

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

WEDNESDAY, JUNE 13, 1990

SESSION OF 1990 174TH OF THE GENERAL ASSEMBLY

No. 40

### HOUSE OF REPRESENTATIVES

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

#### THE SPEAKER PRO TEMPORE (IVAN ITKIN) PRESIDING

#### PRAYER

REV. CLYDE W. ROACH, Chaplain of the House of Representatives, from Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

Almighty God, Your word tells us that if we had the faith of a tiny mustard seed, we could say to yon mountain, be thou removed, and it would be so; yet we remain faithless and unbelieving. We know that You are the source of every good and perfect gift; yet we fail to come to You for our needs and desires.

We carelessly mouth words and platitudes in our prayers, yet do not realize that we have not because we ask not.

Lord, teach us the patience of unanswered prayer and to realize that they who wait on the Lord shall mount up with wings as eagles; they shall run and not be weary; they shall walk and not faint.

In Your dear name we pray. Amen.

#### PLEDGE OF ALLEGIANCE

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

#### JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, June 12, 1990, will be postponed until printed. The Chair hears no objection.

#### RECESS

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

Mr. DeWEESE. Mr. Speaker, I move that this House stand in recess until 11:30 a.m.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER pro tempore. This House stands in recess until 11:30 a.m.

#### AFTER RECESS

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

#### HOUSE BILLS INTRODUCED AND REFERRED

No. 2674 By Representatives YANDRISEVITS, BILLOW, COLAFELLA, DeLUCA, MELIO, PESCI, STABACK, TANGRETTI, E. Z. TAYLOR, TELEK and TRELLO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the operation of emergency vehicles.

Referred to Committee on TRANSPORTATION, June 13, 1990.

No. 2675 By Representatives WASS, DeWEESE, SCHULER, COY, MORRIS, HALUSKA, FARGO, STUBAN, COLAFELLA, LANGTRY, BATTISTO, STAIRS, DALEY, DAVIES, KONDRICH, TIGUE, CARLSON, VROON, KASUNIC, CIVERA, SAURMAN, MAINE, B. SMITH, ITKIN, CESSAR, ALLEN, B. D. CLARK, FLICK, VAN HORNE, NOYE, JOHNSON, JOSEPHS, BUNT, HESS, KOSINSKI, FOX, E. Z. TAYLOR, D. W. SNYDER, MERRY, BELARDI, COWELL, McHALE, SEMMEL, RICHARDSON, ADOLPH, RYBAK, TRELLO, FAIRCHILD, TELEK, S. H. SMITH, BLACK, GRUPPO and D. R. WRIGHT

An Act providing capital budget projects for the State System of Higher Education; providing for debt authorization and bonds; and making an appropriation.

Referred to Committee on APPROPRIATIONS, June 13, 1990.

No. 2676 By Representatives LEVDANSKY, STEIGHNER, BROUJOS, NOYE, TIGUE, TANGRETTI, CORRIGAN, STABACK,

YANDRISEVITS, BELFANTI,  
COLAIZZO, BATTISTO, RICHARDSON,  
TRELLO, PISTELLA and CIVERA

An Act amending the act of December 19, 1974 (P. L. 973, No. 319), known as the "Pennsylvania Farmland and Forest Land Assessment Act of 1974," further defining "forest reserve" to require public access with certain limitations.

Referred to Committee on GAME AND FISHERIES,  
June 13, 1990.

**No. 2677** By Representatives BROUJOS, BORTNER,  
LEVDANSKY, B. SMITH, JACKSON,  
STEIGNER, COY, TIGUE, NOYE,  
FARGO, YANDRISEVITS, MELIO,  
TRELLO, PISTELLA, CALTAGIRONE,  
STABACK, TRICH, LAUGHLIN,  
JAROLIN, BILLOW, MIHALICH,  
GAMBLE, RUDY, CIVERA, VEON,  
LLOYD and CORRIGAN

An Act amending the act of December 19, 1974 (P. L. 973, No. 319), known as the "Pennsylvania Farmland and Forest Land Assessment Act of 1974," providing that forest reserve land must be open to public hunting to qualify for preferential assessment.

Referred to Committee on GAME AND FISHERIES,  
June 13, 1990.

**No. 2678** By Representatives BORTNER,  
D. R. WRIGHT and J. L. WRIGHT

An Act requiring testing for and notification of radon results concerning sale or lease of residential property.

Referred to Committee on CONSUMER AFFAIRS,  
June 13, 1990.

**No. 2679** By Representatives ARGALL, ALLEN,  
LUCYK, D. W. SNYDER, SEMMEL,  
ANGSTADT and McCALL

An Act allocating a portion of the revenues from the Oil and Gas Lease Fund to support a flood control project in Schuylkill County; and making a repeal.

Referred to Committee on CONSERVATION, June 13,  
1990.

**No. 2680** By Representatives DALEY, STISH,  
CORRIGAN, KASUNIC, ROBINSON and  
STUBAN

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

Referred to Committee on TRANSPORTATION,  
June 13, 1990.

**No. 2681** By Representative WOZNIAK

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, reducing the number of judges in the 47th judicial district.

Referred to Committee on JUDICIARY, June 13, 1990.

**No. 2682** By Representatives WOZNIAK, KOSINSKI,  
E. Z. TAYLOR and BURD

An Act amending the act of August 22, 1953 (P. L. 1344, No. 383), known as "The Marriage Law," authorizing members of the General Assembly to solemnize marriage.

Referred to Committee on JUDICIARY, June 13, 1990.

**No. 2683** By Representatives JAROLIN, STISH,  
VAN HORNE, COLAFELLA,  
DOMBROWSKI, PISTELLA, NOYE,  
BOYES, TRELLO, TELEK, RUDY, BURD,  
E. Z. TAYLOR, BATTISTO, WOGAN,  
SERAFINI and KOSINSKI

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," requiring that candidates be registered electors and members of the same party or political body as the office being sought for a certain time period.

Referred to Committee on STATE GOVERNMENT,  
June 13, 1990.

**No. 2684** By Representatives VEON, GIGLIOTTI,  
LAUGHLIN, BILLOW, PRESSMANN,  
KOSINSKI, DOMBROWSKI, WASS,  
JACKSON, STISH, MELIO, VAN HORNE,  
COLAFELLA, PETRARCA, JAROLIN,  
STABACK, CORRIGAN, TRICH, TELEK,  
PETRONE, MAINE, DeLUCA, McVERRY,  
McNALLY, LEVDANSKY, CAWLEY,  
PISTELLA, TANGRETTI, HOWLETT,  
WILLIAMS, RAYMOND, JOSEPHS,  
CAPPABIANCA, FREEMAN,  
SCRIMENTI, DIETTERICK, LINTON,  
DeWEESE, TRELLO, JAMES,  
ANGSTADT, WOZNIAK, TIGUE, RYBAK,  
HERMAN, McHALE, BELARDI and  
ARGALL

An Act providing for the observance of April 28 of each year as Workers' Memorial Day.

Referred to Committee on LABOR RELATIONS,  
June 13, 1990.

**No. 2685** By Representatives VEON, McNALLY,  
LEVDANSKY, PISTELLA, MELIO,  
BROUJOS, COLAFELLA, LAUGHLIN,  
PETRONE, TIGUE, DeLUCA, PESCI,  
TANGRETTI, HOWLETT,  
CAPPABIANCA, FREEMAN, TRELLO,  
GODSHALL, ANGSTADT and RYBAK

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, providing for shareholder approval of golden parachute plans and other fringe benefits.

Referred to Committee on BUSINESS AND COM-  
MERCE, June 13, 1990.

**No. 2686** By Representative GANNON

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further regulating the sale of unused and unnecessary lands and buildings.

Referred to Committee on EDUCATION, June 13, 1990.

**No. 2687** By Representatives R. C. WRIGHT, RICHARDSON, CIVERA, McVERRY, TRELLO, JACKSON, ADOLPH, E. Z. TAYLOR, MRKONIC, VROON, FAIRCHILD, JOHNSON, ALLEN, SCHULER, LAUGHLIN and FLICK

An Act authorizing the State Armory Board of the Department of Military Affairs and the Department of General Services with the approval of the Governor, to sell and convey a tract of land, together with the building and structures thereto, in the City of Chester, Delaware County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, June 13, 1990.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 333** By Representatives LANGTRY, BROUJOS, VAN HORNE, KAISER, JACKSON, DEMPSEY, HECKLER, HERSHEY, E. Z. TAYLOR, LAUGHLIN, TELEK, LEH, TRELLO, VROON, MELIO, RICHARDSON and McVERRY

Directing the Pennsylvania Game Commission to develop and administer a deer management program to reduce deer overpopulation in suburban "hot spots."

Referred to Committee on RULES, June 13, 1990.

**No. 334** By Representatives E. Z. TAYLOR, DeWEESE, FOX and J. H. CLARK

Designating June 22, 1990, as "Jim Henson Day" in Pennsylvania.

Referred to Committee on RULES, June 13, 1990.

### SENATE BILLS FOR CONCURRENCE

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

**SB 558, PN 1102**

Referred to Committee on PROFESSIONAL LICENSURE, June 13, 1990.

**SB 693, PN 2137**

Referred to Committee on JUDICIARY, June 13, 1990.

**SB 1003, PN 1165**

Referred to Committee on BUSINESS AND COMMERCE, June 13, 1990.

**SB 1299, PN 1620**

Referred to Committee on TRANSPORTATION, June 13, 1990.

### SENATE MESSAGE

#### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE AND REFERRED TO COMMITTEE ON RULES

The clerk of the Senate, being introduced, returned **HB 1738, PN 3689; HB 2130, PN 3690; and HB 2353, PN 3691**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### WELCOMES

The SPEAKER pro tempore. The Chair at this time wishes to welcome students from the McKinley Elementary School and their teachers from York, Pennsylvania. They are the guests today of the Representative from York, Mr. Bortner. His guests are in the gallery. Will they please rise and be acknowledged.

The Chair also at this time wishes to welcome Mary and Greg Talarico and their two sons, Jeffery and Phillip, who are the guests of the gentleman from Allegheny, Mr. Trello. They are located to the left of the Speaker. Will they please rise and be recognized.

The Chair also is very pleased to welcome Brian Maurer, who is the guest of his uncle, Representative O'Brien, and he is located in the rear of the House.

The Chair also at this time is delighted to welcome the son of one of our members, Lois Hagarty. Her son, Matthew Hagarty, is here today in the House as a guest page. We would like him to stand and be recognized.

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

**SB 647, PN 2294** (Amended)

By Rep. STEIGHNER

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, providing for the use of a portion of the antlerless deer fee; further providing for the construction of deterrent fencing; increasing the monetary cap on deterrent fencing; providing for licenses, for license and agent fees; and further providing for control and utilization of commission land and resources and for the authorized license-issuing agents.

GAME AND FISHERIES.

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

**HB 2485, PN 3713** (Amended)

By Rep. HARPER

An Act providing for the collection by employers, regardless of domicile, of taxes imposed by cities of the first class on any salary, wage, commission or other compensation due to employ-

ees; imposing liability for the payment of such taxes; and providing for penalties.

URBAN AFFAIRS.

### BILLS REPORTED AND REREFERRED TO COMMITTEE ON FINANCE

**HB 2486, PN 3410** By Rep. HARPER

An Act authorizing cities of the first class to levy, assess and collect a tax upon each separate sale at retail of tangible personal property or services; a tax upon the use within a city of the first class of tangible personal property purchased at retail and on services purchased at retail; and imposing penalties.

URBAN AFFAIRS.

**HB 2487, PN 3411** By Rep. HARPER

An Act authorizing certain counties within this Commonwealth to levy, assess and collect a tax upon each separate sale at retail of tangible personal property or services; a tax upon the use within those counties of tangible personal property purchased at retail and on services purchased at retail; and imposing penalties.

URBAN AFFAIRS.

### 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 2579, PN 3554; and HB 2618, PN 3596.**

#### BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 235, PN 3649**, entitled:

An Act amending the act of December 8, 1982 (P. L. 848, No. 235), known as the "Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983," adding local projects in Allegheny County and in Cambria County; and making mathematical corrections.

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

#### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that **HB 235, PN 3649**, be recommitted to the Appropriations Committee.

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

\* \* \*

The House proceeded to third consideration of **HB 2463, PN 3651**, entitled:

A Supplement to the act of (P. L. , No. ), entitled "An act providing for the capital budget for the fiscal year 1990-1991," itemizing public highway projects to be constructed by the Department of Transportation, together with the estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed by the Department of Transportation; stating the estimated useful life of the projects; and making appropriations.

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

#### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that **HB 2463, PN 3651**, be recommitted to the Appropriations Committee.

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

\* \* \*

The House proceeded to third consideration of **HB 2556, PN 3652**, entitled:

A Supplement to the act of (P. L. , No. ), entitled "An act providing for the capital budget for the fiscal year 1990-1991," itemizing public improvement projects, furniture and equipment projects, transportation assistance projects, flood control projects and redevelopment assistance projects to be constructed or acquired or assisted by the Department of General Services, the Department of Transportation, the Department of Environmental Resources or the Department of Community Affairs, together with their estimated financial costs; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired or assisted by the Department of General Services, the Department of Transportation, the Department of Environmental Resources or the Department of Community Affairs; stating the estimated useful life of the projects; making appropriations; and making repeals.

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

#### BILL RECOMMENDED

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

Mr. DeWEESE. Mr. Speaker, I move that **HB 2556, PN 3652**, be recommitted to the Appropriations Committee.

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

#### LEAVES OF ABSENCE

The SPEAKER pro tempore. Without objection, the Chair turns to leaves of absence. Are there requests for leaves of absence?

The Chair recognizes the majority caucus secretary, the gentleman, Mr. Fee.

Mr. FEE. Thank you, Mr. Speaker.

The gentleman from Westmoreland, Mr. PETRARCA, for today; the gentleman from Monroe, Mr. BATTISTO, for today; and the lady from Centre, Mrs. RUDY, for today.

The SPEAKER pro tempore. Without objection, the leaves of absence are granted.

The Chair now recognizes the minority whip, the gentleman from Huntingdon, Mr. Hayes.

Mr. HAYES. I request a leave for the gentleman from Chester County, Mr. PITTS, for the day; the gentleman from Delaware County, Mr. Robert WRIGHT, for the day; and the gentleman from Dauphin County, Mr. DININNI, for the day.

The SPEAKER pro tempore. Without objection, the leaves of absence are granted.

### MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is now about to take the master roll. Members will proceed to vote.

The following roll call was recorded:

#### PRESENT—196

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashingier	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Ryan
Belardi	Farmer	Levdansky	Rybak
Belfanti	Fee	Linton	Saloom
Billow	Fleagle	Lloyd	Saurman
Birmelin	Flick	Lucyk	Scheetz
Bishop	Foster	McCall	Schuler
Black	Fox	McHale	Scrimenti
Blaum	Freeman	McNally	Semmel
Bortner	Freind	McVerry	Serafini
Bowley	Gallen	Maiale	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayermik	Staback
Burd	Gigliotti	Melio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Michlovic	Stish
Caltagirone	Gruitza	Micozzie	Strittmatter
Cappabianca	Gruppo	Mihalich	Stuban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonic	Telek
Civera	Hayes	Murphy	Thomas
Clark, B. D.	Heckler	Nahill	Tigue
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Clymer	Hess	O'Brien	Van Horne
Cohen	Howlett	Olasz	Veon
Colafella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Pesci	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak

DeWeese	Kaiser	Pressmann	Wright, D. R.
Daley	Kasunic	Preston	Wright, J. L.
Davies	Kenney	Raymond	Yandrisevits
Dempsey	Kondrich	Reber	
Dietterick	Kosinski	Reinard	O'Donnell,
Distler	Kukovich	Richardson	Speaker
Dombrowski	LaGrotta		

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

### WELCOME

The SPEAKER pro tempore. The Chair at this time wishes to welcome Jeff Flick, the son of another Representative whom we have today in the hall of the House. He is the son of Representative Bob Flick. He is here with his friend, Matt Hagen. They are located to the left of the Speaker. Will they please rise and be recognized.

### BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 329, PN 1087**, entitled:

An Act amending the act of May 31, 1945 (P. L. 1198, No. 418), known as the "Surface Mining Conservation and Reclamation Act," further providing for proceedings involving contamination or diminution of water supplies.

On the question,

Will the House agree to the bill on third consideration?

Mr. GEORGE offered the following amendment No. A1793:

Amend Sec. 1 (Sec. 4.2), page 2, lines 10 through 30; page 3, line 1, by striking out all of said lines on said pages and inserting

(2) It shall be presumed, as a matter of law, that any surface mining operator or owner is responsible, without proof of fault, negligence or causation, for all pollution, except bacteriological contamination, or diminution of public or private water supplies, within one thousand linear feet of the boundaries of the land affected or acreage assigned to the surface mining operation under section 3.1 by a permit issued by the department. There shall be only five defenses to the presumptions of liability provided herein. Any surface mining operator or owner must affirmatively prove by a preponderance of evidence that one of the following conditions exist:

(I) The landowner or water supply company refused to allow the surface mining operator or owner access to conduct a survey prior to commencing surface mining activities.

(II) The water supply is not within one thousand linear feet of the boundaries of the land affected or the acreage assigned to the surface mining operation under section 3.1 by a permit issued by the department.

(III) The pollution or diminution existed prior to the surface mining activities as determined by a survey conducted prior to commencing surface mining activities.

(IV) The pollution or diminution occurred as a result of some cause other than the surface mining activities.

(V) The landowner, water supply user or water supply company refuses to allow the surface mining operator or owner access to determine the cause of pollution or diminution or to replace or restore the water supply.

(3) If the secretary finds that immediate replacement of an affected water supply used for potable or domestic needs is required to protect health and safety, and that the operator or owner has appealed or failed to comply with an order issued pursuant to this subsection, the secretary may restore or replace the affected water supply with an alternate source of water utilizing moneys from the Surface Mining Conservation and Reclamation Fund. The secretary shall recover the costs of restoration or replacement, including costs incurred for design and construction of facilities, from the responsible operators or owners. Any such costs recovered shall be deposited in the Surface Mining Conservation and Reclamation Fund.

(4) Any operator or owner aggrieved by the secretary's order issued pursuant to this subsection shall have the right within thirty days of receipt of such order to appeal to the Environmental Hearing Board. The secretary's order, when appealed by any operator or owner, shall not be used to block the issuance of new permits or the release of bonds when a stage of reclamation work is completed. Hearings under this subsection shall be in accordance with the act of July 13, 1988 (P.L.530, No.94), known as the "Environmental Hearing Board Act," and 2 Pa.C.S. Ch. 5 Subch. A (relating to practice and procedure of Commonwealth agencies) and Ch. 7, Subch. A (relating to judicial review of Commonwealth agency action).

(5) A surface mining operator or owner who provides a successful defense to the presumption of liability shall be entitled to recover the costs incurred, including, but not limited to, the costs of temporary water supply, design, construction, restoration or replacement costs, attorney fees and expert witness fees from the department.

(6) Nothing herein shall prevent any landowner or water supply company who claims pollution or diminution of a water supply from seeking any other remedy that may be provided for at law or in equity.

(7) A surface mining operation conducted under a surface mining permit issued by the department before the effective date of this act shall not be subject to the provisions of clauses (2), (3), (4), (5) and (6) of this subsection, but shall be subject to clause (1) of this subsection.

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, amendment 1793 establishes rebuttable presumption in the mining law. At this time, Mr. Speaker, the legislature has insisted upon rebuttable presumption in waste management, in hazardous waste, in low-level, and back in 1977 it had been in place in mining.

I ask that you all join to place rebuttable presumption into the mining law. I am happy to say that there has been an agreement between the mining interests and the department, and I urge both sides of the aisle on the Conservation Committee to accept this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Luzerne, Mr. Hasay.

Mr. HASAY. Thank you, Mr. Speaker.

Mr. Speaker, the language of amendment A1793 has been confirmed with and has been negotiated with and has been

agreed to by those in this related industry. Also, the language has been agreed to by the minority on this rebuttable presumption amendment.

I support the amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—196

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashingier	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Ryan
Belardi	Farmer	Levdansky	Rybak
Belfanti	Fee	Linton	Saloom
Billow	Fleagle	Lloyd	Saurman
Birmelin	Flick	Lucyk	Scheetz
Bishop	Foster	McCall	Schuler
Black	Fox	McHale	Scrimenti
Blaum	Freeman	McNally	Semmel
Bortner	Freind	McVerry	Serafini
Bowley	Gallen	Maiale	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayernik	Staback
Burd	Gigliotti	Meio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Michlovic	Stish
Caitagirone	Gruitza	Micozzie	Strittmatter
Cappabianca	Gruppo	Mihalich	Stuban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonic	Telek
Civera	Hayes	Murphy	Thomas
Clark, B. D.	Heckler	Nahill	Tigue
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Clymer	Hess	O'Brien	Van Horne
Cohen	Howlett	Olasz	Veon
Colafella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Pesci	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pressmann	Wright, D. R.
Daley	Kasunic	Preston	Wright, J. L.
Davies	Kenney	Raymond	Yandrisevits
Dempsey	Kondrich	Reber	
Dietterick	Kosinski	Reinard	O'Donnell,
Distler	Kukovich	Richardson	Speaker
Dombrowski	LaGrotta		

NAYS—0

NOT VOTING—0

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashinger	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Ryan
Belardi	Farmer	Levdansky	Rybak
Belfanti	Fee	Linton	Saloom
Billow	Fleagle	Lloyd	Saurman
Birmelin	Flick	Lucyk	Scheetz
Bishop	Foster	McCall	Schuler
Black	Fox	McHale	Scrimenti
Blaum	Freeman	McNally	Semmel
Bortner	Freind	McVerry	Serafini
Bowley	Gallen	Maiale	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayernik	Staback
Burd	Gigliotti	Melio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Michlovic	Stish
Caltagirone	Gruitza	Micozzie	Strittmatter
Cappabianca	Gruppo	Mihalich	Stuban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonic	Telek
Civera	Hayes	Murphy	Thomas
Clark, B. D.	Heckler	Nahill	Tigue
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Clymer	Hess	O'Brien	Van Horne
Cohen	Howlett	Olasz	Veon
Colafrella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Pesci	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pressmann	Wright, D. R.
Daley	Kasunic	Preston	Wright, J. L.
Davies	Kenney	Raymond	Yandrisevits
Dempsey	Kondrich	Reber	
Dietterick	Kosinski	Reinard	O'Donnell,
Distler	Kukovich	Richardson	Speaker
Dombrowski	LaGrotta		

NAYS—0

NOT VOTING—0

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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

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

\* \* \*

The House proceeded to third consideration of **HB 2465, PN 3606**, entitled:

An Act amending the act of July 2, 1984 (P. L. 553, No. 110), known as the "Engineering School Equipment Act," further providing for the coverage of the act, for reallocation of unused funds and for the expiration of the act.

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

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

The question is, shall the bill pass finally?

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

YEAS—196

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashinger	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Ryan
Belardi	Farmer	Levdansky	Rybak
Belfanti	Fee	Linton	Saloom
Billow	Fleagle	Lloyd	Saurman
Birmelin	Flick	Lucyk	Scheetz
Bishop	Foster	McCall	Schuler
Black	Fox	McHale	Scrimenti
Blaum	Freeman	McNally	Semmel
Bortner	Freind	McVerry	Serafini
Bowley	Gallen	Maiale	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayernik	Staback
Burd	Gigliotti	Melio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Michlovic	Stish
Caltagirone	Gruitza	Micozzie	Strittmatter
Cappabianca	Gruppo	Mihalich	Stuban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonic	Telek
Civera	Hayes	Murphy	Thomas
Clark, B. D.	Heckler	Nahill	Tigue
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Clymer	Hess	O'Brien	Van Horne
Cohen	Howlett	Olasz	Veon
Colafrella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Pesci	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pressmann	Wright, D. R.

Daley	Kasunic	Preston	Wright, J. L.
Davies	Kenney	Raymond	Yandrisevits
Dempsey	Kondrich	Reber	
Dietterick	Kosinski	Reinard	O'Donnell,
Distler	Kukovich	Richardson	Speaker
Dombrowski	LaGrotta		

NAYS—0

NOT VOTING—0

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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

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

\* \* \*

The House proceeded to third consideration of **HB 2492**, **PN 3416**, entitled:

An Act amending the act of July 11, 1985 (P. L. 209, No. 54), entitled "An act authorizing the incurring of debt for the purpose of financing the Federal share of construction of interstate highways," further providing for the power to incur debt.

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

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

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

YEAS—196

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashingner	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Ryan
Belardi	Farmer	Levdansky	Rybak
Belfanti	Fee	Linton	Saloom
Billow	Fleagle	Lloyd	Saurman
Birmelin	Flick	Lucyk	Scheetz
Bishop	Foster	McCall	Schuler
Black	Fox	McHale	Scrimenti
Blaum	Freeman	McNally	Semmel
Bortner	Freind	McVerry	Serafini
Bowley	Gallen	Maiale	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayernik	Staback
Burd	Gigliotti	Melio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Michlovic	Stish
Caltagirone	Gruitza	Micozzie	Strittmatter
Cappabianca	Gruppo	Mihalich	Suban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonic	Telek
Civera	Hayes	Murphy	Thomas

Clark, B. D.	Heckler	Nahill	Tigue
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Clymer	Hess	O'Brien	Van Horne
Cohen	Howlett	Olasz	Veon
Colafrella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Pesci	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pressmann	Wright, D. R.
Daley	Kasunic	Preston	Wright, J. L.
Davies	Kenney	Raymond	Yandrisevits
Dempsey	Kondrich	Reber	
Dietterick	Kosinski	Reinard	O'Donnell,
Distler	Kukovich	Richardson	Speaker
Dombrowski	LaGrotta		

NAYS—0

NOT VOTING—0

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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

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

\* \* \*

The House proceeded to third consideration of **HB 1946**, **PN 3313**, entitled:

An Act amending the act of April 12, 1951 (P. L. 90, No. 21), known as the "Liquor Code," further providing for the quota on the issuance of distributors licenses and retail licenses; and authorizing the limited exchange of certain hotel licenses for restaurant licenses.

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

**BILL REVERTED  
TO PRIOR PRINTER'S NUMBER**

The SPEAKER pro tempore. The gentleman, Mr. Saloom, is recognized for the purpose of making a motion.

Mr. SALOOM. Mr. Speaker, on HB 1946, I wish to move to the previous printer's number, which was 3058.

The SPEAKER pro tempore. The gentleman from Westmoreland, Mr. Saloom, moves that HB 1946 revert to prior printer's number 3058.

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

The SPEAKER pro tempore. The Chair recognizes the minority leader on the motion.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, prior to taking a vote on this motion to revert to a prior printer's number, I wonder if the gentleman would tell us what the effect of that motion will be.



I suggest that the members listen attentively, because we have not reviewed this at all.

The SPEAKER pro tempore. The Chair recognizes Mr. Saloom.

Mr. SALOOM. Mr. Speaker, if a question was asked of me, of course, I did not hear it. However, by reverting to the previous printer's number, it would take the hotel section out of the bill. The hotel section in the bill meant that any hotel with a liquor license that had 10 rooms or less could transfer that license from a hotel license to a tavern license. It seemed as though that portion of the bill was a controversial portion, and we would like to take it out, the amendment that was placed in in committee, and take it up with additional legislation sometime in the future. That would allow the bill to then be considered which would deal with beer distributors and tavern licenses. The quota for those new licenses would be increased, and they would be doubled. In the distributor's license where you would have a malt beverage distributor or a beer distributor in a county, it would raise it from 1 per 15,000 to 1 per 30,000, and in municipalities with "R" licenses, the population would be raised from 2,000 to 3,000.

That would be, then, the extent of the bill.

The SPEAKER pro tempore. The Chair thanks the gentleman and now recognizes the lady from Allegheny, Mrs. Farmer.

Mrs. FARMER. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support Mr. Saloom's motion to revert to the prior printer's number. It had been my intent to offer amendments to the bill as it is on the calendar, but with this motion I find it unnecessary to offer those amendments.

I urge everyone to vote on behalf of the motion.

The SPEAKER pro tempore. Those in favor of the motion to revert to printer's number 3058 will vote "aye"; those opposed, "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—196

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashingier	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roebuck
Barley	Fargo	Lescovitz	Ryan
Belardi	Farmer	Levdansky	Rybak
Belfanti	Fee	Linton	Saloom
Billow	Fleagle	Lloyd	Saurman
Birmelin	Flick	Lucyk	Scheetz
Bishop	Foster	McCall	Schuler
Black	Fox	McHale	Scrimenti
Blaum	Freeman	McNally	Semmel
Bortner	Freind	McVerry	Serafini
Bowley	Gallen	Maiale	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayernik	Staback
Burd	Gigliotti	Melio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Michlovic	Stish
Caltagirone	Gruitza	Micozzie	Strittmatter
Cappabianca	Gruppo	Mihalich	Stuban

Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonic	Telek
Civera	Hayes	Murphy	Thomas
Clark, B. D.	Heckler	Nahill	Tigue
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Clymer	Hess	O'Brien	Van Horne
Cohen	Howlett	Olasz	Veon
Colafiglia	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Pesci	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pressmann	Wright, D. R.
Daley	Kasunic	Preston	Wright, J. L.
Davies	Kenney	Raymond	Yandrisevits
Dempsey	Kondrich	Reber	
Dietterick	Kosinski	Reinard	O'Donnell,
Distler	Kukovich	Richardson	Speaker
Dombrowski	LaGrotta		

NAYS—0

NOT VOTING—0

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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

On the question recurring,

Will the House agree to the bill on third consideration?

BILL PASSED OVER

The SPEAKER pro tempore. Without objection, this bill will go over for today. The Chair hears none.

\* \* \*

The House proceeded to third consideration of **HB 713, PN 3617**, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," further providing for complaints when officers fail or neglect to perform their duties; and making an editorial change.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—195

Acosta	Dorr	Langtry	Rieger
Adolph	Durham	Lashingier	Ritter
Allen	Evans	Laughlin	Robbins
Angstadt	Fairchild	Lee	Robinson
Argall	Fargo	Leh	Roebuck
Barley	Farmer	Lescovitz	Ryan

Belardi	Fee	Levdansky	Rybak
Belfanti	Fleagle	Linton	Saloom
Billow	Flick	Lloyd	Saurman
Birmelin	Foster	Lucyk	Scheetz
Bishop	Fox	McCall	Schuler
Black	Freeman	McHale	Scrimenti
Blaum	Freind	McNally	Semmel
Bortner	Gallen	McVerry	Serafini
Bowley	Gamble	Maiale	Smith, B.
Boyes	Gannon	Maine	Smith, S. H.
Brandt	Geist	Markosek	Snyder, D. W.
Broujos	George	Marsico	Snyder, G.
Bunt	Gigliotti	Staback	Stairs
Burd	Gladeck	Melio	Steighner
Burns	Godshall	Merry	Stish
Bush	Gruitza	Michlovic	Strittmatter
Caltagirone	Gruppo	Micozzie	Stuban
Cappabianca	Hagarty	Mihalich	Tangretti
Carlson	Haluska	Miller	Taylor, E. Z.
Carn	Harper	Moehlmann	Taylor, F.
Cawley	Hasay	Morris	Taylor, J.
Cessar	Hayden	Mowery	Telek
Chadwick	Hayes	Mrkonic	Thomas
Civera	Heckler	Murphy	Tigue
Clark, B. D.	Herman	Nahill	Trello
Clark, D. F.	Hershey	Nailor	Trich
Clark, J. H.	Hess	Noye	Van Horne
Clymer	Howlett	O'Brien	Veon
Cohen	Hughes	Olasz	Vron
Colafella	Itkin	Oliver	Wambach
Colaizzo	Jackson	Perzel	Wass
Cole	Jadlowiec	Pesci	Weston
Cornell	James	Petrone	Williams
Corrigan	Jarolin	Phillips	Wilson
Cowell	Johnson	Piccola	Wogan
Coy	Josephs	Pievsky	Wozniak
DeLuca	Kaiser	Pistella	Wright, D. R.
DeWeese	Kasunic	Pressmann	Wright, J. L.
Daley	Kenney	Preston	Yandrisevits
Davies	Kondrich	Raymond	
Dietterick	Kosinski	Reber	
Distler	Kukovich	Reinard	O'Donnell,
Dombrowski	LaGrotta	Richardson	Speaker
Donatucci			

NAYS—0

NOT VOTING—1

Dempsey

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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

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

\* \* \*

The House proceeded to third consideration of **HB 2245, PN 2999**, entitled:

An Act amending the act of June 1, 1945 (P. L. 1242, No. 428), known as the "State Highway Law," providing that no bond shall be required as a condition for the issuance of surface opening permits to municipalities and municipality authorities.

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

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

Acosta	Donatucci	Langtry	Rieger
Adolph	Dorr	Lashinger	Ritter
Allen	Durham	Laughlin	Robbins
Angstadt	Evans	Lee	Robinson
Argall	Fairchild	Leh	Roeback
Barley	Fargo	Lescovitz	Ryan
Belardi	Farmer	Levdansky	Rybak
Belfanti	Fee	Linton	Saloom
Billow	Fleagle	Lloyd	Saurman
Birmelin	Flick	Lucyk	Scheetz
Bishop	Foster	McCall	Schuler
Black	Fox	McHale	Scrimenti
Blaum	Freeman	McNally	Semmel
Bortner	Freind	McVerry	Serafini
Bowley	Gallen	Maiale	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayermik	Staback
Burd	Gigliotti	Melio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Michlovic	Stish
Caltagirone	Gruitza	Micozzie	Strittmatter
Cappabianca	Gruppo	Mihalich	Stuban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonic	Telek
Civera	Hayes	Murphy	Thomas
Clark, B. D.	Heckler	Nahill	Tigue
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Clymer	Hess	O'Brien	Van Horne
Cohen	Howlett	Olasz	Veon
Colafella	Hughes	Oliver	Vron
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Pesci	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak
DeWeese	Kaiser	Pressmann	Wright, D. R.
Daley	Kasunic	Preston	Wright, J. L.
Davies	Kenney	Raymond	Yandrisevits
Dempsey	Kondrich	Reber	
Dietterick	Kosinski	Reinard	O'Donnell,
Distler	Kukovich	Richardson	Speaker
Dombrowski	LaGrotta		

NAYS—0

NOT VOTING—0

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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

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

\* \* \*

The House proceeded to third consideration of **HB 2066, PN 3610**, entitled:

An Act authorizing the Department of General Services, with the approval of the Governor, to sell and convey a tract of land and a right-of-way situate in Canaan Township, Wayne County, Pennsylvania.

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

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

The question is, shall the bill pass finally?

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

YEAS—196

- |              |           |            |               |
|--------------|-----------|------------|---------------|
| Acosta       | Donatucci | Langtry    | Rieger        |
| Adolph       | Dorr      | Lashingier | Ritter        |
| Allen        | Durham    | Laughlin   | Robbins       |
| Angstadt     | Evans     | Lee        | Robinson      |
| Argall       | Fairchild | Leh        | Roebuck       |
| Barley       | Fargo     | Lescovitz  | Ryan          |
| Belardi      | Farmer    | Levdansky  | Rybak         |
| Belfanti     | Fee       | Linton     | Saloom        |
| Billow       | Fleagle   | Lloyd      | Saurman       |
| Birmelin     | Flick     | Lucyk      | Scheetz       |
| Bishop       | Foster    | McCall     | Schuler       |
| Black        | Fox       | McHale     | Scriminti     |
| Blaum        | Freeman   | McNally    | Semmel        |
| Bortner      | Freind    | McVerry    | Serafini      |
| Bowley       | Gallen    | Maiale     | Smith, B.     |
| Boyes        | Gamble    | Maine      | Smith, S. H.  |
| Brandt       | Gannon    | Markosek   | Snyder, D. W. |
| Broujos      | Geist     | Marsico    | Snyder, G.    |
| Bunt         | George    | Mayernik   | Staback       |
| Burd         | Gigliotti | Melio      | Stairs        |
| Burns        | Gladeck   | Merry      | Steighner     |
| Bush         | Godshall  | Michlovic  | Stish         |
| Caltagirone  | Gruitza   | Micozzie   | Strittmatter  |
| Cappabianca  | Gruppo    | Mihalich   | Stuban        |
| Carlson      | Hagarty   | Miller     | Tangretti     |
| Carn         | Haluska   | Moehlmann  | Taylor, E. Z. |
| Cawley       | Harper    | Morris     | Taylor, F.    |
| Cessar       | Hasay     | Mowery     | Taylor, J.    |
| Chadwick     | Hayden    | Mrkonic    | Telek         |
| Civera       | Hayes     | Murphy     | Thomas        |
| Clark, B. D. | Heckler   | Nahill     | Tigue         |
| Clark, D. F. | Herman    | Nailor     | Trello        |
| Clark, J. H. | Hershey   | Noye       | Trich         |
| Clymer       | Hess      | O'Brien    | Van Horne     |
| Cohen        | Howlett   | Olasz      | Veon          |
| Colafiglia   | Hughes    | Oliver     | Vroon         |
| Colaizzo     | Itkin     | Perzel     | Wambach       |
| Cole         | Jackson   | Pesci      | Wass          |
| Cornell      | Jadlowiec | Petrone    | Weston        |
| Corrigan     | James     | Phillips   | Williams      |
| Cowell       | Jarolin   | Piccola    | Wilson        |
| Coy          | Johnson   | Pievsky    | Wogan         |
| DeLuca       | Josephs   | Pistella   | Wozniak       |
| DeWeese      | Kaiser    | Pressmann  | Wright, D. R. |
| Daley        | Kasunic   | Preston    | Wright, J. L. |
| Davies       | Kenney    | Raymond    | Yandrisevits  |
| Dempsey      | Kondrich  | Reber      |               |
| Dietterick   | Kosinski  | Reinard    | O'Donnell,    |

Distler  
Dombrowski

Kukovich  
LaGrotta

Richardson

Speaker

NAYS—0

NOT VOTING—0

EXCUSED—6

Battisto  
Dininni

Petrarca  
Pitts

Rudy

Wright, R. C.

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

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

\* \* \*

The House proceeded to third consideration of **HB 1950, PN 2527**, entitled:

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

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

Mr. **WOZNAK** offered the following amendments No. **A2080**:

Amend Title, page 1, line 2, by inserting after "providing"  
for revocation or suspension of operating privilege;  
and

Amend Bill, page 1, by inserting between lines 4 and 5  
Section 1. Section 1532(a) and (b)(1) and (3) of Title 75 of the Pennsylvania Consolidated Statutes, amended May 30, 1990 (P.L.173, No.42), are amended to read:

§ 1532. Revocation or suspension of operating privilege.  
(a) Revocation.—The department shall revoke the operating privilege of any driver for one year upon receiving a certified record of the driver's conviction of[,] or an adjudication of delinquency [or consent decree] based on any of the following offenses:

(1) Any felony in the commission of which a court determines that a vehicle was essentially involved.

(2) Any violation of section 3735 (relating to homicide by vehicle while driving under influence).

(3) Any violation of the following provisions:  
Section 3732 (relating to homicide by vehicle).  
Section 3742 (relating to accidents involving death or personal injury).

Section 7102(b) (relating to removal or falsification of identification number).

Section 7103(b) (relating to dealing in vehicles with removed or falsified numbers).

Section 7111 (relating to dealing in titles and plates for stolen vehicles).

Section 7121 (relating to false application for certificate of title or registration).

Section 7122 (relating to altered, forged or counterfeit documents and plates).

(b) Suspension.—

(1) The department shall suspend the operating privilege of any driver for six months upon receiving a certified record of the driver's conviction of[,] or an adjudication of delinquency [or consent decree] based on any offense under the following provisions:

Section 3367 (relating to racing on highways).  
 Section 3733 (relating to fleeing or attempting to elude police officer).  
 Section 3734 (relating to driving without lights to avoid identification or arrest).  
 Section 3736 (relating to reckless driving).  
 Section 3743 (relating to accidents involving damage to attended vehicle or property).

\*\*\*

(3) The department shall suspend the operating privilege of any driver for 12 months upon receiving a certified record of the driver's conviction of section 3731 (relating to driving under influence of alcohol or controlled substance) or an adjudication of delinquency [or consent decree] based on section 3731. The department shall suspend the operating privilege of any driver for six months upon receiving a certified record of a consent decree granted under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) based on section 3731.

\*\*\*

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 5 and 6, by striking out "of the Pennsylvania Consolidated Statutes"

Amend Bill, page 1, line 16, by striking out all of said line and inserting

Section 3. This act shall take effect as follows:

(1) Section 1 (section 1532) shall take effect on November 1, 1990.

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

On the question,

Will the House agree to the amendments?

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

Mr. WOZNIAK. Thank you, Mr. Speaker.

This is a cleanup bill, and this is an amendment that has been agreed to by the Juvenile Court Judges' Commission and the Department of Transportation.

Basically what it does, it cleans up the CDL (commercial driver's license) legislation. It removes the authority of PennDOT to suspend or revoke a license of a juvenile offender for the enumerated offenses that are in the amendment if that juvenile offender has been placed under a consent decree by a juvenile court. Basically what a consent decree to a juvenile court is equal to is ARD (accelerated rehabilitative disposition) for an adult, and it is just cleaning up that legislation that we passed earlier this year.

Thank you, Mr. Speaker. I would appreciate an affirmative vote for the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

Acosta	Dombrowski	Kukovich	Richardson
Adolph	Donatucci	LaGrotta	Rieger
Allen	Dorr	Langtry	Ritter
Angstadt	Durham	Lashingner	Robbins
Argall	Evans	Laughlin	Robinson
Barley	Fairchild	Lee	Roebuck
Belardi	Fargo	Leh	Rybak
Belfanti	Farmer	Lescovitz	Saloom

Billow	Fee	Lvdansky	Saurman
Birmelin	Fleagle	Linton	Scheetz
Bishop	Flick	Lloyd	Schuler
Black	Foster	Lucyk	Scrimenti
Blaum	Fox	McCall	Semmel
Bortner	Freeman	McHale	Serafini
Bowley	Freind	McNally	Smith, B.
Boyes	Gallen	McVerry	Smith, S. H.
Brandt	Gamble	Maiale	Snyder, D. W.
Broujos	Gannon	Maine	Snyder, G.
Bunt	Geist	Markosek	Staback
Burd	George	Marsico	Stairs
Burns	Gigliotti	Mayernik	Steighner
Bush	Gladeck	Melio	Stish
Caltagirone	Godshall	Merry	Strittmatter
Cappabianca	Gruitza	Michlovic	Stuban
Carlson	Gruppo	Micozzie	Tangretti
Carn	Hagarty	Mihalich	Taylor, E. Z.
Haluska	Miller	Miller	Taylor, F.
Cessar	Harper	Moehlmann	Taylor, J.
Chadwick	Hasay	Morris	Telek
Civera	Hayden	Mowery	Thomas
Clark, B. D.	Hayes	Mrkonic	Tigue
Clark, D. F.	Heckler	Murphy	Trello
Clark, J. H.	Herman	Nahill	Trich
Clymer	Hershey	Nailor	Van Horne
Cohen	Hess	Noye	Veon
Colafella	Howlett	O'Brien	Vroon
Colaizzo	Hughes	Olasz	Wambach
Cole	Itkin	Oliver	Wass
Cornell	Jackson	Perzel	Weston
Corrigan	Jadlowiec	Pesci	Williams
Cowell	James	Petrone	Wilson
Coy	Jarolin	Phillips	Wogan
DeLuca	Johnson	Piccola	Wozniak
DeWeese	Josephs	Pievsky	Wright, D. R.
Daley	Kaiser	Pistella	Wright, J. L.
Davies	Kasunic	Pressmann	Yandrisevits
Dempsey	Kenney	Preston	
Dietterick	Kondrich	Raymond	O'Donnell,
Distler	Kosinski	Reinard	Speaker

NAYS—2

Reber

Ryan

NOT VOTING—0

EXCUSED—6

Battisto  
Dininni

Petrarca  
Pitts

Rudy

Wright, R. C.

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. WOZNIAK offered the following amendments No. A2081:

Amend Title, page 1, line 2, by inserting after "providing" for when lighted head lamps are required; and

Amend Sec. 1, page 1, line 5, by striking out "Section 6501" and inserting

Sections 4302 and 6501(a)

Amend Sec. 1, page 1, line 6, by striking out "is" and inserting  
are

Amend Sec. 1, page 1, by inserting between lines 6 and 7 § 4302. [Period] Periods for requiring lighted lamps.

[Every vehicle upon a highway at any time between sunset and sunrise and at any other time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the

highway are not clearly discernible from a distance of 1000 feet ahead shall display lighted head and other lamps and illuminating devices as required under this chapter for different classes of vehicles, subject to exceptions with respect to parked vehicles. Stop lights, turn signals and other signaling devices shall be lighted as prescribed in this title.]

(a) General rule.—The driver of a vehicle upon a highway shall display the lighted head lamps and other lamps and illuminating devices required under this chapter for different classes of vehicles, subject to exceptions with respect to parked vehicles, at the following times:

(1) Between sunset and sunrise.

(2) Any time when, due to insufficient light or unfavorable atmospheric conditions, including rain, snow, sleet, hail, fog, smoke or smog, persons and vehicles on the highway are not clearly discernible for a distance of 1,000 feet ahead or the visibility of the vehicle to others is impaired.

(b) Signal lights.—Stop lights, turn signals and other signaling devices shall be lighted as prescribed in this title.

Amend Sec. 1 (Sec. 6501), page 1, lines 13 through 15, by striking out all of said lines and inserting

\* \* \*

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

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

Mr. WOZNIAK. Thank you, Mr. Speaker.

Yesterday I tried to raise the speed limit; today I want to do something to make the roads safer for Pennsylvanians in their travels. It is the issue dealing with the headlights on during inclement weather.

We passed it through this House a number of months ago quite substantially. It is the same amendment as it was the bill earlier, and I would appreciate an affirmative vote, the same as you gave me that last time around. Thank you very much.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, would the gentleman, Mr. Wozniak, consent to interrogation?

Mr. WOZNIAK. A short one, yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman from Cambria consents to being interrogated. The gentleman from Somerset may proceed.

Mr. LLOYD. Mr. Speaker, after the last time we considered this, there were a number of newspaper articles in which some members were highly critical of this amendment. I had opposed your original proposal which had been to require that every time you had the windshield wipers on, you pulled the stop lights, and I had thought that this amendment was a reasonable thing to do. But then I read some statements attributed to other members of the House, and I am concerned just exactly how far this goes.

If it is raining, does this amendment require me to turn on my headlights every time it rains?

Mr. WOZNIAK. Every time it rains in the sense that vision is impaired up to 1,000 feet. So we are not talking about maybe a couple drops. No, that is not the intention of this legislation - for a summer storm and there is a cloud overhead and a couple drops come down on your head.

Mr. LLOYD. So how does this really change the existing law, because the existing law says you have to turn on your headlights when you cannot be seen for a certain distance. How is this different from that?

Mr. WOZNIAK. I do not think the existing law is being enforced, and I also do not believe the existing law is as accurate when it comes down to drizzle, sleet, snow, and the other provisions that are outlined in this.

Mr. LLOYD. But this would not require me to turn on my headlights if it is snowing or if it is raining unless I could not be seen 1,000 feet away.

Mr. WOZNIAK. I think I have written in there 1,000 feet.

Mr. LLOYD. Fine. Thank you.

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

The following roll call was recorded:

YEAS—185

Acosta	Distler	Kosinski	Robinson
Adolph	Dombrowski	Kukovich	Roebuck
Allen	Donatucci	LaGrotta	Ryan
Angstadt	Dorr	Lashingier	Rybak
Argall	Durham	Laughlin	Saloom
Barley	Evans	Lee	Saurman
Belardi	Fairchild	Leh	Scheetz
Belfanti	Fargo	Lescovitz	Schuler
Billow	Farmer	Linton	Scrimenti
Birmelin	Fee	Lloyd	Semmel
Bishop	Fleagle	Lucyk	Serafini
Black	Flick	McCall	Smith, B.
Blaum	Foster	McHale	Smith, S. H.
Bortner	Fox	McVerry	Snyder, D. W.
Bowley	Freeman	Maiale	Snyder, G.
Brandt	Freind	Maine	Staback
Broujos	Gallen	Markosek	Stairs
Bunt	Gamble	Marsico	Steighner
Burd	Gannon	Mayernik	Stish
Burns	Geist	Melio	Strittmatter
Bush	George	Merry	Suban
Caltagirone	Gigliotti	Micozzie	Tangretti
Cappabianca	Gladeck	Mihalich	Taylor, E. Z.
Carlson	Godshall	Miller	Taylor, F.
Carn	Gruitza	Moehlmann	Taylor, J.
Cawley	Gruppo	Morris	Telek
Cessar	Hagarty	Mowery	Thomas
Chadwick	Haluska	Mrkonic	Tigue
Civera	Harper	Nahill	Trello
Clark, B. D.	Hayden	Nailor	Trich
Clark, D. F.	Hayes	Noye	Van Horne
Clark, J. H.	Heckler	O'Brien	Veon
Clymer	Herman	Olasz	Vroon
Cohen	Hershey	Perzel	Wambach
Colafella	Hess	Pesci	Wass
Colaizzo	Howlett	Petrone	Weston
Cole	Itkin	Phillips	Williams
Cornell	Jackson	Piccola	Wilson
Corrigan	Jadlowiec	Pievsky	Wogan
Cowell	James	Pistella	Wozniak
Coy	Jarolin	Pressmann	Wright, D. R.
DeLuca	Johnson	Raymond	Wright, J. L.
DeWeese	Josephs	Reber	Yandrisevits
Daley	Kaiser	Reinard	
Davis	Kasunic	Rieger	O'Donnell,
Dempsey	Kenney	Ritter	Speaker
Dieterick	Kondrich	Robbins	

NAYS—8

Boyes	Levdansky	Michlovic	Preston
Hasay	McNally	Murphy	Richardson

NOT VOTING—3

Hughes	Langtry	Oliver
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EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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?

Mr. McCALL offered the following amendments No. A2095:

Amend Title, page 1, line 2, by inserting after "providing" for exemptions of entities and vehicles from fees and

Amend Bill, page 1, lines 5 and 6, by striking out all of said lines and inserting

Section 1. Section 1901(b) of Title 75 of the Pennsylvania Consolidated Statutes is amended by adding a paragraph to read: § 1901. Exemption of entities and vehicles from fees.

\*\*\*

(b) Title and registration fees.—No fee shall be charged for titling or registration of any of the following:

\*\*\*

(5) Vehicles on loan or transferred to a nonprofit corporation by the United States Department of Defense or the United States General Services Administration and used for leasing to political subdivisions and State agencies.

\*\*\*

Section 2. Section 6501 of Title 75 is amended to read:

Amend Sec. 2, page 1, line 16, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

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

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, this is the amendment that the House passed yesterday to HB 1849. It amends section 1901 of the Vehicle Code to add language for an additional exemption from registration fees for an equipment bank formed in northeastern Pennsylvania.

I would urge its adoption.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—191

Acosta	Dombrowski	LaGrotta	Ritter
Adolph	Dorr	Langtry	Robbins
Allen	Durham	Lashinger	Robinson
Angstadt	Evans	Laughlin	Roebuck
Argall	Fairchild	Lee	Ryan
Barley	Fargo	Leh	Rybak
Belardi	Farmer	Lescovitz	Saloom
Belfanti	Fee	Levdansky	Saurman
Billow	Fleagle	Linton	Scheetz

Birmelin	Flick	Lloyd	Schuler
Bishop	Foster	Lucyk	Scrimenti
Black	Fox	McCall	Semmel
Blaum	Freeman	McHale	Serafini
Bortner	Freind	McNally	Smith, B.
Bowley	Gallen	McVerry	Smith, S. H.
Boyes	Gamble	Maine	Snyder, D. W.
Brandt	Gannon	Markosek	Snyder, G.
Broujos	Geist	Marsico	Staback
Bunt	George	Mayermik	Stairs
Burd	Gigliotti	Melio	Steighner
Burns	Gladeck	Merry	Stish
Bush	Godshall	Michlovic	Strittmatter
Caltagirone	Gruitza	Micozzie	Stuban
Cappabianca	Gruppo	Mihalich	Tangretti
Carlson	Hagarty	Miller	Taylor, E. Z.
Carn	Haluska	Moehlmann	Taylor, F.
Cawley	Hasay	Morris	Taylor, J.
Cessar	Hayden	Mowery	Telek
Chadwick	Hayes	Mrkonic	Thomas
Civera	Heckler	Murphy	Tigue
Clark, B. D.	Herman	Nahill	Trello
Clark, D. F.	Hershey	Nailor	Trich
Clark, J. H.	Hess	Noye	Van Horne
Clymer	Howlett	O'Brien	Veon
Cohen	Hughes	Olasz	Vroon
Colafella	Itkin	Perzel	Wambach
Colaizzo	Jackson	Pesci	Wass
Cole	Jadlowiec	Petrone	Weston
Cornell	James	Phillips	Williams
Corrigan	Jarolin	Piccola	Wilson
Cowell	Johnson	Pievsky	Wogan
Coy	Josephs	Pistella	Wozniak
DeLuca	Kaiser	Pressmann	Wright, D. R.
DeWeese	Kasunic	Preston	Wright, J. L.
Daley	Kenney	Raymond	Yandrisevits
Davies	Kondrich	Reber	
Dempsey	Kosinski	Reinard	O'Donnell,
Dietterick	Kukovich	Richardson	Speaker
Distler			

NAYS—0

NOT VOTING—5

Donatucci	Maiale	Oliver	Rieger
Harper			

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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?

AMENDMENT A2080 RECONSIDERED

The SPEAKER pro tempore. The Chair has in its possession a reconsideration motion that the vote by which amendment 2080 to HB 1950, PN 2527, was passed on this day be reconsidered, presented by Representatives Dorr and Bruce Smith.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—194

Acosta	Dombrowski	Kukovich	Rieger
Adolph	Donatucci	LaGrotta	Ritter
Allen	Dorr	Lashing	Robbins
Angstadt	Durham	Laughlin	Robinson
Argall	Evans	Lee	Roebuck
Barley	Fairchild	Leh	Ryan
Belardi	Fargo	Lescovitz	Rybak
Belfanti	Farmer	Levdansky	Saloom
Billow	Fee	Linton	Saurman
Birmelin	Fleagle	Lloyd	Scheetz
Bishop	Flick	Lucyk	Schuler
Black	Foster	McCall	Scrimenti
Blaum	Fox	McHale	Semmel
Bortner	Freeman	McNally	Serafini
Bowley	Freind	McVerry	Smith, B.
Boyes	Gallen	Maine	Smith, S. H.
Brandt	Gamble	Markosek	Snyder, D. W.
Broujos	Gannon	Marsico	Snyder, G.
Bunt	Geist	Mayernik	Staback
Burd	George	Melio	Stairs
Burns	Gigliotti	Merry	Steighner
Bush	Gladeck	Michlovic	Stish
Caltagirone	Godshall	Micozzie	Strittmatter
Cappabianca	Gruitza	Mihalich	Stuban
Carlson	Gruppo	Miller	Tangretti
Carn	Hagarty	Moehlmann	Taylor, E. Z.
Cawley	Haluska	Morris	Taylor, F.
Cessar	Harper	Mowery	Taylor, J.
Chadwick	Hasay	Mrkonic	Telek
Civera	Hayden	Murphy	Thomas
Clark, B. D.	Hayes	Nahill	Tigue
Clark, D. F.	Heckler	Nailor	Trello
Clark, J. H.	Herman	Noye	Trich
Clymer	Hershey	O'Brien	Van Horne
Cohen	Hess	Olasz	Veon
Colafrilla	Howlett	Oliver	Vroon
Colaizzo	Hughes	Perzel	Wambach
Cole	Itkin	Pesci	Wass
Cornell	Jackson	Petrone	Weston
Corrigan	Jadlowiec	Phillips	Williams
Cowell	James	Piccola	Wilson
Coy	Jarolin	Pievsky	Wogan
DeLuca	Johnson	Pistella	Wozniak
DeWeese	Josephs	Pressmann	Wright, D. R.
Daley	Kaiser	Preston	Wright, J. L.
Davies	Kasunic	Raymond	Yandrisevits
Dempsey	Kenney	Reber	
Dietterick	Kondrich	Reinard	O'Donnell,
Distler	Kosinski	Richardson	Speaker

NAYS—0

NOT VOTING—2

Langtry Maiale

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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. A2080:

Amend Title, page 1, line 2, by inserting after "providing" for revocation or suspension of operating privilege; and

Amend Bill, page 1, by inserting between lines 4 and 5

Section 1. Section 1532(a) and (b)(1) and (3) of Title 75 of the Pennsylvania Consolidated Statutes, amended May 30, 1990 (P.L.173, No.42), are amended to read:

§ 1532. Revocation or suspension of operating privilege.

(a) Revocation.—The department shall revoke the operating privilege of any driver for one year upon receiving a certified record of the driver's conviction of[,] or an adjudication of delinquency [or consent decree] based on any of the following offenses:

(1) Any felony in the commission of which a court determines that a vehicle was essentially involved.

(2) Any violation of section 3735 (relating to homicide by vehicle while driving under influence).

(3) Any violation of the following provisions:

Section 3732 (relating to homicide by vehicle).

Section 3742 (relating to accidents involving death or personal injury).

Section 7102(b) (relating to removal or falsification of identification number).

Section 7103(b) (relating to dealing in vehicles with removed or falsified numbers).

Section 7111 (relating to dealing in titles and plates for stolen vehicles).

Section 7121 (relating to false application for certificate of title or registration).

Section 7122 (relating to altered, forged or counterfeit documents and plates).

(b) Suspension.—

(1) The department shall suspend the operating privilege of any driver for six months upon receiving a certified record of the driver's conviction of[,] or an adjudication of delinquency [or consent decree] based on any offense under the following provisions:

Section 3367 (relating to racing on highways).

Section 3733 (relating to fleeing or attempting to elude police officer).

Section 3734 (relating to driving without lights to avoid identification or arrest).

Section 3736 (relating to reckless driving).

Section 3743 (relating to accidents involving damage to attended vehicle or property).

\*\*\*

(3) The department shall suspend the operating privilege of any driver for 12 months upon receiving a certified record of the driver's conviction of section 3731 (relating to driving under influence of alcohol or controlled substance) or an adjudication of delinquency [or consent decree] based on section 3731. The department shall suspend the operating privilege of any driver for six months upon receiving a certified record of a consent decree granted under 42 Pa.C.S. Ch. 63 (relating to juvenile matters) based on section 3731.

\*\*\*

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

2

Amend Sec. 1, page 1, lines 5 and 6, by striking out "of the Pennsylvania Consolidated Statutes"

Amend Bill, page 1, line 16, by striking out all of said line and inserting

Section 3. This act shall take effect as follows:

(1) Section 1 (section 1532) shall take effect on November 1, 1990.

(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 pro tempore. On that question, the Chair now recognizes the gentleman from Cambria, Mr. Wozniak.

Mr. WOZNIAK. I do not know who asked for the reconsideration, but I would ask for the same affirmative vote that I received last time.

Once again, this is an amendment that was requested from the administration. It went through the Juvenile Judges' Commission and the Department of Transportation. Its language, from my understanding, is cleanup. Its intention is to create the same effect as ARD is in adult population to juvenile offenders - 18 and under. That keeps it in focus with the rest of the intention of State legislation.

I was running this as an opportunity so that the consent decrees that are incurred by juvenile court are treated the same as ARD is treated in adult court. Thank you, Mr. Speaker. Except for the issue of DUI (driving under the influence).

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair now recognizes the gentleman from Huntingdon, the minority whip, the gentleman, Mr. Hayes.

Mr. HAYES. Thank you, Mr. Speaker.

I wonder if the gentleman, Mr. Wozniak, would state whether or not this changes the loss of operating privileges from 12 months to 6 months for those juveniles he just made reference to.

Mr. WOZNIAK. Could you repeat that question?

Mr. HAYES. Yes, sir.

Mr. Speaker, would you indicate whether or not this amendment has the effect of reducing the driving-under-the-influence-of-alcohol penalty for juveniles from 12 months to 6 months?

Mr. WOZNIAK. It looks to me like this amendment says 6 months instead of 12.

Mr. HAYES. I would call the members' attention to that fact, Mr. Speaker. The gentleman just said that this would change the penalty for driving under the influence, in the case of juveniles, from 12 months to 6 months.

Mr. WOZNIAK. Can I talk with my counsel just a moment, Mr. Speaker?

The SPEAKER pro tempore. The House will stand at ease.

#### BILL PASSED OVER TEMPORARILY

The SPEAKER pro tempore. Without objection, HB 1950 will go over temporarily. The Chair hears no objection.

#### RESOLUTIONS

Mr. RICHARDSON called up **HR 328, PN 3653**, entitled:

Directing the Health and Welfare Committee to investigate the operation of the Rosalie G. Handler Center, Dauphin County.

On the question,

Will the House adopt the resolution?

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Thank you, Mr. Speaker.

I rise in support of this resolution. While this resolution may set a precedent for a State House committee investigating

what is in essence a local situation, I think that because of the interest of the chairman of the committee and because of the terrible things that are occurring within that agency, that this investigation should take place.

I would like, first of all, to advise the House exactly what the Rosalie G. Handler Center is. The Rosalie G. Handler Center is a private nonprofit corporation. It is run by a private board of directors. It is not, and I repeat, not an institution of Dauphin County government, and it is not a public institution in any sense. It is a private corporation which provides certain mental health and mental retardation services under a contract with Dauphin County.

Specifically at issue is providing for the county MH/MR program certain case management services. The contract under which they are currently operating expires on June 30, 1990, later this month.

A little brief history about the Rosalie G. Handler Center. It was originally established at the request of the county back in 1971 to serve as a base unit for northern Dauphin County MH/MR services. In 1981 the case management for all of Dauphin County was consolidated into the Handler Center under the contract, and everything went very, very well from 1971 up until January of 1989, and in January of 1989, that private board of directors that I referred to brought to the agency, the Handler Center, the new executive director, one Rosemary Madl. Immediately following Ms. Madl's ascension to that office, severe problems began to develop with the services being rendered by the Handler Center.

From the summer of 1989 until the present time, 15 highly skilled and experienced supervisory and program staff were either terminated or voluntarily left the agency, severely crippling the agency. Now, when I say "agency," I am referring to the Handler Center, the private nonprofit organization, and I am bringing all this up because I hope that the committee will be looking into this when they conduct their investigation, which, as I understand it, is already scheduled to begin next Wednesday. These 15 highly experienced employees and very qualified employees—

Mr. WAMBACH. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Wambach. For what purpose does the gentleman rise?

Mr. WAMBACH. Mr. Speaker, I rise because I think the gentleman is going far afield of the resolution in the explanation of the background for it for the members. I think it suffices it to say that the gentleman does support the resolution and in fact that the Health and Welfare Committee look into the situation that seems to have exacerbated here in Dauphin County between the provider, the Rosalie Handler Center, and the county. I think it gives a forum for both groups to come forward, for them to sit down before the Health and Welfare Committee to do that. And if Mr. Piccola would like to offer his remarks at the hearing, I think that would be appropriate, but not to belabor the House based on the authorization that we are going to give the Health and Welfare Committee. I think those remarks can be saved for a later time, and I do not think they are germane at the moment.



The SPEAKER pro tempore. The gentleman, Mr. Piccola, should confine his remarks to the issue on the floor, which is the adoption of the resolution. If the gentleman wishes to offer supplementary remarks, I would suggest that he offer them under unanimous consent.

The gentleman may proceed.

Mr. PICCOLA. Thank you, Mr. Speaker.

It is my understanding that the resolution, and I would read the resolution, calls for the investigation of problems that have developed in the operation of the Handler Center, and I am merely leading up to developing what some of those problems are for the benefit of the committee when the investigation starts. I consider these remarks entirely germane and would be very personally offended if the House attempted to cut my remarks off on this resolution. I think they are exactly on point. I will continue.

The problems that developed at the Handler Center in the operation involve the termination of these employees or the quitting of these employees, and they included two licensed psychologists, three case management supervisors, an MH/MR counselor, three outpatient psychiatrists—

The SPEAKER pro tempore. Will the gentleman suspend?

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

Mr. WAMBACH. Mr. Speaker, I think the resolution authorizes and directs the Health and Welfare Committee to do this investigation and not necessarily Representative Piccola to be offering his remarks that should be offered before the committee. I think it suffices it to say that there is a problem locally in Dauphin County with the county itself and the provider group, the Rosalie Handler Center, and I think that is sufficient in regard to the fact that the problem, like I said, has grown beyond the point that it needs a fair hearing. And Mr. Piccola freely admits, Mr. Speaker, that the resolution does direct a committee, and I think he should direct his remarks to the committee at the appropriate time, Mr. Speaker.

The SPEAKER pro tempore. The Chair will rule that the gentleman, Mr. Piccola, is in order; his remarks are germane, and he may proceed.

Mr. RYAN. Mr. Speaker?

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

Mr. RYAN. Just a reminder to those who are following this: It does not appear on the resolution, but in the Rules Committee the last sentence was stricken with one of my amendments.

Mr. PICCOLA. Thank you, Mr. Speaker, I think.

Another problem, though, which has developed with the operation of the Handler Center is that from April of 1989 until the present day, the average waiting period for clients needing evaluation—and these are mental health and mental retardation clients—that need evaluation for treatment and counseling and all the other things that are supposed to be provided, in April of 1989 the average waiting period was 2 to 3 weeks; today it is 6 to 8 weeks for people that are suffering from mental health and mental retardation problems.

Another problem that has developed with the center is new staff has been hired at the center without the prior approval of the county administrator, which is required by DPW (Department of Public Welfare) regulations.

Generally speaking, there has been an adversarial attitude developed by the Handler Center toward the county MH/MR program to the point now that they are in litigation in the court of common pleas of Dauphin County. In fact, the county, because of the problems that developed, decided earlier this year that they were going to put out what is called a request for proposal for the case management portion of the contract and to put that aspect of the contract out on bid so that some other health care provider could provide that service. That is a \$1.5-million item of county, State, and Federal tax dollars. That proposal was in keeping with Department of Welfare regulations, which say that case management should not be handled by the same provider as other direct services, and the Handler Center also provides, in addition to the case management, other services such as partial hospitalization under another contract. The county requested that the Handler Center cooperate in the orderly transfer at the expiration of the contract of the case management function and in fact requested their assistance in developing the RFP and in setting forth the guidelines so that the minimum amount of trauma would take place with respect to the clients who are being served.

It is interesting to note what Handler's board of directors responded, and I would submit this for the record: a letter from the Handler Center president of the board of directors, Ronald Kirby, to the Dauphin County director of Human Services.

The Rosalie G. Handler Center Board of Directors has reviewed your statement of proposed reorganization. Please be advised that the Rosalie G. Handler Board of Directors rejects your proposal as it is not in the best interest of the Dauphin County citizens.

Now, this is a private board of directors' president telling the elected and appointed officials of Dauphin County what is in the best interest of the citizens of Dauphin County. How arrogant. How arrogant. That is another one of the problems that has developed at the Handler Center.

### POINT OF ORDER

Mr. RICHARDSON. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson. For what purpose does the gentleman rise?

Mr. RICHARDSON. Mr. Speaker, on a point of order.

The SPEAKER pro tempore. The gentleman may state his point of order.

Mr. RICHARDSON. Mr. Speaker, if the House Health and Welfare Committee is being directed to investigate this matter, why are we doing the investigation on the floor now? It seems to me that if it is our responsibility to take into account all the things that are being said by the gentleman,

Mr. Piccola, then it would seem to me that he would want to submit all of that information to the committee for its deliberations and whatever other hearings that we are going to have on this matter, and I would like the Chair to rule.

The SPEAKER pro tempore. The Chair is sympathetic to the gentleman from Philadelphia. Obviously, most of the members on the floor today are also sympathetic with the gentleman. However, the gentleman, Mr. Piccola, is in order. He is discussing the possibility of investigating this center and is directly dealing with the information contained in the resolution.

Therefore, the gentleman is in order, and the Speaker would advise the gentleman that the House is getting somewhat impatient, but he may proceed.

Mr. PICCOLA. Thank you, Mr. Speaker, and I do apologize to the House, but I feel that this issue was brought to the House not by myself, and I feel the record must be set straight as to why this investigation should go forward, and I would think that the gentleman, Mr. Richardson, would be anxious to have this information to assist him when he begins this investigation.

On May 8 of this year, the county administrator requested the records of the Handler Center in order to facilitate the transfer of this function, and on May 21 Ms. Madl unilaterally refused the county access to any of the records that are in fact under the contract of property of the county. The county was forced to seek equitable relief in court, and there will be a hearing on that request for equitable relief to get access to the records this coming Friday.

But it is more than simply a contractual dispute. I have developed some information—and I hope to be able to provide it to the committee at some point in time—that indicates that the administration of the Handler Center, its board of directors, is rotten to the core, is rotten to the core, Mr. Speaker. And why do I say that? Well, I am in possession of some signed statements from current and former employees of the center—

### MOTION FOR PREVIOUS QUESTION

Mr. LINTON. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Linton. For what purpose does the gentleman rise?

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

I would like to know if I am in order to move for the previous question, Mr. Speaker.

The SPEAKER pro tempore. The gentleman is in order and may make such a motion.

Mr. LINTON. Thank you, Mr. Speaker.

I would like to move for the previous question.

The SPEAKER pro tempore. The gentleman from Philadelphia has called the previous question, which will require to be seconded by 20 members standing at their place. Those members who wish to support the gentleman in moving the previous question will so stand at this time: Thomas, Billow,

Bishop, Mihalich, Harper, Linton, James, Acosta, Wambach, Tangretti, Richardson, Pistella, Preston, Evans, Rieger, Oliver, Donatucci, Williams, LaGrotta. Nineteen members have seconded the gentleman from Philadelphia's motion. Colafella. Twenty members have seconded the gentleman from Philadelphia's motion to call the previous question.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. On the question, the Chair recognizes the minority leader, Mr. Ryan.

Mr. RYAN. You know, Mr. Speaker, these past several months have been somewhat enlightening. Every time you get a little tired of hearing the truth, we move the previous question. The days of debate evidently are over. Mr. Linton does not think that Mr. Piccola should continue to debate, so with the advantage of two or three extra members, we are going to stop debate; we are going to move the previous question.

Now, there are many people in this hall who have been here for many, many years and who have not seen motions to move the previous question the way we have seen it in the past 6 months or the past year. We have done it, and I have been part of it before, but we did it after 4, 5, 6, 7, 8 hours of filibustering, where there was absolutely an abuse of the system, an abuse of the right to debate. There has been no such abuse here today. This is a resolution introduced by Mr. Richardson and Mr. Wambach, being debated by Mr. Piccola, about a nursing home which, I believe, is in Dauphin County, Mr. Piccola's county, not Mr. Linton's county, and he wants to debate it and find out things, put things on the record.

Now, out of a sense of fairness, I am asking that the members on the other side join with us and vote this down. Otherwise, the controversies that are going to arise are going to be numerous and bad feelings are going to go throughout this House. It is not right, and I would really appreciate it, Mr. Linton, if you would withdraw your motion.

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

I would like to respond to—

The SPEAKER pro tempore. The gentleman is out of order. This is a nondebatable motion. Only the two floor leaders may respond.

### THE SPEAKER (ROBERT W. O'DONNELL) PRESIDING

The SPEAKER. The Chair thanks the gentleman, Mr. Itkin, for presiding.

The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, the gentleman from Philadelphia, Mr. Linton, is willing to withdraw the motion if the gentleman from Dauphin will confine his observations and remarks to the resolution at hand, rather than getting involved in the matter to the degree that it should be delved into by the committee. I would say that it would be appropriate for the gentleman, Mr. Piccola, to chat with the gentle-

man, Mr. Carmen Brutto, after the debate and then all of our tasks could be accomplished.

But the gentleman from Philadelphia is willing to withdraw his motion, and I would request that the Speaker consider the debate very, very narrowly as we proceed during the afternoon. Thank you.

The SPEAKER. For what purpose does the gentleman, Mr. Ryan, rise?

Mr. RYAN. I would not want a vote to be taken or Mr. Linton to withdraw his motion with an understanding that has not been agreed to. I do not know that Mr. Piccola agrees to narrow his debate along lines that are more narrow than is usually permitted. The Speaker of the House permitted the debate to go on. That is the way this House works, and they are the rules of the House. They should not be confined or expanded by any members with side deals. If he goes afar, then challenge it and let the Speaker rule on it.

The SPEAKER. The response to the Speaker's question apparently was the gentleman was seeking unanimous consent, which was granted. The Chair appreciates the advice of the majority and the minority leaders.

#### MOTION WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman, Mr. Linton, who withdraws his motion. Is that correct?

Mr. LINTON. That is correct, Mr. Speaker.

The SPEAKER. The gentleman is in order. The motion is withdrawn. The matter that is before the House is HR 328.

On the question recurring,

Will the House adopt the resolution?

The SPEAKER. The gentleman, Mr. Piccola, has the floor and may proceed.

Mr. PICCOLA. Thank you, Mr. Speaker.

In further developing the problems that have arisen at the Handler Center and in support of what I have said, I have in my possession voluntary signed statements from former and current employees of that center that support the allegations that I have made, and I at the appropriate time will see to it that the committee receives these, but for the purposes of the debate, I would like to summarize these for the House.

An employee here who was a therapist with the center voluntarily left under a supervisor who was a convicted drug dealer or involved in drug offenses. The drug offender—from other counties, he had convictions—was in charge of the dispensing of drugs, and he advised this individual to withhold information from the State inspector who came around to investigate relative to the licensing of the agency.

The SPEAKER. Will the gentleman suspend.

The gentleman's allegations are protected by the speech and debate clause but obviously may do significant damage to people outside this House.

Mr. PICCOLA. I have mentioned no names, Mr. Speaker.

The SPEAKER. The Chair would caution the gentleman in that regard and also indicate to the gentleman that the wording of this resolution does not make any specific reference to any of the matters that the gentleman is referring to.

So if the gentleman would, analogous to an offer of proof perhaps, indicate to the Chair the connection between his observations and the resolution.

Mr. PICCOLA. Mr. Speaker, I am developing from the resolution which says, "...questions have arisen regarding the operation of the Rosalie G. Handler Center;..." and I have information concerning those questions about that operation. I am not going to mention names and addresses.

The SPEAKER. Unfortunately, the Speaker was late getting to the Chair, and I am unaware, and I will check now with the Parliamentarian, about whether the questions referred to in the resolution are in any way, at this point, part of the record.

Will the gentleman suspend.

The Chair would caution the gentleman, there is nothing in the record, on the advice of the Parliamentarian, that indicates what the questions are that are referred to in the first paragraph of this resolution.

Mr. PICCOLA. That is correct, Mr. Speaker, and I am trying to develop those questions to show you why the House should vote for this resolution. I am in favor of the resolution.

#### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman, Mr. Pistella, rise?

Mr. PISTELLA. Point of order, Mr. Speaker.

The SPEAKER. What is the gentleman's point of order?

Mr. PISTELLA. I raise the point of order in regards to the statements that Representative Piccola is making. It is my understanding, after having reviewed this resolution, that it is the responsibility of the Health and Welfare Committee to address those questions and not necessarily the responsibility of the House of Representatives.

The content of the resolution provides for the conduction of hearings, the administration of oaths, investigation into the questions that Representative Piccola is bringing up now. Would it then not appear to be appropriate that the debate is whether or not this in fact should be adopted versus the raising of the questions at this time, the exercise of the authority of the Health and Welfare Committee by the resolution, and then the subsequent addressing of those questions at a later time?

The SPEAKER. Will the gentleman consider withdrawing his point of order and framing it as a parliamentary inquiry?

Mr. PISTELLA. My parliamentary inquiry is, under the content then of the resolution, is it not appropriate, the way the resolution is drafted, that the points that Representative Piccola wishes to make now are in fact not considered to be relevant or germane to the discussion of the adoption of the resolution itself?

The SPEAKER. The gentleman, Mr. Piccola's observations, in the opinion of the Chair, are so far relevant inasmuch as he is apparently and about to tie them in to what questions have arisen regarding the Rosalie G. Handler

Center, and in the opinion of the Chair, the gentleman should continue and it would not be out of order at this point.

The gentleman may proceed.

Mr. PICCOLA. Thank you, Mr. Speaker.

Another problem which has developed at the center: The same employee whom I referred to earlier discovered stacks of fliers to be distributed to the clients calling for "Save the Handler Center," and the same employee heard clients being solicited by the staff to go speak to the Patriot-News to support Dr. Madl's administration of the center. Now, this, according to this employee, instills fear in the chronically mentally ill that their program is about to be destroyed. That is a major problem that has developed at this center.

The change in the billing practices of the center to DPW is another major concern that has developed, and an employee of that agency, who has since left the agency, indicated that the way the bills were prepared and sent changed - previously being submitted on diskette, now being submitted by hand - being less efficient, and the county and the agency are way behind in the collection.

Another employee who left and was a therapist at the center verified the increase in the workload for each therapist from 22 to 25 patients when this person first came to the center several years ago to over 40 at the time of the departure. This kind of problem hurts the patient, hurts the client.

Closing summaries for clients, Mr. Speaker, unilaterally altered by staff at the center. These are the kinds of problems that have been developed at the Rosalie Handler Center. Closing summaries and telling staff to change those summaries so as to deflect the reason for the termination of the client from the fault of the center to the fault of the client, and I happen to have a copy of one of them right here that shows it. This particular person refused to acquiesce in that and was told that if she did not, she was working out her own political agenda.

Another person currently employed at the center—another problem that has developed—also verifying the alteration of the closing summaries and being present at a meeting of the staff of the center, saying that they were not to speak to the county upon threat of losing their jobs. There has to be a working relationship between the staff of the center and the county to deliver these services properly. Another problem that has developed as a result of the Handler Center's mismanagement.

Another employee currently employed, involved with the personnel files. Prior to the onset of Ms. Madl, they were not to be reviewed for any purpose by anyone except with his knowledge. Now they are being routinely taken and dealt with.

Another current employee indicating that the caseload has dramatically increased since Ms. Madl came on board. Also, this particular person, currently employed, witnessed the removal of boxes just this spring from the offices of the administrative staff, including Ms. Madl. On at least 12 occasions she witnessed this.

Another employee currently on the staff of the center witnessed the destruction of records, the destruction of records, in the office of Ms. Madl. Papers were removed from the files - the clients' files - and destroyed. Possible criminal sanctions, and I hope the committee, when it gets this information, will come back to us with recommendations that will prevent these kinds of people from being involved in the mental health field in this Commonwealth. This person was also involved in the general staff meeting in which Mr. Kirby, the chairman of the board of directors, threatened all staff that if any of them had any further communication with the county administrator's office, they would no longer be there.

Again, another voluntary statement from a current employee indicating the increase in caseload and the delays that have occurred as a result of the changes in procedure, also saying that this person was required to rewrite closing summaries so that the blame for the removal of the client from the agency was to be put on the client and not on the agency, and also talking about a general atmosphere of poor morale and distrust among the employees generally. This is a major problem at the center.

That concludes my summary of the employees, Mr. Speaker, and I hope the Health and Welfare Committee gets to the bottom of all this.

Why do we want to get to the bottom of all this, Mr. Speaker? The reason is not for anybody's political agenda. Mental health and mental retardation, prior to this occurrence, never got involved in politics in Dauphin County, but it is now hurting the clients. That is the concern that the Health and Welfare Committee of this House and our county commissioners have about this: clients of this center being interviewed in Riverfront Park by the Patriot-News; people who are having mental health and mental retardation problems and the fear is being placed into them that their program is going to be discontinued and this kind of fear being generated by the agency that is supposed to be there to help them.

Hopefully, Mr. Speaker, this cancer on our mental health program in the county will be removed on the 30th of June, but I am hopeful that the Health and Welfare Committee will get to the bottom of this and make sure that the people who are involved in the administration of the Handler Center and who are involved in the board of directors of that center will not be permitted in this Commonwealth to deal with mental health and mental retardation, and that is why, Mr. Speaker, I support this resolution. Thank you.

#### LETTER SUBMITTED FOR THE RECORD

Mr. PICCOLA submitted the following letter for the Legislative Journal:

Rosalie G. Handler Center  
3600 Vartan Way  
Harrisburg, PA 17110

April 6, 1990

Ralph Moyer  
Director of Human Services  
Dauphin County Human Services Program  
25 South Front Street

Harrisburg, PA 17101-2025

Dear Mr. Moyer:

The Rosalie G. Handler Center Board of Directors has reviewed your statement of proposed reorganization. Please be advised that the Rosalie G. Handler Board of Directors rejects your proposal as it is not in the best interest of the Dauphin County citizens.

Sincerely,  
Ronald F. Kirby  
President

RFK/ca

The SPEAKER. The Chair recognizes Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HR 328.

Mr. Speaker, I will not ask the House to sit through a litany of things that I could bring to this floor and present a case on one side or the other. I think what we are doing here by asking the House to consider this resolution is to direct the Health and Welfare Committee to investigate that operation and in fact bring back to the House, basically, conclusions as a result of a fair and impartial investigation by the committee.

I think the Health and Welfare Committee, under Chairman Richardson, can do that. I ask in fact on behalf of the 4,000 MH/MR clients being served and provided by the Handler Center on a case management basis, that they be in fact given the light of day before the committee, and we can get on with the conclusion based on the investigation that will occur as a result of HR 328.

I join with Representative Piccola in seeking your support for the resolution. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Miller.

Mr. MILLER. I thank the Chair.

Not to prolong this; I just have a question. Would the prime sponsor or Representative Wambach submit to a brief interrogation question on the resolution?

The SPEAKER. The gentleman indicates he is willing to be interrogated. The gentleman may proceed.

Mr. MILLER. Thank you, Mr. Speaker. I appreciate the distinguished Health and Welfare chair standing for interrogation.

My question to the chair, Mr. Speaker, is, is this resolution confined only to the center in Dauphin County as herein named in the resolution, the Rosalie G. Handler Center?

Mr. RICHARDSON. Yes, it is, Mr. Speaker.

Mr. MILLER. I thank the gentleman for his clarification.

Thank you, Mr. Speaker. No further questions.

The SPEAKER. The Chair recognizes Mr. Merry.

Mr. MERRY. A point of personal privilege.

The SPEAKER. Will the gentleman indicate to the Chair his point of personal privilege.

Mr. MERRY. I would like to thank individuals for their comments in explaining this resolution.

You know, we were in a point of darkness on this resolution, and the issues and the rhetoric that went on here did a great deal in explaining the need for this resolution, and I do support it.

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

The Chair recognizes Mr. Leh.

Mr. LEH. Thank you, Mr. Speaker.

Mr. Speaker, forgive me; I will try to be as brief as I can.

Can anyone answer me, has this been a past practice here in this House that House committees have investigated private agencies or organizations?

The SPEAKER. There is no one springing to his feet to take the role of House historian. It would appear that such has been done, although it would also appear that it is not a common practice.

Mr. LEH. Okay.

The SPEAKER. We have a volunteer historian.

The gentleman, Mr. Cappabianca, is recognized.

Mr. CAPPABIANCA. I am not a historian, Mr. Speaker, but I might enlighten the House that there was a select committee that did study the ventures of certain nonprofit institutions in the Commonwealth, and I do not know if it relates particularly to this particular case, but there is certain precedent to investigate nonprofit organizations, yes.

Mr. LEH. Okay. Has that happened more than once? Has it been on a regular—

Mr. CAPPABIANCA. There were two consecutive resolutions, two House sessions, that continued the investigation of nonprofits.

Mr. LEH. Okay. Thank you, Mr. Speaker.

May I make a remark?

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

Mr. LEH. Thank you, Mr. Speaker.

However this may have been done before, I do not agree. I think this is not the responsibility of this House or of the committees of this House. We have agencies to do this. We have an Attorney General to do this. I think their offices were created to do that job and we should let them do it. I think in all honesty, if this is going to be future practice of these committees, I think we ought to take a real good look at where we may end up, and if it is going to be our practice to have such committees investigate such organizations, such as I am a member of the Consumer Affairs Committee, there would be nothing stopping us from going down and investigating the Acme. That may sound a little far out, but where is it all going to lead us? Very possibly, if we are going to continue in this fashion, we may as well just issue khaki shirts, armbands, and jackboots.

I stand against this type of resolution, and I stand against this type of practice in general. I am going to vote "no" on this resolution, Mr. Speaker. Thank you.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—181

Acosta	Dombrowski	LaGrotta	Roebuck
Adolph	Donatucci	Langtry	Ryan
Allen	Durham	Lashingner	Rybak
Angstadt	Evans	Laughlin	Saloom

Argall	Fargo	Lescovitz	Saurman
Barley	Farmer	Levdansky	Scheetz
Belardi	Fee	Linton	Schuler
Belfanti	Fleagle	Lloyd	Scrimenti
Birmelin	Flick	Lucyk	Semmel
Bishop	Foster	McCall	Serafini
Black	Fox	McHale	Smith, B.
Blaum	Freeman	McVerry	Smith, S. H.
Bortner	Freind	Maine	Snyder, D. W.
Bowley	Gallen	Markosek	Snyder, G.
Boyes	Gamble	Marsico	Staback
Brandt	Gannon	Mayernik	Stairs
Broujos	George	Melio	Steighner
Bunt	Gigliotti	Merry	Stish
Burd	Gladeck	Michlovic	Strittmatter
Burns	Godshall	Micozzie	Stuban
Bush	Gruitza	Mihalich	Tangretti
Caltagirone	Gruppo	Miller	Taylor, E. Z.
Cappabianca	Hagarty	Moehlmann	Taylor, F.
Carlson	Haluska	Morris	Taylor, J.
Carn	Harper	Mrkonic	Telek
Cawley	Hasay	Murphy	Thomas
Cessar	Hayden	Nailor	Tigue
Chadwick	Hayes	Noye	Trello
Civera	Heckler	O'Brien	Trich
Clark, B. D.	Herman	Olasz	Van Horne
Clark, D. F.	Hershey	Oliver	Veon
Clark, J. H.	Hess	Perzel	Vroon
Cohen	Howlett	Pesci	Wambach
Colaella	Hughes	Petrone	Wass
Colaizzo	Itkin	Piccola	Weston
Cole	Jackson	Pievsky	Williams
Cornell	Jadlowiec	Pistella	Wilson
Corrigan	James	Pressmann	Wogan
Cowell	Jarolin	Preston	Wozniak
Coy	Johnson	Raymond	Wright, D. R.
DeLuca	Josephs	Reber	Wright, J. L.
DeWeese	Kaiser	Reinard	Yandrisevits
Daley	Kasunic	Richardson	
Davies	Kenney	Rieger	O'Donnell,
Dietterick	Kondrich	Robbins	Speaker
Distler	Kosinski	Robinson	

NAYS—12

Billow	Fairchild	Lee	Mowery
Dempsey	Geist	Leh	Phillips
Dorr	Kukovich	McNally	Ritter

NOT VOTING—3

Clymer	Maiale	Nahill
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EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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

\* \* \*

Mr. DOMBROWSKI called up **HR 329, PN 3644**, entitled:

Memorializing Congress to reject the proposed flat rate tax on wine producers and wholesalers.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Acosta	Donatucci	LaGrotta	Rieger
Adolph	Dorr	Langtry	Ritter
Allen	Durham	Lashingner	Robbins
Angstadt	Evans	Laughlin	Robinson
Argall	Fairchild	Lee	Roebuck

Barley	Fargo	Leh	Ryan
Belardi	Farmer	Lescovitz	Rybak
Belfanti	Fee	Levdansky	Saloom
Billow	Fleagle	Linton	Saurman
Birmelin	Flick	Lloyd	Scheetz
Bishop	Foster	Lucyk	Schuler
Black	Fox	McCall	Scrimenti
Blaum	Freeman	McHale	Semmel
Bortner	Freind	McNally	Serafini
Bowley	Gallen	McVerry	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayernik	Staback
Burd	Gigliotti	Melio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Michlovic	Stish
Caltagirone	Gruitza	Micozzie	Strittmatter
Cappabianca	Gruppo	Mihalich	Stuban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkonic	Telek
Civera	Hayes	Murphy	Thomas
Clark, B. D.	Heckler	Nahill	Tigue
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Cohen	Hess	O'Brien	Van Horne
Colaella	Howlett	Olasz	Veon
Colaizzo	Hughes	Oliver	Vroon
Cole	Itkin	Perzel	Wambach
Cornell	Jackson	Pesci	Wass
Corrigan	Jadlowiec	Petrone	Weston
Cowell	James	Phillips	Williams
Coy	Jarolin	Piccola	Wilson
DeLuca	Johnson	Pievsky	Wogan
DeWeese	Josephs	Pistella	Wozniak
Daley	Kaiser	Pressmann	Wright, D. R.
Davies	Kasunic	Preston	Wright, J. L.
Dempsey	Kenney	Raymond	Yandrisevits
Dietterick	Kondrich	Reber	
Distler	Kosinski	Reinard	O'Donnell,
Dombrowski	Kukovich	Richardson	Speaker

NAYS—0

NOT VOTING—2

Clymer	Maiale
--------	--------

EXCUSED—6

Battisto	Petrarca	Rudy	Wright, R. C.
Dininni	Pitts		

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

\* \* \*

Mr. McCALL called up **HR 331, PN 3688**, entitled:

Commending the founders of the Pocono International Raceway.

On the question,  
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—194

Acosta	Donatucci	LaGrotta	Rieger
Adolph	Dorr	Langtry	Ritter
Allen	Durham	Lashingner	Robbins
Angstadt	Evans	Laughlin	Robinson
Argall	Fairchild	Lee	Roebuck
Barley	Fargo	Leh	Ryan

Belardi	Farmer	Lescovitz	Rybak
Belfanti	Fee	Levdansky	Saloom
Billow	Fleagle	Linton	Saurman
Birmelin	Flick	Lloyd	Scheetz
Bishop	Foster	Lucyk	Schuler
Black	Fox	McCall	Scrimenti
Blaum	Freeman	McHale	Semmel
Bortner	Freind	McNally	Serafini
Bowley	Gallen	McVerry	Smith, B.
Boyes	Gamble	Maine	Smith, S. H.
Brandt	Gannon	Markosek	Snyder, D. W.
Broujos	Geist	Marsico	Snyder, G.
Bunt	George	Mayermik	Staback
Burd	Gigiotti	Melio	Stairs
Burns	Gladeck	Merry	Steighner
Bush	Godshall	Michlovic	Stish
Caltagirone	Gruitza	Micozzie	Strittmatter
Cappabianca	Gruppo	Mihalich	Stuban
Carlson	Hagarty	Miller	Tangretti
Carn	Haluska	Moehlmann	Taylor, E. Z.
Cawley	Harper	Morris	Taylor, F.
Cessar	Hasay	Mowery	Taylor, J.
Chadwick	Hayden	Mrkoncic	Telek
Civera	Hayes	Murphy	Thomas
Clark, B. D.	Heckler	Nahill	Tigue
Clark, D. F.	Herman	Nailor	Trello
Clark, J. H.	Hershey	Noye	Trich
Clymer	Hess	O'Brien	Van Horne
Cohen	Howlett	Olasz	Veon
Colafella	Hughes	Oliver	Vroon
Colaizzo	Itkin	Perzel	Wambach
Cole	Jackson	Pesci	Wass
Cornell	Jadlowiec	Petrone	Weston
Corrigan	James	Phillips	Williams
Cowell	Jarolin	Piccola	Wilson
Coy	Johnson	Pievsky	Wogan
DeLuca	Josephs	Pistella	Wozniak
Daley	Kaiser	Pressmann	Wright, D. R.
Davies	Kasunic	Preston	Wright, J. L.
Dempsey	Kenney	Raymond	Yandrisevits
Dietterick	Kondrich	Reber	
Distler	Kosinski	Reinard	O'Donnell,
Dombrowski	Kukovich	Richardson	Speaker

NAYS—0

NOT VOTING—2

DeWeese      Maiale

EXCUSED—6

Battisto      Petrarca      Rudy      Wright, R. C.  
Dininni      Pitts

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

**CONSUMER AFFAIRS COMMITTEE MEETING**

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

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

There will be an immediate and very brief meeting of the Consumer Affairs Committee behind the rail, under the clock, right now. Thank you.

**YOUTH AND AGING COMMITTEE MEETING**

The SPEAKER. The Chair recognizes Mr. Stuban.  
Mr. STUBAN. Thank you, Mr. Speaker.

Mr. Speaker, the Youth and Aging Committee will meet at the rear of the House immediately upon the call of the adjournment.

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes Ms. Josephs.  
Ms. JOSEPHS. Mr. Speaker, I move that HB 1655 be taken from the table.

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

**VOTE CORRECTIONS**

The SPEAKER. The Chair recognizes Mr. Flick.  
Mr. FLICK. Thank you, Mr. Speaker.  
Apparently yesterday my vote on the Ryan germaneness amendment was not recorded. I would like to be voted in the affirmative, please. That was amendment A1697 to HB 1380.  
The SPEAKER. The remarks of the gentleman will be spread upon the record.  
The Chair recognizes Representative Caltagirone.  
Mr. CALTAGIRONE. Thank you, Mr. Speaker.  
On HB 1380, amendment 1995, I would like to be recorded in the affirmative.  
The SPEAKER. The remarks of the gentleman will be spread upon the record.

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

**HB 1953, PN 2530**      By Rep. RICHARDSON  
An Act providing for health plan payments for acupuncture services.

**HEALTH AND WELFARE.**

**HB 2383, PN 3732 (Amended)**      By Rep. RICHARDSON  
An Act making an appropriation to the Department of Public Welfare for an employee wage and benefit pass-through plan.

**HEALTH AND WELFARE.**

**HB 2384, PN 3733 (Amended)**      By Rep. RICHARDSON  
An Act amending the act of July 19, 1979 (P. L. 130, No. 48), known as the "Health Care Facilities Act," providing staffing requirements by regulation; and regulating ambulance transports.

**HEALTH AND WELFARE.**

**HB 2385, PN 3734 (Amended)**      By Rep. RICHARDSON  
An Act amending the act of July 19, 1979 (P. L. 130, No. 48), known as the "Health Care Facilities Act," requiring nursing homes to pay for training and certification of nurse aides.

## HEALTH AND WELFARE.

**HB 2386, PN 3735 (Amended)**

By Rep. RICHARDSON

An Act amending the act of July 19, 1979 (P. L. 130, No. 48), known as the "Health Care Facilities Act," authorizing the certification of certain nurse aides.

## HEALTH AND WELFARE.

**HB 2387, PN 3246**

By Rep. RICHARDSON

An Act amending the act of July 19, 1979 (P. L. 130, No. 48), known as the "Health Care Facilities Act," further providing for appointment of masters for provider violations.

## HEALTH AND WELFARE.

**SENATE MESSAGE**

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

The clerk of the Senate, being introduced, returned **HB 1083, PN 3677; HB 1955, PN 3709; and HB 2221, PN 3547**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

**CONSIDERATION OF HB 1950 CONTINUED**

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

**BILL PASSED OVER**

The SPEAKER. HB 1950 will go over for today.

**BILLS AND RESOLUTIONS PASSED OVER**

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

**ADDITIONS AND DELETIONS OF SPONSORS**

The SPEAKER. The Chair acknowledges receipt of additions and deletions of sponsorships of bills, which will be included in the record.

The following list was submitted:

**ADDITIONS:**

HB 142, Kukovich, Acosta, Cohen; HB 223, Nahill, Veon, LaGrotta, Rieger, Pistella, Van Horne, Trello, Mrkonic, Rybak, Wambach, Kosinski, Cappabianca, Belfanti, Freeman, Staback, Markosek, Yandrisevits, Kasunic; HB 1861, J. H. Clark; HB 2299, Bortner; HB 2350, James; HB 2376, Freeman; HB 2399, Lescovitz; HB 2400, Lescovitz; HB 2482, Hagarty, Flick; HB 2488, Richardson, Colafella; HB 2490, Thomas; HB 2493, Richardson; HB 2497, Flick; HB 2501, James; HB 2561, Belardi; HB 2568, Flick; HB 2569, Flick; HB 2570, Flick; HB 2577, Preston, James; HB 2580, Belardi; HB 2585, Cornell; HB 2589, Lee, Hess; HB 2591, Dietterick, Belardi, McCall, Harper,

Thomas; HB 2592, Thomas, Richardson, Dietterick, Belardi, McCall, Harper; HB 2594, Preston; HB 2601, Richardson, Belardi, McCall; HB 2602, Godshall, Dorr, Itkin; HB 2604, Richardson, Hughes, Thomas; HB 2605, Flick, Lee; HB 2607, McCall, Veon, Flick; HB 2608, Richardson; HB 2609, Laughlin, Richardson, McCall, Freeman; HB 2610, Freind, Kasunic, Belardi, Flick; HB 2619, Harper, Richardson; HB 2622, Freeman; HB 2633, Mrkonic; HB 2635, Trello; HB 2638, Civera; HB 2646, Bowley; HB 2655, Billow, Geist; HB 2659, Bishop; HB 2663, Richardson; HR 323, James; HR 324, Richardson; HR 329, Corrigan, Veon, Michlovic.

**DELETIONS:**

HB 1122, James; HB 2162, Fox; HB 2376, Noye; HB 2474, Rybak; HB 2603, Cawley, Bortner; HB 2646, Allen.

**ADJOURNMENT**

The SPEAKER. The Chair recognizes Representative Stish. Mr. STISH. Mr. Speaker, I move that this House do now adjourn until Monday, June 18, 1990, 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 1:11 p.m., e.d.t., the House adjourned.