, simply introduce it and it will be recorded as of the date on which you introduced it.

Mr. BROUJOS. Thank you, Mr. Speaker.

MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. Manderino moved that the House insist upon its non-concurrence in Senate amendments to HB 1652, PN 2968, and that a committee of conference on the part of the House be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 1652, PN 2968:

Messrs. Letterman, Levdansky and Davies.

Ordered, That the clerk inform the Senate accordingly.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 272

By Representatives CAPPABIANCA, DORR, F. TAYLOR, GALLEN, J. L. WRIGHT, LINTON, BURD, DUFFY, GEIST, VAN HORNE, GODSHALL, PRESTON, SERAFINI, McVERRY, DININNI, DeVERTER, G. SNYDER, HESS, DAVIES, WASS, BELARDI, LEH, MOWERY, PHILLIPS, LANGTRY, STEIGHNER, JAROLIN, BLAUM, TIGUE, BROUJOS, CALTAGIRONE, OLASZ, DOMBROWSKI and FEE

Recognizing the week of May 8 through 14, 1988, as "Small Business Week" in Pennsylvania.

Referred to Committee on RULES, May 4, 1988.

BILLS AND RESOLUTION PASSED OVER

The SPEAKER. Without objection, all remaining bills and the resolution 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, the Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. S. H. SMITH. Thank you, Mr. Speaker.

Mr. Speaker, I move that this House do now adjourn until Monday, May 9, 1988, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 12:17 p.m., e.d.t., the House adjourned.