

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MARCH 31, 1992

SESSION OF 1992 176TH OF THE GENERAL ASSEMBLY

No. 23

HOUSE OF REPRESENTATIVES

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

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

PRAYER

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

Let us pray:

Gracious God our Father, we need You. Like our bodies need air and water, our hearts and our minds long for the indwelling of Your Holy Spirit. Like the deer pants after the water brook, so our souls long for Your presence. As St. Augustine affirmed and we recognize, "Our souls are restless until they rest in You."

Come, Holy Spirit, heavenly dove with all Your quickening power; kindle a flame of sacred love in these cold hearts of ours. Come now into our presence. Even at this very moment, rein in our wandering minds. Focus them on things eternal. Free us from the worries and anxieties that sap our strength and give us nothing in return, and speak to us that we might serve Your people better.

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. Without objection, the approval of the Journal of Monday, March 30, 1992, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2584 By Representatives KUKOVICH, RICHARDSON, PISTELLA, DeLUCA, STURLA, KOSINSKI, STUBAN, VAN HORNE, STISH, GIGLIOTTI, LAUGHLIN, PESCI, BELARDI, HARPER, FREEMAN, RITTER, MARKOSEK,

GEORGE, KASUNIC, ROBINSON, CAPPABIANCA, HANNA, TIGUE, HERMAN, BELFANTI, MIHALICH, DALEY, BUNT, BISHOP, VEON, MAIALE, TANGRETTI, TRELLO, MELIO, PRESTON, LEVDANSKY, WAMBACH, HALUSKA, McNALLY, LaGROTTA, WILLIAMS, ROEBUCK, TRICH, STEELMAN, JOSEPHS, HUGHES, TELEK and JAMES

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, adding provisions relating to children's health care.

Referred to Committee on HEALTH AND WELFARE, March 31, 1992.

No. 2585 By Representatives LANGTRY, PETRARCA, HARLEY, STURLA, KAISER, NAHILL, PHILLIPS, TELEK, HARPER, S. H. SMITH, HECKLER, NYCE, TOMLINSON, KASUNIC, ARMSTRONG, FAJT, OLASZ, ADOLPH, KING, GEIST, CAWLEY, SAURMAN, DeLUCA, HERSHEY, LAUGHLIN, SEMMEL, LAWLESS, KREBS, BILLOW, HASAY and FARMER

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," providing for the production of a large print instruction booklet.

Referred to Committee on FINANCE, March 31, 1992.

No. 2586 By Representatives MURPHY, DeWEESE, KUKOVICH, KOSINSKI, WAMBACH, CAPPABIANCA, BLAUM, TIGUE, McHALE, KENNEY, DeLUCA, CARN, LaGROTTA, FAJT, PESCI, JOSEPHS, STEIGHNER, VAN HORNE, CARONE, HALUSKA, CLARK, SCRIMENTI, TANGRETTI, MELIO, HARPER, F. TAYLOR, BUTKOVITZ, GAMBLE, HUGHES, FREEMAN, SALOOM, COY and WOZNIAK

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, providing for health insurance reforms and protections to consumers by limiting reasons of cancellation of insurance, continuation of coverage of consumers in instances of total disability, replacement of group coverage by another insurer in continuity of coverage of the consumers who change groups.

Referred to Committee on INSURANCE, March 31, 1992.

No. 2587 By Representatives CLYMER, SCHULER, BUSH, FAIRCHILD, NOYE, CARLSON, HALUSKA, ARMSTRONG, GERLACH, GEIST, PETRARCA, SAURMAN, TOMLINSON, CESSAR, STAIRS, BARLEY, LEH, HERSHEY, REINARD, STABACK, HESS, JADLOWIEC, BILLOW and KING

An Act amending the act of January 24, 1966 (1965 P. L. 1535, No. 537), known as the "Pennsylvania Sewage Facilities Act," further providing for permits.

Referred to Committee on CONSERVATION, March 31, 1992.

No. 2588 By Representatives CLYMER, M. N. WRIGHT, SCHULER, MARKOSEK, PITTS, JOHNSON, SAURMAN, GEIST, NAHILL, MICOZZIE, ARMSTRONG, CLARK, GODSHALL, NICKOL, HECKLER, E. Z. TAYLOR, KENNEY, SERAFINI, BILLOW, S. H. SMITH, FARGO, ADOLPH and LEH

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," further defining "purchase price."

Referred to Committee on FINANCE, March 31, 1992.

No. 2589 By Representatives VEON, COLAIZZO, McNALLY, HANNA, MELIO, BELFANTI, TRICH, BATTISTO, RAYMOND, TANGRETTI, BUTKOVITZ, BILLOW, MIHALICH, TRELLO, KOSINSKI, SALOOM, DeLUCA, FREEMAN, LAUGHLIN, KUKOVICH, TOMLINSON, JOSEPHS, RITTER, LEVDANSKY and RICHARDSON

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 COMMERCE, March 31, 1992.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate
March 30, 1992

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, April 6, 1992, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, April 6, 1992, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. DeWEESE. Mr. Speaker, I move that SB 870 be taken from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader. Mr. DeWEESE. Mr. Speaker, I move that SB 870 be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes Mr. Steighner.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for leave for today only for the gentleman from Philadelphia, Mr. KOSINSKI, and for this morning only for the gentleman from Philadelphia, Mr. HAYDEN.

The SPEAKER. Without objection, leaves are granted.

The Chair recognizes Mr. Hayes.

Mr. HAYES. Mr. Speaker, I have no requests for leaves of absence.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

Acosta	Donatucci	Laughlin	Roebuck
Adolph	Durham	Lawless	Rudy
Allen	Evans	Lee	Ryan
Anderson	Fairchild	Leh	Saloom
Angstadt	Fajt	Lescovitz	Saurman
Argall	Fargo	Levdansky	Scheetz
Armstrong	Farmer	Linton	Schuler
Arnold	Fee	Lloyd	Srimenti
Barley	Fleagle	Lucyk	Semmel
Battisto	Flick	McCall	Serafini
Belardi	Foster	McGeehan	Smith, B.
Belfanti	Freeman	McHale	Smith, S. H.

Billow	Gallen	McHugh	Snyder, D. W.
Birmelin	Gamble	McNally	Snyder, G.
Bishop	Gannon	Maiale	Staback
Black	Geist	Markosek	Stairs
Blaum	George	Marsico	Steelman
Bowley	Gerlach	Mayernik	Steighner
Boyes	Gigliotti	Melio	Stetler
Broujos	Gladeck	Merry	Stish
Brown	Godshall	Michlovic	Strittmatter
Bunt	Gruitza	Micozzie	Stuban
Bush	Gruppo	Mihalich	Sturla
Butkovitz	Hagarty	Mrkonic	Surra
Caltagirone	Haluska	Mundy	Tangretti
Cappabianca	Hanna	Murphy	Taylor, E. Z.
Carlson	Harley	Nahill	Taylor, F.
Carn	Harper	Nailor	Taylor, J.
Carone	Hasay	Nickol	Telek
Cawley	Hayes	Noye	Thomas
Cessar	Heckler	Nyce	Tigue
Chadwick	Herman	O'Brien	Trello
Civera	Hershey	Olasz	Trich
Clark	Hess	Oliver	Tulli
Clymer	Hughes	Perzel	Uliana
Cohen	Itkin	Pesci	Van Horne
Colaafella	Jadlowiec	Petrarca	Vance
Colaizzo	James	Petrone	Veon
Cole	Jarolin	Phillips	Vroon
Cornell	Johnson	Piccola	Wambach
Corrigan	Josephs	Pistella	Williams
Cowell	Kaiser	Pitts	Wilson
Coy	Kasunic	Preston	Wogan
DeLuca	Kenney	Raymond	Wozniak
DeWeese	King	Reber	Wright, D. R.
Daley	Krebs	Reinard	Wright, M. N.
Davies	Kruszewski	Richardson	
Dempsey	Kukovich	Rieger	O'Donnell,
Dent	LaGrotta	Ritter	Speaker
Dermody	Langtry	Robinson	

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Freind	Hayden	Kosinski	Tomlinson
--------	--------	----------	-----------

LEAVES ADDED—1

Noye

LEAVES CANCELED—1

Hayden

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 2208, PN 2770**, entitled:

An Act repealing section 302(c) of the act of December 14, 1988 (P. L. 1192, No. 147), known as the "Special Ad Hoc Municipal Police and Firefighter Postretirement Adjustment Act."

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that **HB 2208** be recommitted to the Appropriations Committee.

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

* * *

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

HB 841, PN 3350; and HB 2200, PN 3351.

* * *

The House proceeded to second consideration of **SB 559, PN 2042**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of dealer registration plates and for permits for moving construction equipment; prohibiting driving of pedalcycles on limited access highways; further providing for reports by police, for an exception for maximum wheel weights, for the determination of average fuel consumption for the motor carrier road tax and for the licensing of limousines; authorizing the Secretary of Transportation and the Secretary of Revenue to enter into road tax agreements; providing for the enforcement of liquid fuels and fuel use taxes; imposing a motorbus road tax; providing penalties; and making repeals.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.
Mr. DeWEESE. Mr. Speaker, I move that **SB 559** be recommitted to the Appropriations Committee.

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

**BILLS ON CONCURRENCE
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 222, PN 3307**, entitled:

An Act excluding the sale of recyclable material from political subdivision personal property sale restrictions relating to advertising and bidding.

On the question,
Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes Mr. Battisto.
Mr. BATTISTO. Thank you, Mr. Speaker.

Mr. Speaker, I urge concurrence with the amendment that the Senate inserted into **HB 222**. It is a clarifying amendment. It makes it clear that if a political subdivision contracts with a private entity to carry out its recycling, then, of course, the laws concerning bidding and advertising do apply. So I urge concurrence. Thank you very much.

The SPEAKER. Those voting to concur will vote "aye"; those voting to nonconcur will vote "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—193

Acosta	Dermody	Langtry	Roebuck
Adolph	Donatucci	Laughlin	Rudy
Allen	Durham	Lawless	Ryan
Anderson	Evans	Lee	Saloom
Angstadt	Fairchild	Leh	Saurman
Argall	Fajt	Lescovitz	Scheetz
Armstrong	Fargo	Levdansky	Schuler
Arnold	Farmer	Linton	Scrimenti
Barley	Fee	Lloyd	Semmel
Battisto	Fleagle	Lucyk	Serafini
Belardi	Flick	McCall	Smith, S. H.
Belfanti	Foster	McGeehan	Snyder, D. W.
Billow	Freeman	McHale	Snyder, G.
Birmelin	Gallen	McHugh	Staback
Bishop	Gamble	McNally	Stairs
Black	Gannon	Maiale	Steelman
Blaum	Geist	Markosek	Steighner
Bowley	George	Marsico	Stetler
Boyes	Gerlach	Mayernik	Stish
Broujos	Gigliotti	Melio	Strittmatter
Brown	Gladeck	Merry	Stuban
Bunt	Godshall	Michlovic	Sturla
Bush	Gruppo	Micozzie	Surra
Butkovitz	Hagarty	Mihalich	Tangretti
Caltagirone	Haluska	Mrkonic	Taylor, E. Z.
Cappabianca	Hanna	Mundy	Taylor, F.
Carlson	Harley	Murphy	Taylor, J.
Carn	Harper	Nahill	Telek
Carone	Hasay	Nailor	Thomas
Cawley	Hayes	Nickol	Tigue
Cessar	Heckler	Nyce	Trello
Chadwick	Herman	O'Brien	Trich
Civera	Hershey	Olasz	Tulli
Clark	Hess	Oliver	Uliana
Clymer	Hughes	Perzel	Van Horne
Cohen	Itkin	Pesci	Vance
Colaifella	Jadlowiec	Petrarca	Veon
Colaizzo	James	Petrone	Vroon
Cole	Jarolin	Phillips	Wambach
Cornell	Johnson	Piccola	Williams
Corrigan	Josephs	Pitts	Wilson
Cowell	Kaiser	Preston	Wogan
Coy	Kasunic	Raymond	Wozniak
DeLuca	Kenney	Reber	Wright, D. R.
DeWeese	King	Reinard	Wright, M. N.
Daley	Krebs	Richardson	
Davies	Kruszewski	Rieger	O'Donnell,
Dempsey	Kukovich	Ritter	Speaker
Dent	LaGrotta	Robinson	

NAYS—0

NOT VOTING—4

Gruitza	Noye	Pistella	Smith, B.
---------	------	----------	-----------

EXCUSED—4

Freind	Hayden	Kosinski	Tomlinson
--------	--------	----------	-----------

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 749, PN 2857**, entitled:

An Act designating a bridge in Ambridge Borough, Beaver County, as the Charles P. Laughlin Memorial Bridge.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. It is moved by the gentleman, Mr. Veon, that the House do concur.

Those in favor of concurrence will vote "aye"; those opposed, "no."

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—195

Acosta	Donatucci	Laughlin	Roebuck
Adolph	Durham	Lawless	Rudy
Allen	Evans	Lee	Ryan
Anderson	Fairchild	Leh	Saloom
Angstadt	Fajt	Lescovitz	Saurman
Argall	Fargo	Levdansky	Scheetz
Armstrong	Farmer	Linton	Schuler
Arnold	Fee	Lloyd	Scrimenti
Barley	Fleagle	Lucyk	Semmel
Battisto	Flick	McCall	Serafini
Belardi	Foster	McGeehan	Smith, B.
Belfanti	Freeman	McHale	Smith, S. H.
Billow	Gallen	McHugh	Snyder, D. W.
Birmelin	Gamble	McNally	Snyder, G.
Bishop	Gannon	Maiale	Staback
Black	Geist	Markosek	Stairs
Blaum	George	Marsico	Steelman
Bowley	Gerlach	Mayernik	Steighner
Boyes	Gigliotti	Melio	Stetler
Broujos	Gladeck	Merry	Stish
Brown	Godshall	Michlovic	Strittmatter
Bunt	Gruitza	Micozzie	Stuban
Bush	Gruppo	Mihalich	Sturla
Butkovitz	Hagarty	Mrkonic	Surra
Caltagirone	Haluska	Mundy	Tangretti
Cappabianca	Hanna	Murphy	Taylor, E. Z.
Carlson	Harper	Nahill	Taylor, F.
Carn	Hasay	Nailor	Taylor, J.
Carone	Hayes	Nickol	Telek
Cawley	Heckler	Nyce	Thomas
Cessar	Herman	O'Brien	Tigue
Chadwick	Hershey	Olasz	Trello
Civera	Hess	Oliver	Trich
Clark	Hughes	Perzel	Tulli
Clymer	Itkin	Pesci	Uliana
Cohen	Jadlowiec	Petrarca	Van Horne
Colaifella	James	Petrone	Vance
Colaizzo	Jarolin	Phillips	Veon
Cole	Johnson	Piccola	Vroon
Cornell	Josephs	Pistella	Wambach
Corrigan	Kaiser	Pitts	Williams
Cowell	Kasunic	Preston	Wilson
Coy	Kenney	Raymond	Wogan
DeLuca	King	Reber	Wozniak
DeWeese	Krebs	Reinard	Wright, D. R.
Daley	Kruszewski	Richardson	Wright, M. N.
Davies	Kukovich	Rieger	
Dempsey	LaGrotta	Ritter	O'Donnell,
Dent	Langtry	Robinson	Speaker
Dermody			

NAYS—0

NOT VOTING—2

Harley Noye

EXCUSED—4

Freind Hayden Kosinski Tomlinson

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

* * *

The House proceeded to consideration of concurrence in Senate amendments to **HB 757, PN 3273**, entitled:

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," granting city council the authority to determine whether or not security should accompany bids submitted in response to advertisement; and further providing for regulations concerning contracts and for bonds for protection of labor and materialmen.

On the question, Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Stetler.

Mr. STETLER. Thank you, Mr. Speaker. I urge concurrence on **HB 757**.

The Senate, by unanimous vote, added a minor amendment to make other sections of the Third Class City Code consistent with the language in **HB 757** as it passed the House. The version of this bill which passed the House accomplished two changes to benefit bidders on city contracts, particularly small businesses. First, the bill reduced the minimum security which must accompany a bid for a city contract. Secondly, the bill authorized letters of credit in lieu of a surety bond. The Senate amendment extended the authorization for letters of credit to sections of the Third Class City Code requiring guarantees for contract performances and payment for materials and labor.

Since the Senate amendment adds consistency to the code, I urge the House concur with the Senate amendment.

The SPEAKER. It is moved by the gentleman, Mr. Stetler, that the House do concur in amendments inserted by the Senate.

Those voting to concur will vote "aye"; those opposed, "no."

On the question recurring, Will the House concur in Senate amendments?

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

YEAS—197

Acosta Donatucci Laughlin Roebuck
Adolph Durham Lawless Rudy
Allen Evans Lee Ryan
Anderson Fairchild Leh Saloom
Angstadt Fajt Lescovitz Saurman
Argall Fargo Levdansky Scheetz
Armstrong Farmer Linton Schuler
Arnold Fee Lloyd Scrimenti

Barley Fleagle Lucyk Semmel
Battisto Flick McCall Serafini
Belardi Foster McGeehan Smith, B.
Belfanti Freeman McHale Smith, S. H.
Billow Gallen McHugh Snyder, D. W.
Birmelin Gamble McNally Snyder, G.
Bishop Gannon Maiale Staback
Black Geist Markosek Stairs
Blaum George Marsico Steelman
Bowley Gerlach Mayernik Steighner
Boyes Gigliotti Melio Stetler
Broujos Gladeck Merry Stish
Brown Godshall Michlovic Strittmatter
Bunt Gruitza Micozzie Stuban
Bush Gruppo Mihalich Sturla
Butkovitz Hagarty Mrkonic Surra
Caltagirone Haluska Mundy Tangretti
Cappabianca Hanna Murphy Taylor, E. Z.
Carlson Harley Nahill Taylor, F.
Carn Harper Nailor Taylor, J.
Carone Hasay Nickol Telek
Cawley Hayes Noye Thomas
Cessar Heckler Nyce Tigue
Chadwick Herman O'Brien Trello
Civera Hershey Olasz Trich
Clark Hess Oliver Tulli
Clymer Hughes Perzel Uliana
Cohen Itkin Pesci Van Horne
Colaella Jadowiec Petrarca Vance
Colaizzo James Petrone Veon
Cole Jarolin Phillips Vroon
Cornell Johnson Piccola Wambach
Corrigan Josephs Pistella Williams
Cowell Kaiser Pitts Wilson
Coy Kasunic Preston Wogan
DeLuca Kenney Raymond Wozniak
DeWeese King Reber Wright, D. R.
Daley Krebs Reinard Wright, M. N.
Davies Kruszewski Richardson
Dempsey Kukovich Rieger O'Donnell,
Dent LaGrotta Ritter Speaker
Dermoddy Langtry Robinson

NAYS—0

NOT VOTING—0

EXCUSED—4

Freind Hayden Kosinski Tomlinson

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

RESOLUTION

Mrs. HARPER called up **HR 287, PN 3346**, entitled:

A Resolution designating Tuesday, March 31, 1992, as "Library Day" in Pennsylvania.

On the question, Will the House adopt the resolution?

The SPEAKER. On that question, the Chair recognizes Mrs. Harper.

Mrs. HARPER. Thank you, Mr. Speaker.

What I am about to say is very important to everyone. I should like the House of Representatives to designate Tuesday, March 31, 1992, today, as Library Day in Pennsyl-

vania and encourage all Pennsylvanians to show their support for the important and valuable services provided by libraries, and we have visitors today from across the State of Pennsylvania in honor of Library Day. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—197

Acosta	Donatucci	Laughlin	Roebuck
Adolph	Durham	Lawless	Rudy
Allen	Evans	Lee	Ryan
Anderson	Fairchild	Leh	Saloom
Angstadt	Fajt	Lescovitz	Saurman
Argall	Fargo	Levdanský	Scheetz
Armstrong	Farmer	Linton	Schuler
Arnold	Fee	Lloyd	Scrimenti
Barley	Fleagle	Lucyk	Semmel
Battisto	Flick	McCall	Serafini
Belardi	Foster	McGeehan	Smith, B.
Belfanti	Freeman	McHale	Smith, S. H.
Billow	Gallen	McHugh	Snyder, D. W.
Birmelin	Gamble	McNally	Snyder, G.
Bishop	Gannon	Maiale	Staback
Black	Geist	Markosek	Stairs
Blaum	George	Marsico	Steelman
Bowley	Gerlach	Mayernik	Steighner
Boyes	Gigliotti	Melio	Stetler
Broujos	Gladeck	Merry	Stish
Brown	Godshall	Michlovic	Strittmatter
Bunt	Gruitza	Micozzie	Stuban
Bush	Gruppo	Mihalich	Sturla
Butkovitz	Hagarty	Mrkonic	Surra
Caltagirone	Haluska	Mundy	Tangretti
Cappabianca	Hanna	Murphy	Taylor, E. Z.
Carlson	Harley	Nahill	Taylor, F.
Carn	Harper	Nailor	Taylor, J.
Carone	Hasay	Nickol	Telek
Cawley	Hayes	Noye	Thomas
Cessar	Heckler	Nyce	Tigue
Chadwick	Herman	O'Brien	Trello
Civera	Hershey	Olasz	Trich
Clark	Hess	Oliver	Tulli
Clymer	Hughes	Perzel	Uliana
Cohen	Itkin	Pesci	Van Horne
Colaflatta	Jadlowiec	Petrarca	Vance
Colaizzo	James	Petrone	Veon
Cole	Jarolin	Phillips	Vroon
Cornell	Johnson	Piccola	Wambach
Corrigan	Josephs	Pistella	Williams
Cowell	Kaiser	Pitts	Wilson
Coy	Kasunic	Preston	Wogan
DeLuca	Kenney	Raymond	Wozniak
DeWeese	King	Reber	Wright, D. R.
Daley	Krebs	Reinard	Wright, M. N.
Davies	Kruszewski	Richardson	
Dempsey	Kukovich	Rieger	O'Donnell,
Dent	LaGrotta	Ritter	Speaker
Dermody	Langtry	Robinson	

NAYS—0

NOT VOTING—0

EXCUSED—4

Freind	Hayden	Kosinski	Tomlinson
--------	--------	----------	-----------

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

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes Mr. Evans for an announcement.

Mr. EVANS. Mr. Speaker, I would like to announce that the House Appropriations Committee will meet in the majority caucus room. Thank you.

The SPEAKER. A meeting will be held immediately on the call of the recess.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes Mr. Cohen.

Mr. COHEN. Mr. Speaker, I would like to announce a meeting of the House Democratic Caucus at 11:30 a.m.; a meeting of the House Democratic Caucus at 11:30 a.m. We will be discussing the bills that the Appropriations Committee will just have reported out.

The SPEAKER. The Chair recognizes Mr. Hayes.

There is no need for a Republican caucus.

BILLS SIGNED BY SPEAKER

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

HB 222, PN 3307

An Act excluding the sale of recyclable material from political subdivision personal property sale restrictions relating to advertising and bidding.

HB 749, PN 2857

An Act designating a bridge in Ambridge Borough, Beaver County, as the Charles P. Laughlin Memorial Bridge.

HB 757, PN 3273

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," granting city council the authority to determine whether or not security should accompany bids submitted in response to advertisement; and further providing for regulations concerning contracts and for bonds for protection of labor and materialmen.

RECESS

The SPEAKER. This House will now be in recess until 1 p.m.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(JEFFREY W. COY) PRESIDING**

**BILL REPORTED AND REREFERRED TO
COMMITTEE ON BUSINESS AND COMMERCE**

HB 2465, PN 3203

By Rep. EVANS

An Act amending the act of August 23, 1967 (P. L. 251, No. 102), known as the "Industrial and Commercial Development Authority Law," further providing for definitions, applicable elected representatives, purposes and powers, powers of the financing authority, financing authority indebtedness, financing authority loans, industrial and commercial development authorities, bonds and competition in award of contracts.

APPROPRIATIONS.

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

HB 2500, PN 3242

By Rep. EVANS

An Act making appropriations from the Workmen's Compensation Administration Fund to the Department of Labor and Industry to provide for the expenses of administering The Pennsylvania Workmen's Compensation Act and The Pennsylvania Occupational Disease Act for the fiscal year July 1, 1992, to June 30, 1993, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1992.

APPROPRIATIONS.

HB 2501, PN 3243

By Rep. EVANS

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEE

HB 2521, PN 3279

By Rep. EVANS

An Act providing for the transfer of funds within the Capital Facilities Fund designated for State Highway and Bridge Authority projects and Advanced Construction Interstate projects to highway projects of the Department of Transportation.

APPROPRIATIONS.

HB 2532, PN 3296

By Rep. EVANS

An Act authorizing the conveyance of Ashland State General Hospital to the Ashland Area Community Hospital, Incorporated, for the purpose of operating a hospital or other health care facility on the site.

APPROPRIATIONS.

HB 2542, PN 3314

By Rep. EVANS

An Act authorizing the conveyance of Coaldale State General Hospital to the Carbon Schuylkill Community Hospital, Incorporated, for the purpose of operating a hospital or other health care facility on the site.

APPROPRIATIONS.

SB 9, PN 2065 (Amended)

By Rep. EVANS

An Act amending the act of September 9, 1965 (P. L. 497, No. 251), entitled "An act requiring physicians, hospitals and other institutions to administer or cause to be administered tests for phenylketonuria and other metabolic diseases upon infants in certain cases," further providing for a newborn child screening program.

APPROPRIATIONS.

SB 14, PN 1497

By Rep. EVANS

An Act imposing restrictions and prohibitions on the distribution, sale and use of halogenated hydrocarbon chemicals and aromatic hydrocarbon chemicals as sewage system cleaners; requiring the disclosure of contents of sewage system cleaners; requiring the Department of Environmental Resources to administer and enforce certain provisions; providing for the powers and duties of the Environmental Quality Board; and imposing penalties.

APPROPRIATIONS.

SB 984, PN 1078

By Rep. EVANS

An Act designating the Southern Expressway to the Greater Pittsburgh International Airport as the Senator John Heinz Expressway.

APPROPRIATIONS.

SB 1067, PN 1800

By Rep. EVANS

An Act amending the act of June 30, 1981 (P. L. 128, No. 43), entitled "Agricultural Area Security Law," further defining "normal farming operations"; further providing for agricultural security areas, for decisions on proposed areas and for agricultural conservation easements; increasing limitation on debt obligations; and making an appropriation.

APPROPRIATIONS.

BILLS ON SECOND CONSIDERATION

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

HB 2521, PN 3279; HB 2532, PN 3296; HB 2542, PN 3314; SB 9, PN 2065; and SB 984, PN 1078.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. Without objection, the gentleman, Mr. Hayden, will be added to the master roll.

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

HB 1782, PN 3383 (Amended)

By Rep. PISTELLA

An Act providing for the establishment of prevailing wages for certain airport employees.

LABOR RELATIONS.

HB 2344, PN 3382 (Amended)

By Rep. F. TAYLOR

An Act amending the act of December 3, 1959 (P. L. 1688, No. 621), known as the "Housing Finance Agency Law," further providing for the powers of the agency, for use of nondistributed

profits, for nondiscrimination, for making and purchasing loans and mortgages, for allocation of loans, for qualified bonds and notes and for eligibility; further providing for the Homeowners' Emergency Mortgage Assistance Program; and repealing certain provisions relating to expiration of act.

BUSINESS AND COMMERCE.

SB 1007, PN 2063 (Amended)

By Rep. F. TAYLOR

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), entitled "Banking Code of 1965," further providing for the duties of the Advisory Commission, for nonconforming loans, for residency requirements of directors or trustees and for the powers of the department.

BUSINESS AND COMMERCE.

SB 1436, PN 2064 (Amended)

By Rep. F. TAYLOR

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), entitled "Banking Code of 1965," further providing for authorized offices.

BUSINESS AND COMMERCE.

BILLS REMOVED FROM TABLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Greene County, Mr. DeWeese, the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that HB 2500 and HB 2501 be removed from the table and placed on the active calendar.

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

BILL RECOMMENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. DeWeese, the majority leader.

Mr. DeWEESE. Mr. Speaker, I move that SB 984 be recommitted to the Committee on Rules.

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

VOTE CORRECTION

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

Mr. MELIO. To correct the record, Mr. Speaker.

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

Mr. MELIO. On March 24, HB 953, I was recorded in the negative. I would like to be recorded in the affirmative, please.

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

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1037, PN 1132**, entitled:

An Act amending the act of December 5, 1980 (P. L. 1107, No. 190), entitled "Philadelphia Municipal Court Fee Law," increasing the fee for initial service of process.

On the question,
Will the House agree to the bill on third consideration?
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	Durham	Laughlin	Roebuck
Adolph	Evans	Lawless	Rudy
Allen	Fairchild	Lee	Ryan
Anderson	Fajt	Leh	Saloom
Angstadt	Fargo	Lescovitz	Saurman
Argall	Farmer	Levdansky	Scheetz
Armstrong	Fee	Linton	Schuler
Arnold	Fleagle	Lloyd	Scrimenti
Barley	Flick	Lucyk	Semmel
Belardi	Foster	McCall	Serafini
Belfanti	Freeman	McGeehan	Smith, B.
Billow	Gallen	McHale	Smith, S. H.
Birmelin	Gamble	McHugh	Snyder, D. W.
Bishop	Gannon	McNally	Snyder, G.
Black	Geist	Maiale	Staback
Blaum	George	Markosek	Stairs
Bowley	Gerlach	Marsico	Steelman
Boyes	Gigliotti	Mayernik	Steighner
Broujos	Gladeck	Melio	Stetler
Brown	Godshall	Merry	Stish
Bunt	Gruitza	Michlovic	Strittmatter
Bush	Gruppo	Micozzie	Stuban
Butkovitz	Hagarty	Mihalich	Sturla
Caltagirone	Haluska	Mrkonic	Surra
Cappabianca	Hanna	Mundy	Tangretti
Carlson	Harley	Murphy	Taylor, E. Z.
Carn	Harper	Nahill	Taylor, F.
Carone	Hasay	Nailor	Taylor, J.
Cawley	Hayden	Nickol	Telek
Cessar	Hayes	Nyce	Thomas
Chadwick	Heckler	O'Brien	Tigue
Civera	Herman	Olasz	Trello
Clark	Hershey	Oliver	Trich
Clymer	Hess	Perzel	Tulli
Cohen	Hughes	Pesci	Uliana
Colafella	Itkin	Petrarca	Van Horne
Colaizzo	Jadlowiec	Petrone	Vance
Cole	James	Phillips	Veon
Cornell	Jarolin	Piccola	Vroon
Corrigan	Johnson	Pistella	Wambach
Cowell	Josephs	Pitts	Williams
Coy	Kaiser	Preston	Wilson
DeLuca	Kasunic	Raymond	Wogan
DeWeese	Kenney	Reber	Wozniak
Daley	King	Reinard	Wright, D. R.
Davies	Krebs	Richardson	Wright, M. N.
Dempsey	Kruszewski	Rieger	
Dent	Kukovich	Ritter	O'Donnell,
Dermody	LaGrotta	Robinson	Speaker
Donatucci	Langtry		

NAYS—0

NOT VOTING—2

Battisto Noye

EXCUSED—3

Freind Kosinski Tomlinson

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

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same without amendment.

LEAVE OF ABSENCE

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

Mr. HAYES. Mr. Speaker, would you kindly return to requests for leaves of absence?

The SPEAKER pro tempore. Without objection, the gentleman is in order and may proceed.

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Perry County, Mr. NOYE, for the remainder of today's session.

The SPEAKER pro tempore. Without objection, leave will be granted. The Chair hears no objection.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 315, PN 331**, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, placing limitations on investments in companies doing business in or with Northern Ireland.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

On final passage of the bill, the gentleman from Delaware County, Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this particular House bill. I am sure this does not come as any great surprise to a lot of our members because I have taken a position pretty much over the years that there are certain areas of the law, there are certain areas of resolutions, I guess, subject matters of resolutions, that I think the State really should stay out of. I feel that when we are meddling around in international politics, we are doing it without necessarily being well advised. I have opposed divestiture resolutions, divestiture laws, such as what we have before us here. I have done it on South Africa. I would do it on Northern Ireland.

Let me speak though, if I may, a little bit about the resolution or rather the proposed law that is before us today.

If we were really going to go all the way with a MacBride-type principle— And the MacBride Principles, as I understand it, mean that our various pension funds that have stocks, if any of these stocks are stocks of companies that are doing business in Northern Ireland, we would have to divest ourselves of that stock unless they - that is, the companies - abide by certain rules and regulations.

The devastation to pension funds over divestiture, I think, was made clear some years ago. It is not as clear today because we just do not have the information before us today. However, if you really want to be honest about it, if you really want to be honest about it, the prohibition should not go just to Northern Ireland; the prohibition should extend to Great Britain. We should divest ourselves of the stock of any company that does business with Great Britain or North Ireland, because that is the name of that country, and I think we would more easily recognize the devastation that that would create in the various pension funds of this State. I personally am against it as a matter of principle. I do not think that any useful purpose is served by adopting a law such as what is before us.

I have been to Ireland; I have been to North Ireland. My roots, if you will, are in the Republic - the lower part, the south of Ireland. My grandparents, both sides, were born in the south of—no; I am sorry—one in the south, one in the north. They would have been the people who would be considered the oppressed people of that day and the oppressed people of today, I suppose.

The fact remains that the British Government and the government of North Ireland is finally addressing in some small measure but nevertheless addressing this problem, and maybe one of the great sadnesses of business life took place here, oh, some 5, 10 years ago when an American company was built over in North Ireland called the Delorean car company, which hired one Catholic, one Protestant, one Catholic, one Protestant, and then unfortunately they went out of business. But today more and more, as I have seen in North Ireland, companies are in fact doing that. They are not doing it as quickly as we would like to see it done, perhaps, and it may be that it will never happen as quickly as we would like to see it done.

But discouraging investment in North Ireland is not going to help the people of North Ireland, Protestant or Catholic, and that is what it is over there; it is Protestant or Catholic. South Africa, it is black and white, but over there it is Protestant and Catholic. The only thing that is going to help them is jobs, and the only way you get jobs is by investment.

Now, I have letters here from companies indicating they have not located in North Ireland because of the problems of the MacBride Principles that have been adopted in various States. There are letters in my file from United States companies that have pulled out of Northern Ireland because of the MacBride Principles being incorporated into the laws of their respective States.

We are not doing a favor to the people of North Ireland, Catholic or Protestant, by adopting these laws such as this. If something is to happen and it is going to take place on this side of the ocean, it should take place in Washington, DC.

The real help, what should really take place though, belongs over in North Ireland and over in the British Isles themselves. That is where the solution has got to come from. Our adopting principles that affect only detrimentally our pension funds is not the answer, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Speaker.

Mr. Speaker, the prior speaker had it wrong. This is not a disinvestment bill. This does not require our pension funds to disinvest in companies doing business in Northern Ireland. In fact, it encourages companies to do business in Northern Ireland. It does not in any way require the pension funds to disinvest.

What it does simply say is that if companies are going to do business in Northern Ireland, that they subscribe to a series of nine principles, and let me just go over a couple of those principles with you. A company doing business in Northern Ireland would make an effort to eliminate ethnic and religious discrimination based on certain actions. One, they would ban provocative religious or political emblems from the workplace. Imagine in this country if people could put up the swastika symbol at the workplace at will. What would the Jewish employees of that company feel? What if they could put up, as happened in this country years ago, emblems that indicated they were anti-Catholic? How would the Catholics who worked at that company feel?

It would require the company to publicly advertise all job openings and make special recruitment efforts to attract applicants from underrepresented religious groups. Listen for a moment about the two major British-owned companies in Northern Ireland, the two largest employers in Northern Ireland. In a country where 42 percent of the population is Catholic, the two largest employers controlled by the British Government have less than 5 percent Catholic employment, less than 5 percent Catholic employment. The unemployment rate for Catholic males in Northern Ireland is 46 percent. The unemployment statistics in some Catholic neighborhoods in Northern Ireland is as high as 95 percent.

We are not asking companies to disinvest. We want to encourage investment, but we are suggesting there are some very reasonable rules by which they ought to be investing, and if these rules were so onerous then, why have 18 of the 24 companies that have American companies now doing business in Northern Ireland agreed to comply with the MacBride Principles? They have agreed because these principles are a reasonable solution to a terrible, terrible injustice.

Let me just say that other States, such as New York and Ohio and Connecticut and Massachusetts and Michigan, have all passed the MacBride Principles. They have passed the

MacBride Principles because they understand that States in this country can have an effective impact on this policy. The British Government has spent in excess of \$5 million to lobby against these MacBride Principles. Representatives in Pennsylvania and elsewhere have been offered free trips to Northern Ireland at British expense to investigate the problem. The fact of the matter is that these MacBride Principles have been established in other States because there has been a grassroots effective uprising of people who believe that there is a continuing injustice in Northern Ireland. The British Government themselves have admitted that the 1989 fair employment law that they passed was in direct response to the pressure they are feeling from this country through the MacBride Principles. It is not time to back off that pressure. It is time to keep that pressure on, and that is why a vote for this legislation is so important.

Let me just say that in South Africa we heard the same arguments as the past speaker about disinvestment laws should not be any concern for the States, and yet we have watched in South Africa in recent weeks enormous, enormous first steps being taken to improve the injustices taking place in South Africa. We can do the same thing for Northern Ireland today. These principles are not disinvestments. They in fact are a reasonable solution and a way that we can participate in encouraging equal employment in Northern Ireland, and for those reasons, I would encourage your support for this legislation. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman from Wayne County, Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

I will simply say there are two reasons why you should not vote for this legislation and the other two bills that are similar to it. Number one, we do not have the obligation, under this State's Constitution or our oath of office, to solve the problems of the world. Quite frankly, we do a rather lousy job of solving the problems of Pennsylvania, and what we are attempting to do here will neither solve the problem in Northern Ireland as did neither the South African divestiture bills, which made things worse instead of better.

The second thing I would suggest to you is that we have an obligation, however, to our people who are relying upon our retirement systems in Pennsylvania. To begin the social investing process, telling them that we have got to watch where we invest our money in our pension funds so that we can right the wrongs of the world, is not fair; it is not prudent; it is not the wise thing and neither is it the constitutional duty for us to do that. As a matter of fact, you may be accused of dereliction of your duty should you pass legislation like this. It is wrong. It is going in the wrong direction. If there are problems in Northern Ireland, we are not the ones to address them nor solve them; neither will legislation like this, and I suggest that you strongly ought to consider your obligations and responsibilities as a Representative in doing so.

Please vote "no."

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny County, Mr. McNally.

Mr. McNALLY. Thank you, Mr. Speaker.

I rise in support of HB 315.

One of the points that has been made in opposition to this legislation is that we should not become involved in an issue that is not part of Pennsylvania; that this particular issue is a world issue; it is an issue of international affairs; that it is really none of our concern here in the State House. But I disagree very strongly with that contention because the very premise is incorrect. This is not an issue about Northern Ireland; it is not an issue about world affairs; it is not an issue about the foreign policy of this country. It is an issue about the practices that we have here in Pennsylvania, whether we are going to be part of a problem thousands of miles away.

I contend that it is our responsibility, not simply our option, to refrain from participating in a practice that is doing an injustice to a group of people in another part of the world and moreover that ultimately does harm to ourselves when half a million people are discriminated against in the workplace systematically and for decades and through generations. That is a problem that ultimately will not only affect Northern Ireland and the United Kingdom and Europe but ultimately the repercussions of those practices will reach our shores and will begin to affect us.

Pennsylvania really relies on the economic stability not only of our own State but our country, our continent, and all the rest of the world. When there is instability, when there is economic injustice being done in another corner of the globe, it will have an effect on our people, on our retirees, just as surely as if it were occurring within our own boundaries.

The second point that was made that I think needs to be refuted is that a bill that restricts investment in Northern Ireland is somehow going to do harm to the people who are the very victims of the injustice we are trying to remedy, but in fact freedom and liberty and independence are things that do not come cheaply. They are values that require sacrifice, and the people who know that, who know it better than we ourselves, are the victims of that injustice. They understand that there are sacrifices that need to be made, that their ultimate goal of freedom, that their ultimate goal of justice is something for which they will have to make sacrifices. I contend that it is up to us to promote a practice of investment, of social investment, that will in fact promote economic justice and fairness not only in Pennsylvania but around the world.

The Russian poet Yevgeny Yevtushenko said that we must begin to think of ourselves as citizens of the world, and indeed that is what this legislation is all about. We are citizens of the world, and so I ask you to cast an affirmative vote for HB 315.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes, on the question of final passage, the gentleman from Philadelphia, Mr. McGeehan.

Mr. McGEEHAN. Thank you, Mr. Speaker.

Mr. Ryan and I have something in common, and that is my grandparents also were born in Ireland, but there the similarities end, because I believe the MacBride Principles are long overdue for Northern Ireland.

I do not know if any of the members have gotten this rag that was distributed by the British Embassy, and if you would just allow me a moment to just read some passages from it. In this correspondence from the British Embassy it says, "The British Government is strongly committed to non discrimination in employment, as evidenced by the passing of the Fair Employment Act...1989, the toughest legislation ever enacted in Britain."

The minority leader says that we should give this legislation some time to work. Well, let me remind the members of Irish history. That is the same argument that has been used in Ireland for 800 years, that we should give more time to the British Government to straighten their act out, not only in the Republic but in Northern Ireland. I say the time is long overdue that we have fair employment practice in Northern Ireland.

It states further, "What Northern Ireland most needs now is economic growth and more jobs." Well, that is wrong also, because what Northern Ireland needs most today is economic growth and more jobs, but more jobs and more economic growth distributed fairly to every member in Northern Ireland, both Protestants and Catholics.

It goes on further to say that the total population of Northern Ireland is divided between two main traditions: the Catholic/Nationalist community, which makes up about 40 percent of the population, and the Protestant/Unionist community, which makes up about 60 percent of that population.

An earlier speaker, Representative Murphy, had stated some shocking statistics about the lack of Catholic involvement in jobs in Northern Ireland. The engineering and manufacturing sector of employment in Northern Ireland has for many generations represented a system of economic apartheid in its most classical form. The trade unions have been prominently and persistently involved in sustaining such practices with the support of compliant management, and Representative Murphy had stated some statistics, and let me just give you a couple more. Fisher Auto Body, which makes the parts for General Motors cars sold in the United States - of the total 940 employees in that corporation, 85 percent are Protestant and Unionist and only 15 percent are Catholics, out of a total population of 40 percent Catholic population in Northern Ireland. Michelin Tyres, which many of us have on our own cars - of 1,076 employees, only 12 percent of the total workforce is Catholic. That is a longstanding tradition of the practices in Northern Ireland.

The horror stories go on and on. We need to end this practice. We need to do the right thing today, and, Mr. Speaker, stay true to your Irish roots and support MacBride. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lackawanna County, Mr. Cawley.

Mr. CAWLEY. Thank you, Mr. Speaker.

I would like to also support HB 315 and also at this time commend Representative Tom Murphy for his hard work. Just regarding the passage of this legislation, Mr. Murphy has been outstanding and has worked on this for several years now.

A reminder to the other members in the General Assembly: We passed this legislation overwhelmingly the last session, and it never moved in the Senate. But I, too, as Mr. McGeehan so eloquently stated and Mr. Murphy, agree that this discrimination should end, whether it is us or anyone else. We who protect and say our Constitution is so great because it prohibits discrimination should also want to prohibit discrimination no matter where it is, and in this case it is in Ireland, and I very proudly stand and support this.

And regarding the letter from the British Embassy, I would much rather listen to the National Irish Caucus, the Ancient Order of Hibernians, the Irish Men's Association, and that is who I am getting the truth from instead of Britain trying to rule us, not only in Ireland but here in the United States. Thank you very much.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Mr. Olasz.

Mr. OLASZ. Here we go again.

Mr. Speaker, I do not know the persons or the associations that will monitor the policies and performance that are contained in HB 315, but I have concerns when the maker of the bill starts quoting such States of sound financial integrity and stability such as New York and Massachusetts.

All of us here are obligated to protect the pension plans in the Commonwealth of Pennsylvania. We have seen enough of these plans go belly-up, and I think that is something that we should consider when you make this vote. Remember once again those great States, the financial integrity and stability, New York and Massachusetts, that have chosen to follow this route, and then think about it. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. GAMBLE. Mr. Speaker, my mother is Irish Catholic—God bless her—and my father was a WASP (white Anglo-Saxon Protestant), so where does that leave me? Where I have always been.

I am and have been opposed to discrimination of any kind, whether it is regular, reverse, religious, or whatever, but I do not think that we should be part of this process even though I agree to the bottom line with Representative Murphy. For the same reasons that I opposed the South Africa divestiture legislation, State Government has no business dealing with foreign policy. However, if we are going to initiate a foreign policy—And I was attempting to get amendments drawn where we would deal with any country where the people are oppressed, but I am told that the computers broke down in the Reference Bureau, and I also found out that an Irish Catholic is in charge of the Reference Bureau.

I can only say what has been said two or three times here, that the working men and women of Pennsylvania, their pension funds should not be tampered with, the same as I have said before on the floor of the House. There is one ultimate ingredient that has made our pension funds solvent, and that is the stipulation that any investment must be based on the prudent rule; in other words, the funds must be invested prudently. They should not be invested or disinvested to send a social message thousands of miles away.

I believe, with the economic conditions of this State, that we should get on with the agenda that we were elected to do, and I respectfully submit to you that foreign policy is not part of that agenda. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Mercer County, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

Would the maker of this bill answer a couple questions?

The SPEAKER pro tempore. Is the gentleman, Mr. Murphy, available for interrogation? The gentleman indicates that he will stand for interrogation. The gentleman, Mr. Fargo, is in order and may proceed.

Mr. FARGO. Thank you, Mr. Speaker.

During your conversation in support of this bill, the term "MacBride Principles" has come up quite often, and I do not see it in the bill. Now, I am partially familiar with the general provisions of the MacBride Principles, but are those provisions part of this bill, and if not, would you tell us briefly what the MacBride Principles are?

Mr. MURPHY. Mr. Speaker, the MacBride Principles are nine principles, and I can briefly summarize them for you. They are actually contained in HB 315, so if you look, listed are one through nine. They are in fact the MacBride Principles listed in the bill. The word "MacBride" is not mentioned at all. It just requires the pension funds to review, and let me go over them briefly.

Number one, it asks the companies doing business in Northern Ireland to make an effort to increase the representation of individuals from underrepresented religious groups in the workforce. Two, providing adequate security for the protection of minority employees at the workplace and while traveling. Three, it would ban provocative religious or political emblems at the workplace. Four, it would require companies to publicly advertise all job openings and to make special recruitment efforts to attract applicants. Five, provide that layoff, recall, and termination procedures should not in practice favor particular religious groups. Six, the abolition of job reservations, apprenticeship restrictions, and differential employment criteria based on religious or ethnic origin. Seven, the development of training programs that will prepare substantial numbers of current minority employees for skilled jobs. Eight, the establishment of procedures to assess, identify, and actively recruit minority employees. And nine, the appointment of senior management staff members to oversee affirmative action efforts and set up timetables to carry out

these affirmative actions. They are in fact the MacBride Principles. The word "MacBride" is not mentioned in the bill, but that is what they are.

Mr. FARGO. Thank you, Mr. Speaker.

Just to assist a little bit—and I will only ask questions about two of those principles—but would you describe to us what "Providing adequate security for the protection of minority employees..." would entail?

Mr. MURPHY. Mr. Speaker, I think we have had examples of this in our own country. Not too long ago I watched on television a review of our efforts to integrate some universities in the South, and it is a fact at that time there were U.S. marshals who were required to help minority students attend those schools. Even in cities in Pennsylvania, I have watched for years where sheriffs' cars have had to follow buses bringing students of certain minorities into schools where they had to be protected. I think we have seen time and again in this country the need to do that.

Certainly if an individual feels threatened at the workplace, I think it is incumbent upon the employer to provide protection. We have laws in this country today that provide those protections. The most recent ones obviously that have been in the news quite a bit have been around the issue of sexual harassment, and there have been a number of recent court cases that have clearly put the burden and the onus on employers to provide protection to women from sexual harassment. So I do not think what we are asking is anything unique or onerous. I think it is reasonable.

Mr. FARGO. Well, you have mentioned bills and the passing of legislation, sexual harassment, and so forth. This says "providing adequate security," which I am not too sure has to do with legislation. Are you saying that we are recommending that in Ireland, that we provide or that they provide for their minority employees security, policemen security, maybe dogs, or whatever it might be, to make sure that they can get back and forth to work, at home all right, and take care of all those employees in that particular respect?

Mr. MURPHY. Mr. Speaker, what I am saying is, if an employee does not feel that he can work at a workplace and not be threatened, that a company has the responsibility to provide protection. Certainly we would assume that in this country. I do not know why we would not assume it anywhere else.

Mr. FARGO. Okay. With that in mind then, just what are you really expecting to happen from this piece of legislation? You say that it is not a divestment-type legislation. And it seems to me, as I look at part (c), that part (c) says to the extent that we must have investments which are consistent with sound investment policy, shall invest the assets of the funds in such a manner that the investments in institutions doing business shall reflect the advances made by those institutions. Does that mean that the teachers' retirement fund is going to have to look at this, at the whole situation in Ireland, and try to determine whether there have been any advancements or not, and if they determine that there has been a 5-percent improvement over the last year, that they can invest in

5 percent more securities as far as those companies doing business in Ireland? Is that the procedure that will be followed?

Mr. MURPHY. Mr. Speaker, today the procedure that has been followed in other States, the companies that are doing business or intend to do business in Northern Ireland certify that they agree and will attempt to carry out the intent of these principles. Eighteen of the 24 companies doing business in Northern Ireland have presently agreed to that, and on that good-faith effort, pension funds in many other States continue to invest in those companies.

Mr. FARGO. Then what they would have to do is look at every individual company, and the fund would have to determine to what degree those funds or companies are abiding by your MacBride Principles to determine whether you are going to allow that investment.

Mr. MURPHY. Sir, I think the issue is what I have just said - 18 of 24 companies invested in Northern Ireland have agreed to the MacBride Principles. That good-faith agreement has been sufficient for pension funds around the State, around other States of the country, to invest in those companies. They have not required any types of reporting requirements on a regular basis from those companies. In fact, the British Government and the authorities in Northern Ireland have responded to these efforts by trying to begin to tighten up their fair employment efforts, and it is for that reason, I believe, that we need to continue this pressure.

Mr. FARGO. Okay. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Mr. FARGO. Could I make a statement, Mr. Speaker?

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

Mr. FARGO. I think that as we listened to this to find out just what is expected, that it is almost impossible, almost impossible, for the people who are running the Pennsylvania School Retirement Fund to have any idea what we are really expecting of them doing, and even if they knew what we expect of them to do, there would be no way for them to do it.

What we need to do is to stay the heck out of what is going on in other countries and take care of what is going on in Pennsylvania. What Ireland really needs and what we are putting our foot in the way of is more economic growth. And when we pass legislation like this, it merely is saying to companies in the United States, in other countries, do not do anything in Ireland, do not invest your money there, because it is going to be made much, much more difficult for you based on the attitude that a State like the State of Pennsylvania has reflected by passing a piece of legislation like this. What we need to do is to help that country, not to put our foot in the way of that country.

They are attempting— And regardless of what has been said before this, the 1989 Fair Employment Act was a major step forward. When someone says we have heard this for 800 years, that is foolishness. This is a step that is one step better than what we had before, and the British Government is standing back of that, is doing a good job in that area, and

regardless of what statistics we are being quoted here from the "rag," as they call anything that is in opposition to their particular philosophy, regardless of what we are listening to here, the government is attempting to correct things. There is too much violence over there anyway, as far as that is concerned. Let us try to let them work it out within their own country.

You know, we really— It kind of makes me wonder, whenever I look at the makeup of this legislature and I see about 17 percent of them are women, about 83 percent of them are men, when are we going to start writing MacBride Principles for the State of Pennsylvania in the legislature? I think that maybe we ought to be making sure that all of these provisions are necessary before we come up to permitting anyone to elect another man for the legislature in Pennsylvania.

This is ridiculous. It does not serve any purpose. It only causes more people across the world to look at the United States and say, there they are again trying to tell everyone else how to run their country and they cannot run their own country. It is about time we recognize this, and for gosh sakes, vote to turn down this piece of legislation.

The SPEAKER pro tempore. The Chair thanks the gentleman.

FORMER MEMBER WELCOMED

The SPEAKER pro tempore. The Chair is pleased to recognize the presence of a former member of the House of Representatives, the gentleman from Washington County, Representative A. J. DeMedio, to the left of the Speaker.

Without objection, the gentleman, Mr. DeMedio, for a few words.

Mr. DeMEDIO. I just wanted to say to you what I said to a number of the members as I met them in the halls today: This is going to be one of the best times of your life. Relish it and hold it dear to you, because the people you meet here today you will remember with pride and with love. And therefore, as I say, I am glad to be with you again, because it brings back such fond and loving memories. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and welcomes him to the hall of the House for today's session.

CONSIDERATION OF HB 315 CONTINUED

The SPEAKER pro tempore. The question is, shall the bill pass finally?

On that question, the gentleman from York County, Mr. Nickol.

Mr. NICKOL. Thank you, Mr. Speaker.

I have the distinct honor of being one of this body's two Representatives on the Pennsylvania Public School Employees' Retirement Board. I am not speaking officially representing that board's position—these are my own personal views—but I want to discuss the fact that we are sending extremely mixed signals to the board.

Could I refresh your memory? In the 1991-92 State budget, there is a very serious reduction in the State contribution

rates, less money being paid to the State retirement system, in order that we could handle our budgetary difficulties. This year the Governor is proposing a further reduction in the contribution rate. In addition to that, the State is making its payments to the system late on a consistent basis, costing the system quite a bit of money in earnings. This causes an extreme amount of pressure on the system to maximize the rate of return on investments to stay actuarially sound. On the other hand, we are sending a signal, let us play social engineers with bonds belonging to public school employees and annuitants with no regard to rate of return on investments.

We are fiduciaries of that money. It is not our money, and I would urge my colleagues to oppose HB 315. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Bucks County, Representative Corrigan.

Mr. CORRIGAN. Thank you, Mr. Speaker.

This is a particularly difficult issue and one that I have trouble speaking on.

I ask for a "yes" vote on final passage of HB 315, and I do that for many, many reasons, and I would just like to discuss a couple.

One of the previous speakers said that we ought to stay out of Northern Ireland, that they are only fighting over there anyway. They do not know what they are doing and we do not know what we are doing. I would like to say to that speaker that the decent thing to do on this bill is to vote "yes" and the humane thing to do on this bill is to vote "yes." If you vote "no" on this bill, you are voting for the murder and the carnage that is going on in Northern Ireland every single day.

We can find any number of half-baked reasons why you could vote "no" to get out from under. What this bill is saying is that we are not getting involved in foreign policy, but we are saying that we are not going to pay for it. We are saying that little children being shot on the street every day in Northern Ireland are not going to be shot with the bullets that are bought from the money from the teachers' retirement fund, and if you vote "no," that is what you are doing.

We have had a conflict going on in Northern Ireland for hundreds and hundreds of years. We had a gentleman visit from Northern Ireland a couple of years ago who was the high constable or the chief law enforcement officer in Northern Ireland, and he said to us that there was no need to do anything, that they were forming a committee. Well, I guess they formed that committee. The result is, in the past couple of months, the British Government has moved in 6,000 more troops to keep the peace in Northern Ireland.

I do not like to distinguish between Catholic and Protestant because there is not a member, to my knowledge, of this House of Representatives, either Catholic or Protestant, who is any part of that problem in Northern Ireland. I do not believe that is true. But I will say to you that in the south, where the Catholics are in the majority, there are no troops. In the north, where the Protestants are in the majority, the British Government has 30,000 troops to keep the peace, and they are doing a very poor and a very partisan job of it.

This bill is not getting involved in foreign policy. We are not telling them what to do. What we are doing is telling them that we are not going to pay for what they are doing there, and I think we ought to make a statement and we ought to come out of the closet, come out of the darkness, take a look at what is going on and say, we can do something about it, that we can make a statement. Each one of you can make a little statement, a small request, in Northern Ireland to say that I am not personally going to pay for the things that are going on in Northern Ireland and the things that the British Government is doing to a small segment of the population because they are not of the same religious persuasion. They are the wrong things to do.

I can find every reason in the world to vote "yes" for this bill. I cannot find any reason that we ought to vote "no" for this bill.

Mr. Speaker, being familiar with the track record of this bill and knowing where it is going next, I would imagine that this is going to be the last stop. So if you want to have a say and if you are that strong about the murder that is going on in the streets of Northern Ireland, then you ought to vote "no." If you vote "yes," this is a statement and this is a statement that says that you are not going to pay for that carnage that is going on in Northern Ireland today, and I ask you very, very sincerely to consider a "yes" vote, no matter whether you are Catholic, Protestant, Jewish, or what have you. That is not the issue. The issue is trying to keep the peace, and as long as we have those discriminatory practices in hiring, et cetera, they are not going to address the problem on their own. Maybe we can get their attention, just maybe, and I hope that we can do that. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Crawford County, Mr. Merry.

Mr. MERRY. Mr. Speaker, I am sure we have all heard enough about this, and there seem to be two camps of thought here. I would like to reiterate that I am as concerned as everyone here is about the bad things that go on in Ireland as well as I am concerned about the bad things that go on in Philadelphia, in Cleveland, in Chicago, here in the United States.

I rise to speak against HB 315 for these reasons.

I heard one of the previous speakers, the early speakers, give great concern about the Catholics and the Protestants in Ireland. I would imagine he could have made just as good a speech for the Asians, the Hispanics, the blacks, the Protestants, the short, the tall, the children, the battered women in the United States as he did for those people in Ireland.

I have two great concerns here today, Mr. Speaker. One is for the message that we are sending to our school retirement board. We are looking at the first of three bills, and each of these bills will address a different retirement board. We are sending them a message that does not need to be sent to them. If they are getting the wrong message—and I am sure that it is coming to them—they are going to change investments that could very well have financial consequences to all the retirees that these boards address. So for that reason I do not think we should be sending this wrong message.

The second concern I have concerns each and every one in this body. We are going to go home tonight or tomorrow to people who are going to ask you what you did today for Pennsylvania, and we are going to proudly say that, no, we looked at a bill that addresses something in Ireland, an international event that is no real business of the legislature in Pennsylvania. We all have our right, justifiably, to have a personal opinion on the treatment that is going on over there. I do not feel that we have the right to tell our pension boards how to control their investments. But when I go home this week, I would rather tell people that I was addressing the uninsured children, the battered women, the murder and carnage that happens in our own State - in Philadelphia and Pittsburgh and wherever. I would much rather express those concerns than to say that my priority for the week was dealing with something in Ireland.

For those reasons, Mr. Speaker, I urge that we defeat HB 315.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Williams.

Mr. WILLIAMS. Thank you, Mr. Speaker.

A number of my friends have made jokes as I stood to make comments on this particular bill. They did not realize what my last name was. They seem to feel that this bill is isolated to those who are of Irish extraction, and the reality is, this bill and the principles which it espouses goes beyond the parameters of an ethnic group. Those of us who would like to rush the bill along and sweep it under the rug and look at the fact that America is not a diversified population are not facing the realities of the nineties and the year 2000 and beyond us. It is how we live with our neighbors, not only within the boundaries of the United States but those boundaries beyond the United States which will impact upon all of us and our children.

Those persons who would like us to think that this is a business, the fiduciary responsibilities of the State really do not have anything to do with those dollars in Ireland. Those of us who would like to suggest that it is a small population and the problems in the international community do not impact upon us in this legislature, I believe that is naive.

How would anyone who opposes this bill feel if we discovered that any dollars coming from any municipality or any governing body within the boundaries of the United States were going to support the government of Iraq? Would we not suggest that, at least at that moment, move quickly and swiftly to cut off those funds? Would any good American - Irish, Catholic, black, white, Jewish, Asian, or British - move to support dollars to support that Iraqi Government? No, we would not. So how can we turn our heads to what is factually laid out to us in black and white, in blood?

What is happening in Ireland is wrong, and if we who are members of our convening governments do not stand and support this, then we do not support principles; then we are hypocrites; then we do believe we lived in walled-in environments and that the bogeyman is not going to come and get us. That is wrong.

I am not Irish; I am not of Irish descent, to my knowledge—that is right, McWilliams—but I do believe in the principles of brotherhood and sisterhood, and so I reach out and I lend my hand when there is a time of need. Just as members of this chamber, not a majority but members of this chamber, stood and supported the Sullivan Principles, I stand and support the MacBride Principles and support their passage until it gets from this House to the Senate to that Irish Governor, Governor Casey, and he can sign it with great pride.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

YEAS—126

Acosta	Daley	Levdansky	Roebuck
Adolph	Dermody	Linton	Saloom
Allen	Donatucci	Lloyd	Scrimenti
Anderson	Durham	Lucyk	Serafini
Angstadt	Evans	McCall	Staback
Argall	Fajt	McGeehan	Steelman
Battisto	Fee	McHale	Steighner
Belardi	Foster	McHugh	Stetler
Belfanti	Freeman	McNally	Stish
Billow	Gallen	Maiale	Stuban
Bishop	Gannon	Markosek	Sturla
Blaum	George	Mayernik	Surra
Bowley	Gigliotti	Melio	Tangretti
Broujos	Gruitza	Michlovic	Taylor, E. Z.
Bunt	Haluska	Micozzie	Taylor, F.
Butkovitz	Harper	Mihalich	Taylor, J.
Caltagirone	Hayden	Mrkonic	Thomas
Cappabianca	Hershey	Mundy	Tigue
Carn	Hughes	Murphy	Trello
Carone	Itkin	O'Brien	Trich
Cawley	James	Oliver	Uliana
Cessar	Jarolin	Perzel	Van Horne
Civera	Josephs	Pesci	Veon
Cohen	Kaiser	Petrarca	Wambach
Colafella	Kasunic	Petrone	Williams
Colaizzo	Kenney	Pistella	Wogan
Cole	Kruszewski	Preston	Wozniak
Corrigan	Kukovich	Raymond	Wright, D. R.
Cowell	LaGrotta	Richardson	Wright, M. N.
Coy	Laughlin	Rieger	
DeLuca	Lawless	Ritter	O'Donnell,
DeWeese	Lescovitz	Robinson	Speaker

NAYS—71

Armstrong	Farmer	Johnson	Rudy
Arnold	Fleagle	King	Ryan
Barley	Flick	Krebs	Saurman
Birmelin	Gamble	Langtry	Scheetz
Black	Geist	Lee	Schuler
Boyes	Gerlach	Leh	Semmel
Brown	Gladeck	Marsico	Smith, B.
Bush	Godshall	Merry	Smith, S. H.
Carlson	Gruppo	Nahill	Snyder, D. W.
Chadwick	Hagarty	Nailor	Snyder, G.
Clark	Hanna	Nickol	Stairs
Clymer	Harley	Nyce	Strittmatter
Cornell	Hasay	Olasz	Telek
Davies	Hayes	Phillips	Tulli
Dempsey	Heckler	Piccola	Vance
Dent	Herman	Pitts	Vroon
Fairchild	Hess	Reber	Wilson
Fargo	Jadlowiec	Reinard	

NOT VOTING—0

EXCUSED—4

Freind Kosinski Noye Tomlinson

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.

VOTE CORRECTION

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

Mr. PISTELLA. Would it be appropriate, Mr. Speaker, at this time to correct the record?

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

Mr. PISTELLA. Thank you.

This morning on the concurrence vote on HB 222, I was not recorded as having voted. I wish to be recorded in the affirmative. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman. The remarks of the gentleman will be spread upon the record.

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 314, PN 330**, entitled:

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, placing limitations on investments in companies doing business in or with Northern Ireland.

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—121

Acosta	Daley	Levdansky	Scrimenti
Allen	Dermody	Linton	Serafini
Anderson	Donatucci	Lloyd	Staback
Angstadt	Evans	Lucyk	Steelman
Argall	Fajt	McCall	Steighner
Battisto	Fee	McGeehan	Stetler
Belardi	Foster	McHale	Stish
Belfanti	Freeman	McHugh	Stuban
Billow	Gallen	McNally	Sturla
Bishop	Gannon	Maiale	Surra
Blaum	George	Markosek	Tangretti
Bowley	Gigliotti	Mayernik	Taylor, E. Z.
Broujos	Gruitza	Melio	Taylor, F.
Bunt	Haluska	Michlovic	Taylor, J.
Butkovitz	Harper	Mihalich	Thomas
Caltagirone	Hayden	Mundy	Tigue

Cappabianca	Hershey	Murphy	Trello
Carn	Hughes	O'Brien	Trich
Carone	Itkin	Oliver	Uliana
Cawley	James	Perzel	Van Horne
Cessar	Jarolin	Pesci	Veon
Civera	Josephs	Petrarca	Wambach
Cohen	Kaiser	Petrone	Williams
Colafella	Kasunic	Pistella	Wogan
Colaizzo	Kenny	Preston	Wozniak
Cole	Kruszewski	Richardson	Wright, D. R.
Corrigan	Kukovich	Rieger	Wright, M. N.
Cowell	LaGrotta	Ritter	
Coy	Laughlin	Robinson	O'Donnell,
DeLuca	Lawless	Roebuck	Speaker
DeWeese	Lescovitz	Saloom	

NAYS—75

Adolph	Fargo	Johnson	Reinard
Armstrong	Farmer	King	Rudy
Arnold	Fleagle	Krebs	Ryan
Barley	Flick	Langtry	Saurman
Birmelin	Gamble	Lee	Scheetz
Black	Geist	Leh	Schuler
Boyes	Gerlach	Marsico	Semmel
Brown	Gladeck	Merry	Smith, B.
Bush	Godshall	Micozzie	Smith, S. H.
Carlson	Gruppo	Nahill	Snyder, D. W.
Chadwick	Hagarty	Nailor	Snyder, G.
Clark	Hanna	Nickol	Stairs
Clymer	Harley	Nyce	Strittmatter
Cornell	Hasay	Olasz	Telek
Davies	Hayes	Phillips	Tulfi
Dempsey	Heckler	Piccola	Vance
Dent	Herman	Pitts	Vroon
Durham	Hess	Raymond	Wilson
Fairchild	Jadlowiec	Reber	

NOT VOTING—1

Mrkonic

EXCUSED—4

Freind	Kosinski	Noye	Tomlinson
--------	----------	------	-----------

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 318, PN 334**, entitled:

An Act amending the act of February 17, 1906 (P. L. 45, No. 11), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," further providing limitations on investments in Northern Ireland.

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

Mr. MURPHY offered the following amendments No. A1056:

Amend Sec. 1 (Sec. 3.1), page 2, line 5, by inserting after "funds"

of moneys of the Pennsylvania Municipal Retirement Fund, or of any municipal pension plan funds

Amend Sec. 1 (Sec. 3.1), page 2, line 12, by inserting after "Treasurer"

and Auditor General

Amend Sec. 1 (Sec. 3.1), page 3, line 15, by inserting after "Treasurer"

and Auditor General

Amend Sec. 1 (Sec. 3.1), page 3, line 16, by inserting after "funds"

, moneys of the Pennsylvania Municipal Retirement Fund and municipal pension plan funds

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

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Murphy.

Mr. MURPHY. Mr. Speaker, this amendment takes the contents of HB's 316 and 317 and puts it into HB 318, and it includes additional pension funds. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—125

Acosta	Daley	Linton	Saloom
Adolph	Dempsey	Lloyd	Scrimenti
Allen	Dermody	Lucyk	Serafini
Anderson	Evans	McCall	Staback
Angstadt	Fajt	McGeehan	Steelman
Argall	Fee	McHale	Steighner
Battisto	Foster	McHugh	Stetler
Belardi	Freeman	McNally	Stish
Belfanti	Gallen	Maiale	Stuban
Billow	Gannon	Markosek	Sturla
Bishop	George	Mayernik	Surra
Blaum	Gigliotti	Melio	Tangretti
Bowley	Gruitza	Michlovic	Taylor, E. Z.
Broujos	Haluska	Micozzie	Taylor, F.
Bunt	Harper	Mihalich	Taylor, J.
Butkovitz	Hayden	Mrkonic	Thomas
Caltagirone	Hershey	Mundy	Tigue
Cappabianca	Hughes	Murphy	Trello
Carn	Itkin	O'Brien	Trich
Carone	James	Oliver	Uliana
Cawley	Jarolin	Perzel	Van Horne
Cessar	Josephs	Pesci	Veon
Civera	Kaiser	Petrarca	Wambach
Cohen	Kasunic	Petrone	Williams
Colafella	Kenny	Pistella	Wogan
Colaizzo	Kruszewski	Preston	Wozniak
Cole	Kukovich	Raymond	Wright, D. R.
Corrigan	LaGrotta	Richardson	Wright, M. N.
Cowell	Laughlin	Rieger	
Coy	Lawless	Ritter	O'Donnell,
DeLuca	Lescovitz	Robinson	Speaker
DeWeese	Levdansky	Roebuck	

NAYS—70

Armstrong	Fleagle	King	Rudy
Arnold	Flick	Krebs	Ryan
Barley	Gamble	Langtry	Saurman
Birmelin	Geist	Lee	Scheetz
Black	Gerlach	Leh	Schuler
Boyes	Gladeck	Marsico	Semmel

Brown	Godshall	Merry	Smith, B.
Bush	Gruppo	Nahill	Smith, S. H.
Carlson	Hagarty	Nailor	Snyder, D. W.
Chadwick	Hanna	Nickol	Snyder, G.
Clark	Harley	Nyce	Stairs
Clymer	Hasay	Olasz	Strittmatter
Cornell	Hayes	Phillips	Telek
Davies	Heckler	Piccola	Tulli
Dent	Herman	Pitts	Vance
Fairchild	Hess	Reber	Vroon
Fargo	Jadlowiec	Reinard	Wilson
Farmer	Johnson		

NOT VOTING—2

Donatucci Durham

EXCUSED—4

Freind Kosinski Noye Tomlinson

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?

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—126

Acosta	Daley	Levdansky	Roebuck
Adolph	Dermody	Linton	Saloom
Allen	Donatucci	Lloyd	Scrimenti
Anderson	Durham	Lucyk	Serafini
Angstadt	Evans	McCall	Staback
Argall	Fajt	McGeehan	Steelman
Battisto	Fee	McHale	Steighner
Belardi	Foster	McHugh	Stetler
Belfanti	Freeman	McNally	Stish
Billow	Gallen	Maiale	Stuban
Bishop	Gannon	Markosek	Sturla
Blaum	George	Mayernik	Surra
Bowley	Gigliotti	Melio	Tangretti
Broujos	Gruitza	Michlovic	Taylor, E. Z.
Bunt	Haluska	Micozzie	Taylor, F.
Butkovitz	Harper	Mihalich	Taylor, J.
Caltagirone	Hayden	Mrkonic	Thomas
Cappabianca	Hershey	Mundy	Tigue
Carn	Hughes	Murphy	Trello
Carone	Itkin	O'Brien	Trich
Cawley	James	Oliver	Uliana
Cessar	Jarolin	Perzel	Van Horne
Civera	Josephs	Pesci	Veon
Cohen	Kaiser	Petrarca	Wambach
Colaella	Kasunic	Petrone	Williams
Colaizzo	Kenney	Pistella	Wogan
Cole	Kruszewski	Preston	Wozniak
Corrigan	Kukovich	Raymond	Wright, D. R.
Cowell	LaGrotta	Richardson	Wright, M. N.
Coy	Laughlin	Rieger	
DeLuca	Lawless	Ritter	O'Donnell,
DeWeese	Lescovitz	Robinson	Speaker

NAYS—71

Armstrong	Farmer	Johnson	Rudy
Arnold	Fleagle	King	Ryan
Barley	Flick	Krebs	Saurman
Birmelin	Gamble	Langtry	Scheetz

Black	Geist	Lee	Schuler
Boyes	Gerlach	Leh	Semmel
Brown	Gladeck	Marsico	Smith, B.
Bush	Godshall	Merry	Smith, S. H.
Carlson	Gruppo	Nahill	Snyder, D. W.
Chadwick	Hagarty	Nailor	Snyder, G.
Clark	Hanna	Nickol	Stairs
Clymer	Harley	Nyce	Strittmatter
Cornell	Hasay	Olasz	Telek
Davies	Hayes	Phillips	Tulli
Dempsey	Heckler	Piccola	Vance
Dent	Herman	Pitts	Vroon
Fairchild	Hess	Reber	Wilson
Fargo	Jadlowiec	Reinard	

NOT VOTING—0

EXCUSED—4

Freind Kosinski Noye Tomlinson

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

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

BILL ON FINAL PASSAGE POSTPONED

The House proceeded to consideration on final passage postponed of **HB 2529, PN 3374**, entitled:

An Act amending the act of August 4, 1991 (P. L. , No. 7A), known as the "General Appropriation Act of 1991," providing additional appropriations from the General Fund.

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its announcement that the bill has been agreed to for the third time as amended.

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

Mr. CESSAR offered the following amendments No. A1208:

Amend Bill, page 2, by inserting between lines 20 and 21 Section 2. As much of the State appropriation for grants for housing and redevelopment assistance in section 211 of the act, is amended to read:

Section 211. Department of Community Affairs.—The following amounts are appropriated to the Department of Community Affairs: Federal State
* * *

For grants for housing and redevelopment assistance as authorized by the act of May 20, 1949 (P.L.1633, No.493), known as the Housing and Redevelopment Assistance Law. No more than 20% of the amount herein appropriated shall be allocated or granted to any one political subdivision. In addition, any funds returned to the department from prior year continuing appropriations for housing and redevelopment

assistance, including interest and refunds, shall be credited to the above appropriation.

[State appropriation.....	20,000,000]
State appropriation.....	13,500,000]

Amend Sec. 2, page 2, lines 21 and 22, by striking out all of said lines and inserting

Section 3. As much of the State appropriations for court-ordered payments and special education-approved private schools in section 212 of the act, vetoed in part August 4, 1991, are reenacted and amended to read:

Amend Sec. 2, page 3, by inserting between lines 7 and 8

For special education - approved private schools.

[State appropriation.....	65,500,000]
State appropriation.....	72,000,000]

Amend Sec. 3, page 3, line 8, by striking out "3" and inserting

4

Amend Sec. 4, page 4, line 2, by striking out "4" and inserting

5

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On the question of the amendment, the gentleman from Allegheny, Mr. Cessar.

Mr. CESSAR. Thank you, Mr. Speaker.

In the 1991-92 budget as we passed it, we appropriated \$72 million for approved private schools. The Governor vetoed \$6.5 million from that appropriation. Mr. Speaker, my amendment would reappropriate that \$6.5 million to approved private schools. My amendment would take and reduce \$6.5 million from the appropriation to Community Affairs for housing and redevelopment assistance.

Now, Mr. Speaker, why do I want to do this? Because I am a compassionate man who realizes that these funds should be restored to the 34 approved private schools in Pennsylvania for our mentally retarded students, cerebral palsy students, exceptional persons, blind and severely handicapped.

Mr. Speaker, we talk about being a compassionate society and we talk about doing things for the senior citizens, but I submit to you, Mr. Speaker, today this General Assembly has an opportunity to do something for those individuals who, by no fault of their own, were born into a situation where they really cannot help themselves. This is part of our duty, our responsibility, Mr. Speaker, to look at these young people and try to help them. And these approved private schools are not just in western Pennsylvania, Mr. Speaker; they are all over this State - Philadelphia, Allegheny County, Bensalem in Bucks County, all over.

Mr. Speaker, on behalf of all these people who cannot help themselves and the money which is sorely needed for these approved private schools, I would urge you strongly to adopt this amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Evans.

Mr. EVANS. Mr. Speaker, I guess in an ideal world, it would be great if we could afford to do all the things that we would like to do, but the reality is that we do not live in an ideal world; we do not live in a world where we can afford to do all of the things that we desire and we have feelings for, first.

Secondly, Mr. Speaker, on a very technical issue in terms of approved private schools, if anybody really understands what is taking place with approved private schools, you have the questions of audits that are taking place. There is constant debate between the State and these approved private schools on the amount of money that we owe them as well as the expenditures that take place.

Representative Ron Cowell, just last week in the Education Committee meeting, was raising these questions with the Secretary of Education, and Chairman Cowell was chastising the Secretary of Education over why this system is not working. As a matter of fact, Chairman Cowell has a bill to deal with this issue.

I do not believe, Mr. Speaker, that this is the place, at this particular time, to deal with this question of approved private schools. I believe, Mr. Speaker, if they are legitimate costs that this State owes to approved private schools, we should pay them, but I do not believe, Mr. Speaker, that this is the way to deal with this issue regarding approved private schools, first.

Secondly, Mr. Speaker, for those of us who have been very concerned about the housing question across the Commonwealth of Pennsylvania and the dollars that are coming down from Cranston and Gonzalez and why we need these housing redevelopment moneys to draw down more Federal dollars, again, it would be a mistake, Mr. Speaker, to move in this particular direction.

So I mentioned three things to you. First, Mr. Speaker, we certainly cannot do all that we would like to do; secondly, the questions of audits around approved private schools; and thirdly, Mr. Speaker, this would be taking money from the housing redevelopment area to put in an area that we are not so sure that we should be dealing with.

Mr. Speaker, we have debated the budget and the budget has passed. I believe, Mr. Speaker, it would be a mistake for us to accept this particular amendment, and I would ask all my colleagues on both sides of the aisle to be against this particular amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the gentleman, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, I agree with Representative Evans that this is not the time nor the place nor the vehicle for us to attempt to solve the problem confronting approved private schools. I share the view that probably a large number of members have that we ought to be providing additional appropriations in the State budget for approved private schools. The problem is, we really do not know how much more we ought to be providing. The problem is that we have a process that does not allow us

up front to determine with any certainty what kinds of costs the approved private schools will incur or what we really want to agree to up front, and that is the purpose of HB 1318, which is currently in the Appropriations Committee after being reported from the House Education Committee.

Mr. Speaker, the amount of money in the particular line item does not finally determine what we owe the schools, and so our failure to put enough money in right now does not necessarily relieve us of an obligation to pay bills to the approved private schools once the amount is determined with respect to how much we owe.

One of the reasons the Governor vetoed part of this appropriation last summer, a veto that upset most of us in this House, was that the administration claims that they do not really know what we are going to owe the schools and they claim that we are not really going to owe them \$72 million. So there is no real reason to expect at this point that the Governor is going to sign a larger appropriation, and in fact, what we might end up doing with this amendment is passing in a larger amendment for approved private schools that gets vetoed while at the same time we reduce the appropriation for housing and redevelopment, which might in fact be maintained then if this bill would get to the Governor in this form. So there is risk that we would hurt the housing and redevelopment line item without solving or doing anything for the approved private school line item.

My suggestion is that we get a better handle on what we actually owe the approved private schools for this year and preceding years, because part of this problem is the fact that there are outstanding audits going back, in one case to 1981 and in too many other cases to 1984 and 1985 and 1986. The system clearly is not working, but we do not know at this point what we owe the schools. Our failure to approve this amendment at this time will not eliminate our obligation to pay those schools. It is an issue that we must and we should confront at a time when we can get our hands on the figure.

Finally, in terms of the kids, which these schools and these programs are really all about. Whether we put this money into the budget now or whether we do not in no way increases or diminishes the rights of kids to the kinds of programs that their IEP's (individualized education programs) entitle them to. If a youngster is entitled to placement in an approved private school as a result of the IEP process that is used for all special-needs kids, the youngster is entitled to that placement and has a legal right to that placement, and then we can argue about how we are going to pay the bill and how much of that bill we owe. But this in no way, whatever we do today with respect to this amendment or this line item ever, it in no way diminishes the rights of the kids. So for those who are concerned about the kids and whether suddenly we are going to keep kids from getting the right kinds of placements, in my opinion, our failure to adopt this amendment today does not diminish those rights and does not keep kids out of these schools.

I therefore would urge that at this time we defeat the amendment and try to approach this issue in a rational and

more timely fashion when we get a better handle on what our real obligation is and what the real amount ought to be in this budget line item and that we have that information in such a way that we can persuade the Governor to support it rather than to simply veto it for a second time.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Montgomery County, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, there are two things here in this amendment that are extremely important.

First of all, it is the source of the dollars that we are talking about. These are dollars that have been put into the budgetary reserve, which means that the administration does not figure we are going to need these dollars, and he has put them aside.

The next thing is that the actual funding for these approved private schools, by the last speaker's statement, goes back to 1981, the audits. That means that the department is at this point 11 years behind in auditing the figures for these people, and every year that they are behind, they hold back either 5 percent and last year it was 10 percent of the money that was due them. Now we are this far behind and we are forcing these private schools to go out and borrow money in order to be in existence, and we are saying we want to wait and see what we owe them? We owe them this and a whole lot more. This money was budgeted. It was determined it was needed at the beginning of the time, and right now is the time to correct this situation.

I would urge a "yes" vote for this amendment.

The SPEAKER pro tempore. The gentlelady from Allegheny, Mrs. Langtry.

Mrs. LANGTRY. Mr. Speaker, I rise in strong support of this amendment.

Our approved private schools are in very, very bad financial shape because funds have been cut back year after year in the General Assembly. We have approved private schools that have run out of the opportunity to get bank loans. Some of them are closing. Several of them are not even accepting students from Pennsylvania anymore because they simply do not get paid.

This is a good amendment; this is the time to do it, and I hope we all vote "yes."

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On the amendment, the gentlelady from Chester County, Mrs. Taylor.

Mrs. TAYLOR. Thank you, Mr. Speaker.

You know, I would like to say to the members of this House that we are looking at an amendment which is sorely needed in this Commonwealth. You have heard other speakers say, now is not the time. I ask you, when is the best time? When is the appropriate time? When is the opportunity to do what we should be doing? I suggest to you that now, today, is the time and this amendment should be supported. Thank you very much.

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Cessar.

Mr. CESSAR. Thank you, Mr. Speaker.

In response to the majority Appropriations chairman and his remarks about the money being taken from the housing and redevelopment, I would just say to you, Mr. Speaker, that the Governor has indicated that he will not spend \$7.2 million as appropriated for housing and redevelopment. I think that just brings to bear the validity, the validity, Mr. Speaker, of transferring that \$6.5 million to those young people who sorely need the funds to make sure that they do have the proper care.

As I said before, Mr. Speaker, these schools, 34, are spread out all over the State: Intermediate Unit 2: Craig House, Pace, Pressley Ridge, Rehabilitation Institute of Pittsburgh, the Western Pennsylvania School for the Blind; in Scranton, the Scranton State School for the Deaf; Intermediate Unit 23: Martin Luther, Pathway, Timothy, Wordsworth - 34 schools that desperately need this money, Mr. Speaker. As previous speakers have indicated, there is a need for those people who are deaf, blind, and suffer from cerebral palsy. As I said before, Mr. Speaker, it is the opportunity of a lifetime here today, here today, Mr. Speaker, to appropriate that \$6.5 million that should have been given to these schools beginning from 1981.

I would urge support of this amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the majority leader, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, I am moved by the passion from some of the Republican members as they delineate exactly how these funds should be spent. During last year's budget season, when we needed responsible and courageous action in the fiscal arena, the people who have just left the microphones were nowhere to be found. They were not there to raise the money for these worthy programs.

It is impossible to argue with Mr. Cessar's declarations and personal commitments toward our senior citizens and toward our schools. His compassion is real and understandable and justified, but there is no doubt that the comments of the gentleman, Mr. Cowell, are more poignant and more relevant for the moment. Mr. Cowell said, this is neither the time nor the place nor the vehicle, neither the time nor the place nor the vehicle to make these alterations. We are here not to do a budget but to supplement a budget, and I would like to think that as the process unfolds in the next several weeks and months, we can have these kinds of discussions, that we can debate these issues on the floor.

But today we are here to try to pass a supplemental appropriation. In my opinion, the gentleman, Mr. Cessar's effort, although well intentioned and substantial, is not appropriate, and I would ask that it be denied. I would ask for a negative vote on the Cessar amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman from Berks County, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, the gentleman, the majority leader, just said, this is neither the time nor the place nor the vehicle. I guess the time to appropriate money is sometime in August, long after the budget deadline has passed. I guess the time is sometime at 3 o'clock in the morning, when everybody is dead tired around here. No, this is the time, when everybody has a chance to see this issue for what it is. And let us not say— Mr. Cowell said the same thing: *It is not the time; it is not the time.*

Now is the time, when everybody can get a focus on this issue and the deprivation that we have caused to these institutions over the years. This is the time, not sometime at 4 o'clock in the morning. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, by our constituents we have all been painted with the same broad brush that put on the horrendous tax increase of the last session, whether or not we indeed put up a vote for it. However, Mr. Speaker, when those taxes were imposed and that 12-percent-increase spending took place, it was not those who put up the votes who pay those taxes but rather our constituents. The money that is raised as a result of those taxes is from our constituents. Those of us who were cut out of the opportunity in the last spending operation, right now we have a responsibility to see what happens to those dollars. We have a responsibility to respond, and in this instance we are saying that a part of that money that comes from the taxes from the constituents of every member of this House, part of it is being put aside and said it is not needed and part that was voted at that time to be spent was vetoed and now could be put back.

Mr. Speaker, I think today we not only have a right to speak out but we have a responsibility to speak out and indeed to be careful what is happening to those tax dollars, whoever spent or whoever cast the votes to have it so that they were paid. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the gentleman, Mr. Gallen, for the second time.

Mr. GALLEN. Thank you, Mr. Speaker.

I just had an added thought. It seems to me that Mr. Cowell and Mr. DeWeese and Mr. Evans are telling us that we should not spend this money because it is there. Their agenda seems to be, first of all, let us spend money that is not there and then tax the people to make it up.

This is a different situation. This money is there. It is a transfer of funds. Let us spend the money that is there in the proper channels. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman from Allegheny, Mr. Cowell, for the second time.

Mr. COWELL. Thank you, Mr. Speaker.

With all due respect, Mr. Gallen just said something that made absolutely no sense at all. Mr. Speaker, nobody suggested that we spend money that is not there or is there. Nobody got into that argument at all. You just made that up. It sounded good, but it did not say anything either.

What we said was that we do not know how much money we owe to the approved private schools at this point. What we said was that whether this dollar figure is in this line item at this time or not, our obligation remains; we will owe it to the approved private schools once we determine how much we actually owe them. What we said was that the Governor already vetoed this figure once before, and until we can demonstrate what we actually owe them, the chances are, he will simply veto it again. What we said was that regardless of the dollar figure in here, the services are not being denied to any child, because a child's rights, rights of a handicapped child, in no way are diminished by or in any way determined by the dollars that we put into this line item.

So the kids are being served; the kids will be served. They will continue to have those rights, and we will continue to owe to the schools whatever is finally determined to be our obligation. We are not walking away from it. We should not walk away from it. This will not have us walk away from it. What this says is, let us make an appropriation, an increased appropriation if that is what is called for, when we know what we owe the schools, not when we are trying to engage in a political game where we look good today. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the gentlelady, Mrs. Langtry, for the second time.

Mrs. LANGTRY. Thank you, Mr. Speaker.

I would like to clarify a point here.

You have been told that we do not know what we owe the approved private schools. There is a certain amount of truth to that, and the reason that we do not know is because the funds are paid to the schools based on audits. Those audits are 5 and 6 years behind, and therefore, the approved private schools, until those audits are approved, do not fully receive their funds.

Over the years the approved private schools have not been fully funded. They are going broke. They are running up debts. They are borrowing from banks. Some are facing closure. They need the money and they need it now. We have it, and let us spend it where it belongs. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On the amendment, the gentleman, Mr. Evans.

Mr. EVANS. Mr. Speaker, I again have to stress to our members that this approach, in my view, is not a sound approach, and I stress that here in the spirit of what the gen-

tleman is attempting to do, it will not work. You heard Chairman Cowell and you heard a number of other people say that we are not clear exactly what we are paying for.

So I would ask my colleagues again to think very carefully and closely about voting this amendment down. It is not in the best interest at this point to be talking about dealing with the question—there are these outstanding audits—exactly how we will solve this issue, first; secondly, also about taking money from the housing redevelopment, especially when the critical and crucial need is out there about dealing with housing.

Again I would ask our members to vote "no" on this particular issue.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—96

Adolph	Fairchild	Kaiser	Reinard
Allen	Fajt	Kenney	Ryan
Anderson	Fargo	King	Saurman
Angstadt	Farmer	Langtry	Scheetz
Argall	Fleagle	Lawless	Schuler
Armstrong	Flick	Lee	Semmel
Barley	Foster	Leh	Serafini
Birmelin	Gallen	McGeehan	Smith, B.
Black	Gannon	McHugh	Smith, S. H.
Boyes	Geist	Marsico	Snyder, D. W.
Brown	Gerlach	Mayernik	Snyder, G.
Bunt	Gladeck	Merry	Stairs
Bush	Godshall	Micozzie	Strittmatter
Carlson	Gruppo	Nahill	Stuban
Cessar	Hagarty	Nailor	Taylor, E. Z.
Chadwick	Harley	Nickol	Taylor, J.
Civera	Hasay	Nyce	Telek
Clark	Hayes	O'Brien	Tulli
Clymer	Heckler	Perzel	Uliana
Cornell	Herman	Phillips	Vance
Davies	Hershey	Piccola	Vroon
Dempsey	Hess	Pitts	Wilson
Dent	Jadlowiec	Raymond	Wogan
Durham	Johnson	Reber	Wright, M. N.

NAYS—100

Acosta	Dermody	Linton	Rudy
Arnold	Donatucci	Lloyd	Saloom
Battisto	Evans	Lucyk	Scrimenti
Belardi	Fee	McCall	Staback
Beffanti	Freeman	McHale	Steelman
Billow	Gamble	McNally	Steighner
Bishop	George	Maiale	Stetler
Blaum	Gigliotti	Markosek	Stish
Bowley	Gruitza	Melio	Sturla
Broujos	Haluska	Michlovic	Surra
Butkovitz	Hanna	Mihalich	Tangretti
Caltagirone	Harper	Mundy	Taylor, F.
Cappabianca	Hayden	Murphy	Thomas
Carn	Hughes	Olasz	Tigue
Carone	Itkin	Oliver	Trello
Cawley	James	Pesci	Trich
Cohen	Jarolin	Petrarca	Van Horne
Colafiglia	Josephs	Petrone	Veon
Colaizzo	Kasunic	Pistella	Wombach
Cole	Krebs	Preston	Williams
Corrigan	Kruszewski	Richardson	Wozniak
Cowell	Kukovich	Rieger	Wright, D. R.
Coy	LaGrotta	Ritter	
DeLuca	Laughlin	Robinson	O'Donnell,

DeWeese Lescovitz Roebuck Speaker
 Daley Levdansky

NOT VOTING—1

Mrkonic

EXCUSED—4

Freind Kosinski Noye Tomlinson

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

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

Mr. LAWLESS offered the following amendments No. A1207:

- Amend Sec. 2, page 2, line 21, by striking out "appropriation" and inserting appropriations
 - Amend Sec. 2, page 2, line 22, by inserting after "payments" and library access
 - Amend Sec. 2, page 2, line 22, by striking out "is" and inserting vetoed in part, August 4, 1991, are
 - Amend Sec. 2 (Sec. 212), page 3, by inserting between lines 7 and 8
 For library access.
- | | |
|---------------------------|------------|
| [State appropriation..... | 3,000,000] |
| [State appropriation..... | 5,000,000] |
- ***

Section 3. As much of the State appropriation for general government operations in section 217 of the act, is amended to read:

Section 217. Department of Labor and Industry.—The following amounts are appropriated to the Department of Labor and Industry: Federal State

- For general government operations of the Department of Labor and Industry. This appropriation includes the sum of \$200,000 for a labor education program.
- | | |
|---------------------------|------------|
| [State appropriation..... | 5,016,000] |
| [State appropriation..... | 3,993,000] |
- ***

Amend Sec. 3, page 3, line 8, by striking out "3" and inserting
 4

Amend Sec. 3, page 3, line 10, by striking out "appropriation" and inserting appropriations for general government operations, information systems, Statewide operations related to county administration and

Amend Sec. 3 (Sec. 219), page 3, by inserting between lines 16 and 17

- For general government operations of the Department of Public Welfare, including the monitoring of residential contracts.
- | | |
|---------------------------|-------------|
| [State appropriation..... | 33,994,000] |
| [State appropriation..... | 33,680,000] |
- ***

- For information systems.
- | | |
|---------------------------|-------------|
| [State appropriation..... | 26,688,000] |
| [State appropriation..... | 26,403,000] |
- ***

For Statewide operations related to county administration of the public assistance and medical assistance programs.

[State appropriation.....	34,869,000]
State appropriation.....	34,466,000]

Amend Sec. 4, page 4, line 2, by striking out "4" and inserting
 5

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

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Lawless.

Mr. LAWLESS. Mr. Speaker, in the 1991-92 budget, the General Assembly passed a \$5-million appropriation for library access. The Governor vetoed \$2 million of that \$5 million.

Mr. Speaker, what this amendment will do is we are taking money from the bureaucracy. We are putting the money back into the communities. It is a needed community program, library access. Again, this amendment would restore the \$2 million that the Governor vetoed for the library access program, a concurrent reduction of \$2,025,000 from the following appropriations: Labor and Industry general government, \$1,023,000; Welfare general government, \$314,000; information systems, \$285,000; statewide county administration, \$403,000.

Mr. Speaker, what this amendment is is it is community libraries versus the bureaucracy. It is time now that we side with our communities and support this amendment. Thank you.

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Evans.

Mr. EVANS. Mr. Speaker, if I did not make myself clear before—and I thank those members who defeated that last amendment—I would like to make it very clear again that the *only thing we do is create a deficit for us in dealing with this fiscal year.* This, Mr. Speaker, will virtually stop the Labor and Industry Department from operating. It is again another attempt, Mr. Speaker, to deal with the question of the budget reserves. Mr. Speaker, this is not the place to go about the business of attempting to deal with the budget reserves.

I am saying to you, Mr. Speaker, that we have some tough decisions to make over the next couple weeks, and this is not the way it is done, Mr. Speaker. The minority leader knows that he can smile and everyone else can smile about the attempts of continuing to play politics as usual, but, Mr. Speaker, we all know that this issue is going to come back to haunt us.

So I would ask you to vote against this amendment, because, again, it continues to feed into the issues of those decisions that I said to you yesterday that must be flexible as we try to deal with the budget problem that we have. We certainly cannot spend money that we do not have, Mr. Speaker.

Mr. Speaker, we, especially on this side of the aisle, need to understand that since the vast majority of the people over here raised this revenue, it is ironic, Mr. Speaker, that this gentleman wants to spend money that we do not have. Yes, Mr. Speaker, they want to run out and have campaign literature, but, Mr. Speaker, at some point we have to be concerned

about the Commonwealth of Pennsylvania, and this partisanship, Mr. Speaker, has to be enough is enough, because the bottom line, Mr. Speaker, comes down to the fiscal health of this State. And, Mr. Speaker, this kind of amendment is a continuous type of amendment, Mr. Speaker, that it is fun to spend money but nobody wants to figure out how to pay for it.

So I would ask all of my colleagues to vote against this particular amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the minority leader, Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I just heard the gentleman, Mr. Williams, the distinguished Appropriations Committee chairman for the other side, say that I was smiling. Evans. Evans. Pardon me. Pardon me. How could I do such a thing?

Mr. EVANS. I know. I know. Being Irish brothers, we understand that.

Mr. RYAN. That is right. Well, that is because—

Mr. EVANS. Take your time. Take your time. Take your time.

Mr. RYAN. That is all right. Well, you make me smile.

Mr. EVANS. I know.

Mr. RYAN. I mean, you just have that good humor about you. You know how to handle an Irishman like myself.

Mr. EVANS. Well, if I have such good humor, why do you not encourage people to vote "no" on the amendment?

Mr. RYAN. My turn, please.

The problem is, the problem is that some of the people on your side might not recognize blarney when they hear it. I do.

Now, you started off by saying the minority leader was smiling, and what brought that smile to my face, Mr. Speaker, were the remarks of the gentleman saying that this amendment was creating a deficit. The smile was the blatant misrepresentation of the gentleman that this amendment was creating any deficit whatsoever.

There is \$404 million, plus or minus a couple, sitting in reserve. There is no deficit financing here. This is money that was appropriated last August 4 or 5, whatever that wonderful date was, to this service that we are trying to put back in now to the libraries of Pennsylvania and the Governor took out. Now, this is something that you and I, all of us, wanted to do back then and still want to do. This is a service to our community. Why should \$400 million be sitting in the Governor's savings account, moneys that we appropriated for special needs, special programs such as library services, and now all of a sudden be told that we are creating a deficit because the Governor did not happen to feel like spending money for library services when he vetoed \$2 million of this money.

I am suggesting to you, not suggesting to you, I am telling you there is no deficit being created by this amendment. We cannot create deficits in Pennsylvania for the simple reason that the Governor cannot sign a bill unless there is the money to pay for it. There is \$400 million sitting in a reserve account and a portion of that is being taken out. This is money that the Governor has said, I do not need; there is a good chance I do not need it; it runs my bureaucracy in many cases.

Now, you make a decision as to whether or not you want the \$400 million stuck in that savings account reserved for the bureaucracy of this State or you want \$2 million to go back into your local libraries, and you think that one over and then you will have a better understanding of the reason for the smile that I had on my face when the gentleman made reference to creating a deficit.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Evans.

Mr. EVANS. Mr. Speaker, I now know why my good friend got up, and you noticed the applause that he received. I did not realize, Mr. Speaker, that we had visitors from libraries.

Mr. Speaker, I would like to do what everybody else would like to do. I would like to be popular. I would love to be able to do everything for every single person. I would love to do that. I would love to have everybody up in that gallery stand up and give me a standing ovation, but I know full well that I have got to figure out a way to pay for it.

Mr. Speaker, it is nice to sit on that side of the aisle and play to the audience. You can do that when you sit on that side of the aisle, but when you sit on this side of the aisle, you have got to make some tough decisions, and some of those decisions you have got to make on this side of the aisle is where you pay for things. You see, Mr. Speaker, it is fun to sit over there. You can do these kinds of amendments. You can put out press releases. You can write statements. You can tell people, I was for the libraries; I was for the approved private schools; I was for this group; I was for that group. It is the best thing in the world, but the reality of it, we cannot do that. You and I both know we cannot do that.

So the Governor took a very courageous and made a courageous decision, and the minority leader said, in the Governor's bank account. That is what the minority leader said - in the Governor's bank account. Wait a minute. That is Pennsylvania's bank account. It is not Bob Casey's bank account; it is Pennsylvania's bank account. So the minority leader just gave you some evidence to show you why it is great to sit on that side of the aisle, it is great to sit up there and say, well, I want to play to the audience.

Well, Mr. Speaker, this is about governing; this is about making some tough decisions, and, Mr. Speaker, this is not about playing to the gallery. This is not about saying, well, I am going to give you \$2 million to libraries. This goes beyond that, Mr. Speaker. This will require some tough choices, and the tough choice was made, Mr. Speaker, when the Governor put \$400 million aside and said that because we had lost \$140 million in revenue this particular month, that we have got to be cautious and we have got to be prudent.

Mr. Speaker, we have got to go slow. We have to go slow because, as I said to you some time ago, because of this Republican-driven recession, this Republican-driven recession, Mr. Speaker, that we happen to be operating in, that George Bush took forever to realize that we had a recession, Mr. Speaker, the bottom line is that Pennsylvania has to be responsible. We have to make responsible decisions,

Mr. Speaker, and a responsible decision right now is not spending money we do not have.

So I would ask all of my colleagues to vote "no" on this amendment. Thank you.

The SPEAKER *pro tempore*. The Chair thanks the gentleman and recognizes the gentleman from Allegheny, Mr. McNally.

Mr. McNALLY. Mr. Speaker, would the gentleman, Mr. Ryan, stand for a brief interrogation?

The SPEAKER *pro tempore*. The gentleman indicates that he will. The gentleman, Mr. McNally, is in order and may proceed.

Mr. McNALLY. Mr. Speaker, I am just thinking back to a few weeks ago when we had an amendment introduced by the gentleman, Mr. Ryan, that would have established a tax reduction fund. I wonder if he recalls that amendment.

Mr. RYAN. I never put that particular amendment in. I suggested it on the floor though, yes.

Mr. McNALLY. Well, it is in fact an amendment that the gentleman prepared. I was wondering why, since we have this \$400 million that he is talking about sitting around, why is it that he does not want to give it back to the taxpayers?

Mr. RYAN. Do I have your support on such a move?

Mr. McNALLY. Mr. Speaker, the gentleman did not ask to interrogate me, but in fact if there were \$400 million just lying around, I would be more than happy to do so.

Mr. RYAN. I will see you tomorrow.

Mr. McNALLY. Mr. Speaker, could I comment on the amendment?

The SPEAKER *pro tempore*. The gentleman is in order and may proceed.

Mr. McNALLY. Mr. Speaker, as other gentlemen had indicated, this is a little bit of serious grandstanding, I think is the term that has been used in the past. We want to increase funding for libraries, but we do not want to bring back the tax reduction fund amendment evidently, and I would point out to the people in the audience that one of the exemptions in that tax reduction fund amendment was for continuing appropriations. That amendment exempted this legislature, this caucus, and the other caucuses in the General Assembly from having to give money back to the taxpayers. If the gentleman is so concerned about giving more money for libraries, why do they not appropriate some of the millions of dollars in their own accounts and give it to the libraries?

I ask that we oppose this amendment. Thank you.

The SPEAKER *pro tempore*. The Chair thanks the gentleman and recognizes the gentleman from Allegheny County, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, the minority leader said that we cannot create deficits here on the floor by the kinds of spending decisions that we might make, and perhaps technically he is correct when he went on to say that the Governor will not sign a budget, cannot sign a budget that would put us in deficit. But what we all have learned in this State and in States all over this country—

The SPEAKER *pro tempore*. Will the gentleman, Mr. Cowell, suspend. Would you care to take another microphone? That one is not working correctly. The gentleman, Mr. Evans, will share his.

The gentleman, Mr. Cowell, is in order and may proceed.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, what we have learned in Pennsylvania and all over this country is that deficits can be created after a legislature and a Governor authorize expenditures if adequate revenues do not come in, and that is the problem that we are facing here in Pennsylvania again in 1992. As Representative Evans said, in March alone our revenues were \$140 million less than what was anticipated, and so if we do *nothing else* but spend all the money that was authorized in this year's budget, we could end up with a very serious deficit. And anybody who is being honest about analyzing the situation will acknowledge that Bob Casey, Governor Casey, is trying to avoid that kind of problem, avoid that kind of yearend deficit when he has taken the action he has to date, and that is to reserve expenditures, reserve money. He really does not have a pot of money that is sitting there. Some people have portrayed it as a savings account or a pot of money. It is money that is *not there*. What he is doing is reserving judgment about whether we will spend everything we authorized.

You know, a lot of people have criticized the Governor for spending too much money, not being careful enough, spending beyond our means. He is *not guilty of those things*. In fact, he is guilty of just the opposite. He is guilty of making sure we do not spend beyond our means. He is making sure that we do not spend money that we do not have.

The \$400 million are being reserved, those spending decisions are being deferred, pending a final determination of what kind of revenues we are going to have. And so those who would have us spend all of that money, all of that authorized amount, would have us risk getting into a deficit situation come the end of June. And that may well be what some politicians want to cause to happen, but responsible legislators and responsible administrators and certainly the taxpayers of the Commonwealth do not want us to cause that kind of problem.

On the issue of the libraries, it is pretty easy to give speeches today patting oneself on the back as being prolibrary. We all know that the Capitol was properly filled with librarians and friends of Pennsylvania's libraries. Let us keep in mind how we got to where we are today. For those who might be concerned about funding for libraries, they need to know how we were able to provide any appropriations this year for libraries.

If it would have been left to most of the members on that side of the aisle, there would have been no money for libraries in 1991-92. We were able to put money into the 1991-92 budget for libraries because most of the men and women on this side of the aisle were willing to make the tough decision last summer to raise the money, and folks on that side of the aisle sat on their hands, for the most part, and said, we do not care where the money comes; we have got a lot of ideas how to spend it, but we are not going to have the political integrity to help raise it.

And so those who are sitting in the gallery or in this Capitol or reading newspapers who are trying to figure out who is responsible for funding libraries in this State and who have made it possible to fund the libraries need to recognize that it was a majority of the Democrats in the House of Representatives who cast the votes to raise the money to allow us to provide appropriations for libraries this year. And if we would not have done it, if we would have left it to the other side, there would have been no money for libraries, and that is the honest explanation about how we got to where we are today.

Mr. Speaker, this amendment again is an attempt to drive this legislature and this State into a deficit situation come June 30. It is an attempt to play to the crowd today while insuring that we do not have enough money to pay our bills come the end of June. And once again, I am sure we will find that it will be that side of the aisle that will be criticizing Casey for spending too much money, spending beyond our means, and blaming us for any kind of tax increase that might be necessary. Let us get it straight, Mr. Speaker. It is this side of the aisle that is acting responsibly. We are going to make sure we do not have a deficit situation. We are going to make sure that there is money available to fund libraries in 1992-93 as well as during the current year.

Mr. Speaker, I urge that we defeat the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, listening to the debate today is something like watching a table tennis match - the ball has bounced back and forth and has covered a lot of ground, but it offers a lot of opportunities.

In one such opportunity, I heard someone, the previous speaker, talk about diminishing Federal dollars. Mr. Speaker, we submitted last year a report where Federal dollars have increased every year for over the past 10 years, and just yesterday \$60 million went to medicaid, which was an increase, so I think we need to keep that in mind when we are bashing the Federal Government's support.

The next thing, Mr. Speaker, that I just heard has to do with the raising of funds. This is certainly a philosophical matter, but since it has been brought up, Mr. Speaker, we have talked about cutting spending and reappropriating money where it is needed and getting rid of other programs where it is not needed, getting rid of some assets. We made some suggestions; we offered opportunities to do that, but that was not the way that this General Assembly was going to go because of the way the votes lined up, and let us not forget that. It is not just who raises the dollars; it is how those dollars are made available.

Finally, Mr. Speaker, I think there is a great misunderstanding on someone's part. The figures that I have showed that just this past month for the first time this year revenues fell behind the projected figures by three-tenths of 1

percent. The \$400 million which the Governor has put aside is 10 times that amount. Now, that is a pretty good safety factor considering that we are very close to the end of the fiscal year and we are entering into April, which is the month when the taxes will come in at their greatest proficiency.

Mr. Speaker, we not only can but we should put this money back in the community, and I urge your support of this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman, Mr. Lawless, for the second time.

Mr. LAWLESS. Mr. Speaker, Mr. Evans indicated that we are expecting him to do everything for everybody and he cannot do that. He wants us to make responsible decisions. If he recalls, back in August when we sat through the budget, Mr. Evans then at that time sided with this amendment - the \$5 million for the community libraries. I ask him today to do the responsible thing that he talks about and support the Lawless amendment for libraries. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—96

Adolph	Durham	Kaiser	Reinard
Allen	Fairchild	Kenney	Ryan
Anderson	Fargo	King	Saurman
Angstadt	Farmer	Langtry	Scheetz
Argall	Fleagle	Laughlin	Schuler
Armstrong	Flick	Lawless	Semmel
Barley	Foster	Lee	Serafini
Belfanti	Gallen	Leh	Smith, B.
Birmelin	Gannon	McHugh	Smith, S. H.
Black	Geist	Marsico	Snyder, D. W.
Boyes	Gerlach	Merry	Snyder, G.
Brown	Gladeck	Micozzie	Stairs
Bunt	Godshall	Murphy	Strittmatter
Bush	Gruppo	Nahill	Stuban
Carlson	Hagarty	Nailor	Taylor, E. Z.
Cessar	Harley	Nickol	Taylor, J.
Chadwick	Hasay	Nyce	Telek
Civera	Hayes	O'Brien	Tulli
Clark	Heckler	Perzel	Uliana
Clymer	Herman	Phillips	Vance
Cornell	Hershey	Piccola	Vroon
Davies	Hess	Pitts	Wilson
Dempsey	Jadlowiec	Raymond	Wogan
Dent	Johnson	Reber	Wright, M. N.

NAYS—99

Acosta	Donatucci	Linton	Roebuck
Arnold	Evans	Lloyd	Saloom
Battisto	Fajt	Lucyk	Scrimenti
Belardi	Fee	McCall	Staback
Billow	Freeman	McGeehan	Steelman
Bishop	Gamble	McHale	Steighner
Blaum	George	McNally	Stetler
Bowley	Gigliotti	Maiale	Stish
Broujos	Gruitza	Markosek	Sturla
Butkovitz	Haluska	Mayernik	Surra
Caltagirone	Hanna	Melio	Tangretti
Cappabianca	Harper	Michlovic	Taylor, F.
Carn	Hayden	Mihalich	Thomas
Carone	Hughes	Mundy	Tigue
Cawley	Itkin	Olasz	Trello

Cohen	James	Oliver	Trich
Colafiglia	Jarolin	Pesci	Van Horne
Colaizzo	Josephs	Petrarca	Veon
Cole	Kasunic	Petrone	Wambach
Corrigan	Krebs	Pistella	Williams
Cowell	Kruszewski	Preston	Wozniak
Coy	Kukovich	Richardson	Wright, D. R.
DeLuca	LaGrotta	Rieger	
DeWeese	Lescovitz	Ritter	O'Donnell,
Daley	Levdansky	Robinson	Speaker
Dermody			

NOT VOTING—2

Mrkonic Rudy

EXCUSED—4

Freind Kosinski Noye Tomlinson

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

On the question recurring,

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

Mrs. TAYLOR offered the following amendments No. A1206:

Amend Bill, page 2, by inserting between lines 20 and 21

Section 2. As much of the State appropriation for general obligation debt service in section 206 of the act, is amended to read:

Section 206. Treasury Department.—The following amounts are appropriated to the Treasury Department:

For general obligation debt service or to pay all arbitrage rebates to the Federal Government required under section 148 of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 148).

[State appropriation.....	462,300,000]
State appropriation.....	458,500,000

Amend Sec. 2, page 2, line 21, by striking out "2" and inserting

3

Amend Sec. 3, page 3, line 8, by striking out "3" and inserting

4

Amend Bill, page 4, by inserting between lines 1 and 2

Section 5. As much of the State appropriation for deferred maintenance in section 227 of the act, vetoed in its entirety August 4, 1991, is reenacted and amended to read:

Section 227. State System of Higher Education.—The following amounts are appropriated to the State System of Higher Education:

For deferred maintenance, as a condition of accepting these funds, the State System of Higher Education shall provide matching funds equal to at least 50% of this appropriation.

[State appropriation.....	0]
State appropriation.....	3,800,000

Amend Sec. 4, page 4, line 2, by striking out "4" and inserting

6

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

The SPEAKER pro tempore. The gentlelady, Mrs. Taylor.

Mrs. TAYLOR. Mr. Speaker, this amendment would restore the appropriation that was agreed upon in the 1991-92 budget of \$3.8 million to the State System of Higher Education for deferred maintenance.

Now, those who serve in this Assembly know that we have had committees and task forces and discussions on the need to address deferred maintenance on our campuses. This is not a new topic. This has been around for a long time, and the General Assembly decided in the 1991-92 budget to address this issue.

I remind the members that while the Governor saw fit in his 1992-93 budget to be very hard on higher education, he did give us the figure of at least maintaining the same numbers in the 1992-93 budget as we had in the current budget. He did this because he reminded us that those universities, the State universities, are our universities. The buildings on those campuses were built with taxpayers' money, and we must address the fact that these buildings have to be maintained.

Now, I think that maybe some people today are thinking we are talking about next year's budget. We are not. We are talking about the budget, the current budget, the budget that was passed by this House, the budget that had in it a certain amount of money for this deferred maintenance. We are not asking for more money. We are not asking for less. We are asking and we are talking about funding deferred maintenance on the State universities at the level that was decided in the current budget.

I urge the members to take very seriously the passage of this amendment. No matter what, no matter what you will hear when I am finished speaking, you will not be able to deny that this is our system of higher education. These are the buildings that are built with taxpayers' money. The responsibility for the maintenance is ours and must be addressed and cannot continue to be deferred.

I strongly urge passage of this amendment.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On the question, the gentleman from Philadelphia, Mr. Evans.

Mr. EVANS. Mr. Speaker, this again is one of those great amendments. This is one of those kinds of amendments, Mr. Speaker, that I could not stand up here in good conscience and say to you that we need to do something about deferred maintenance.

Since I became chairman of the Appropriations Committee, Mr. Speaker, I have met with Chairman Cowell and Chairman Davies, and we talked about the issue of deferred maintenance, and in those discussions we all said to ourselves we need to have a strategy about dealing with deferred maintenance, and unfortunately, Mr. Speaker, we do not have an answer to that problem at this point. But, Mr. Speaker, I do not believe that this particular amendment at this particular time is the answer to dealing with the deferred maintenance

question, because again, Mr. Speaker, we are attempting to touch those reserves which are for the purposes of trying to cushion us against a potential deficit. And, Mr. Speaker, although I can agree with the lady that we need to do something about deferred maintenance, this is not the way to go, first.

Secondly, Mr. Speaker, we passed HB 2216, which is in the Senate, which would authorize our ability to do more spending on debt. Mr. Speaker, there is not anything we can do about the Senate moving on HB 2216. We did our part. So, Mr. Speaker, there are two issues: one, HB 2216, and secondly, Mr. Speaker, we do not have the money available at this particular point to deal with the question of deferred maintenance.

Mr. Speaker, I am just as concerned about deferred maintenance as the lady is, Mr. Speaker, in terms of the institutions that we own. Chairman Davies and Chairman Cowell will tell you that I did talk to them. Did I have an answer? I would be the first one to tell you, no, we do not have an answer to dealing with this question at this particular moment. But again, Mr. Speaker, this is one of those kinds of amendments that want to kind of make you popular with people, want to kind of make you feel like, well, it is the right thing to do. Well, Mr. Speaker, sometimes on this floor we have to make some tough choices, and the tough choice, Mr. Speaker, is being against this particular amendment because at this particular point, Mr. Speaker, this amendment is not in our best interest. Thank you.

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

Mr. RYAN. Mr. Speaker, just a brief comment.

I listened to the gentleman, Mr. Evans, and, for instance, his last words: It is not a good thing to do this at this time. I do not know when a good time is. Apparently, last August, when we were \$3 billion in the red, was a good time, because at that time we put it in the budget, and we put it in the budget with your agreement, with my agreement, with your caucus' agreement, with the agreement of some members of my caucus, but we did it with the agreement of 102 members. Now all of a sudden it is not such a good idea, and we are saying that while we have \$400 million sitting in our piggy bank—for the bureaucracy, for the bureaucracy—yet last summer, with no extra money and a \$3-billion tax raise, we thought it was a great idea. Now, you know, something is wrong here. If we could pay the libraries last summer, we could take approved private schools last summer when we did not have any money, now we have got \$400 million and you say we cannot do it. Something is wrong.

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Evans.

Mr. EVANS. Mr. Speaker, the minority leader makes some good points, and I want to be the first one to say when he makes some good points.

However, what the minority leader forgot to tell you, Mr. Speaker, is that we are down in revenues for the year and it

does not appear to be an optimistic point of view, Mr. Speaker, in terms of growth of the economy. The minority leader knows that, Mr. Speaker. Mr. Rosenstein, his top fiscal person, could tell you what the numbers are for the month of March. He knows full well what the numbers are. I am not telling him anything he does not know. It would be something different if it was a secret, Mr. Speaker, but it is no secret. He knows what the numbers are. It is not like we are the only ones who have the numbers and they do not have the numbers. They have the numbers, and since they have the numbers, the only thing he has to do is look at the numbers. And being that he is my good buddy and he knows about numbers, he understands about numbers, he knows full well that the money is not there.

We cannot spend what we do not have, Mr. Speaker. Yes, it was a good time in August; it was a good time, but, Mr. Speaker, this is March. This is March, and at this point, Mr. Speaker, we cannot spend what we do not have. You know what the numbers are. Why do you not tell people what the numbers are? Let us operate on the numbers, Mr. Speaker, and not politics. I said to you before, you know full well, Mr. Speaker. Mr. Speaker, I want to make sure you hear what I am saying. Mr. Speaker, my point is, you know what the numbers are, and the numbers are very clear, Mr. Speaker. The money is not there. If the money was there, I would join with you.

I am for deferred maintenance. I want to make sure buildings are fixed. I want to make sure colleges are taken care of. I want to do those things like you, Mr. Speaker. I want to do the good things, and I want to do the right things, but at this point, Mr. Speaker, it requires a tough choice. There is no way you got to be leader, Mr. Speaker, without making tough choices. This is a tough choice, Mr. Speaker.

Encourage your caucus to vote "no" on this particular amendment, because, Mr. Speaker, this is not the way we need to go.

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

Mr. RYAN. You know, Mr. Speaker, if you think it was a good time in August, you are sick. August was awful. Now, come on. Be serious. August was the worst month any of us ever put in, those early weeks of August and the late weeks of July. This whole Commonwealth was closing down, and yet at that time, with bills crushing in, with a budget crushing in, with people unpaid, hospitals closing, we believed that it was very important that the deferred maintenance of our school buildings be addressed and taken care of, and we did that not in good times. That was the worst of times. These are good times by comparison. By comparison these are good times. We have got \$400 million in our pocket.

We just had—I know what the numbers are—we just had some bad news on corporate taxes, and you know and I know that the gurus out of Revenue, the estimators out of Revenue, are all thinking now—they are crossing their fingers; I hope they are right—that maybe this is because this year the money was due in in March instead of April as heretofore and maybe

there are some mistakes that will be made up in April. The forms also went out of Revenue late to the corporations. The good news coming out of Revenue is during this past month there was an additional \$6 million over estimates in sales taxes, which is some indication of a return of buyer credit, *buyer confidence*, consumer confidence.

I do not know what the future brings; neither one of us does, but I do not think it is as bleak as you are painting it. And in any event, deferred maintenance may be the most expensive savings you can make because your buildings will come toppling down, and the few dollars that are involved here with \$400 million of money that the Governor says he has no need for in many cases we can afford to spend.

Now, I am not going to try and have this go on ad nauseam, because we are really running a good thing into the ground, and I am questioning the good thing, but, you know, do not say *any more so I do not have to stand up*.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the amendment, the gentlelady from Chester, Mrs. Taylor, for the second time.

Mrs. TAYLOR. Mr. Speaker, I will be very brief.

You talk about do we know the numbers. We know the numbers that defeated the good amendment on approved private schools. We know the numbers that defeated the library access. We know and the citizens know the numbers. These issues should not be voted on by the numbers. They should be voted responsibly by those of you who serve the citizens of this Commonwealth, and I strongly suggest that this amendment be approved.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

On the amendment, the Chair recognizes the gentleman from Greene County, the majority leader, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, as much as I enjoy and like the gentlelady who just left the microphone, I continue to be most vexed at the fact that she talks about responsibility. We have tried under very serious national recessionary circumstances to raise enough revenue to run this Commonwealth, and we have asked her and some of her colleagues time and time again to help us run this Commonwealth.

This is a day for a supplemental budget. This is not a day for serious grandstanding. This is a day to do the business of government, and I believe that she is being quintessentially political, and I would ask that this amendment be defeated. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—94

Adolph	Durham	Kenney	Saurman
Allen	Fairchild	King	Scheetz
Anderson	Fargo	Langtry	Schuler
Angstadt	Farmer	Lawless	Semmel
Argall	Fleagle	Lee	Serafini

Armstrong	Flick	Leh	Smith, B.
Barley	Foster	McHugh	Smith, S. H.
Birmelin	Gallen	Marsico	Snyder, D. W.
Black	Gannon	Merry	Snyder, G.
Boyes	Geist	Micozzie	Stairs
Brown	Gerlach	Nahill	Steelman
Bunt	Gladeck	Nailor	Strittmatter
Bush	Godshall	Nickol	Stuban
Carlson	Gruppo	Nyce	Taylor, E. Z.
Cessar	Hagarty	O'Brien	Taylor, J.
Chadwick	Harley	Perzel	Telek
Civera	Hasay	Phillips	Tulli
Clark	Hayes	Piccola	Uliana
Clymer	Heckler	Pitts	Vance
Cornell	Herman	Raymond	Vroon
Coy	Hershey	Reber	Wilson
Davies	Hess	Reinard	Wogan
Dempsey	Jadlowiec	Ryan	Wright, M. N.
Dent	Johnson		

NAYS—102

Acosta	Evans	Linton	Robinson
Arnold	Fajt	Lloyd	Roebuck
Battisto	Fee	Lucyk	Rudy
Belardi	Freeman	McCall	Saloom
Belfanti	Gamble	McGeehan	Scrimenti
Billow	George	McHale	Staback
Bishop	Gigliotti	McNally	Steighner
Blaum	Gruitza	Maiale	Stetler
Bowley	Haluska	Markosek	Stish
Broujos	Hanna	Mayernik	Sturla
Butkovitz	Harper	Meljo	Surra
Caltagirone	Hayden	Michlovic	Tangretti
Cappabianca	Hughes	Mihalich	Taylor, F.
Carn	Itkin	Mrkonic	Thomas
Carone	James	Mundy	Tigue
Cawley	Jarolin	Murphy	Trello
Cohen	Josephs	Olasz	Trich
Colafella	Kaiser	Oliver	Van Horne
Colaizzo	Kasunic	Pesci	Veon
Cole	Krebs	Petrarca	Wambach
Corrigan	Kruszewski	Petrone	Williams
Cowell	Kukovich	Pistella	Wozniak
DeLuca	LaGrotta	Preston	Wright, D. R.
DeWeese	Laughlin	Richardson	
Dermody	Lescovitz	Rieger	O'Donnell,
Donatucci	Levdansky	Ritter	Speaker

NOT VOTING—1

Daley

EXCUSED—4

Freind	Kosinski	Noye	Tomlinson
--------	----------	------	-----------

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

On the question recurring,

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

Mr. GEIST offered the following amendments No. A1210:

Amend Sec. 1, page 2, line 1, by striking out "appropriation" and inserting appropriations for the Office of Administration, Office of the Budget, for distribution to various departments, the Pennsylvania Energy Development Authority, for local match of Federal DCSI funds, for the Office of General Counsel and

Amend Sec. 1, page 2, line 4, by striking out "is" and inserting

are

Amend Sec. 1 (Sec. 202), page 2, by inserting between lines 8 and 9

For the Office of Administration.	
[State appropriation.....	4,565,000]
State appropriation.....	4,470,000

For the Office of the Budget.	
[State appropriation.....	24,496,000]
State appropriation.....	24,303,000

For distribution by the Office of the Budget to the various departments and agencies of the Commonwealth financed wholly or partially by the General Fund to provide the following: increased costs of the annuitant health care program, workers' compensation coverage and active employees' group health program and the cost of the court order to pay conversion pay-rolls.

[State appropriation.....	54,613,000]
State appropriation.....	54,020,000

[For the Pennsylvania Energy Development Authority.	
State appropriation.....	750,000]

[For local match of Federal DCSI funds for local drug law enforcement programs administered by county district attorneys.	
State appropriation.....	250,000]

For the Office of General Counsel.	
[State appropriation.....	1,543,000]
State appropriation.....	1,506,000

Amend Bill, page 2, by inserting between lines 20 and 21

Section 2. As much of the State appropriations for the Ben Franklin Partnership Fund and for small business development centers in section 209 of the act, vetoed in part August 4, 1991, are amended to read:

Section 209. Department of Commerce.—The following amounts are appropriated to the Department of Commerce:

Federal State

For the Ben Franklin Partnership Fund to promote, stimulate and encourage basic and applied scientific research and development and scientific and technological education in this Commonwealth.

[State appropriation.....	25,000,000]
State appropriation.....	27,000,000

For small business development centers.	
[State appropriation.....	1,950,000]
State appropriation.....	2,800,000

Section 4. As much of the State appropriation for grants for housing and redevelopment assistance in section 211 of the act is amended to read:

Section 211. Department of Community Affairs.—The following amounts are appropriated to the Department of Community Affairs:

Federal State

For grants for housing and redevelopment assistance as authorized by the act of May 20, 1949 (P.L.1633, No.493), known as the Housing and Redevelopment Assistance Law. No more

than 20% of the amount herein appropriated shall be allocated or granted to any one political subdivision. In addition, any funds returned to the department from prior year continuing appropriations for housing and redevelopment assistance, including interest and refunds, shall be credited to the above appropriation.

[State appropriation.....	20,000,000]
State appropriation.....	19,300,000

Amend Sec. 2, page 2, line 21, by striking out "2" and inserting

4

Amend Bill, page 3, by inserting between lines 7 and 8 Section 5. As much of the State appropriations for general government operations and vector control in section 213 of the act are amended to read:

Section 213. Department of Environmental Resources.—The following amounts are appropriated to the Department of Environmental Resources:

Federal State

For general government operations of the Department of Environmental Resources.

[State appropriation.....	9,326,000]
State appropriation.....	9,190,000

[For vector control.

State appropriation.....	125,000]
--------------------------	----------

Amend Sec. 3, page 3, line 8, by striking out "3" and inserting

6

Amend Sec. 4, page 4, line 2, by striking out "4" and inserting

7

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

This amendment simply restores the moneys that the Governor cut from the most successful economic development program in the country, the Ben Franklin Partnership.

I would urge each and every one of you, especially those who have had experience now with the Ben Franklin Partnership, to realize that this just is not a \$2-million cut. These are matching-fund moneys, and at the very least we are talking about almost \$8 million or more money that can be put into play.

I would urge you to give this amendment serious consideration and vote "yes."

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Lancaster, Representative Armstrong.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

Mr. Speaker, several months ago I had the opportunity to participate in a program awarding various Ben Franklin funds to local area firms for new technologies and for existing technologies to assist those companies and business development in their respective communities. In a year that has brought

many new burdens on business, therefore bringing a devastating effect on jobs, taxes, on competitive environment, even with out-of-State companies, the threat of workmen's comp rates jumping up to 52 percent, at least there is a hope with some of these businesses that there is a program in our State that can assist them, whether it be with the Ben Franklin Institute or the small business development centers or the industrial resource centers.

Mr. Speaker, I would like to encourage you to vote for this particular amendment and not take that ray of hope away from our businesses so that we can continue to encourage job developments in our Commonwealth.

Furthermore, I would like to say that if it is not the Governor's money to spend but it is our responsibility, then why do we not have the responsibility to be able to give a little bit of direction where some of this money is to be spent? And I would also like to say, if we do not have the money—which I have heard several times today, we do not have the money—then why are we working on passing a supplemental appropriation? We do have the money, and it is just a matter of knowing where we are going to spend that money.

I would appreciate everyone if you could vote positive on this amendment. Thank you.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman, Mr. Geist, consent to interrogation?

The SPEAKER pro tempore. He indicates that he will. The gentleman, Mr. Lloyd, is in order and may proceed.

Mr. LLOYD. Mr. Speaker, something in this amendment I do not understand. On page 2, at the top of the page, there are brackets around what I would assume is a sensitive appropriation, which says, "For local match of Federal DCSI funds for local drug law enforcement programs administered by county district attorneys." What is the rationale for repealing the State appropriation for drug law enforcement?

Mr. GEIST. That is money that the Governor already has in reserve and moneys that the Governor said he will not spend.

Mr. LLOYD. This money is in reserve. Is that correct?

Mr. GEIST. Yes, that is correct.

Mr. LLOYD. Mr. Speaker, on the amendment.

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

Mr. LLOYD. Mr. Speaker, there are two things that I think members on the Republican side of the aisle might want to take note of. If we repeal the statutory authority to spend that money for the local drug law enforcement programs, if you are unhappy because the Governor put it in reserve, what you are now going to do is to take away the legal authority to spend it, which in essence ratifies his decision not to spend the money. If that is what you want to do, that is fine with me, but I think you might want to consider that.

Secondly, those members on the other side of the aisle who represent districts where coal development is an important factor, be aware that on the first page of the amendment, this amendment would repeal entirely the appropriation in the current budget for the Pennsylvania Energy Development Authority. Now, the Governor has that money in budgetary reserve. Those of us who are members of the authority are hoping that perhaps some of that money can be released so that clean coal and other research projects for which we have approved applications could be funded later this fiscal year. If this amendment passes, we will not have the opportunity to make that argument to the Governor's Office, because we will have taken away the Governor's authority to spend the money for the Energy Development Authority, and I just hope that those members who come from areas where that might be important, especially those who would like to see money spent on anthracite development, might keep that in mind when they vote on this amendment. Thank you, Mr. Speaker.

Mr. GEIST. Mr. Speaker, I would like to answer the question, if I could.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Does the gentleman care to speak for the second time on the issue?

Mr. GEIST. Well, no. It was under interrogation. He finished up by saying, do you want to do this? I thought I was being interrogated.

The SPEAKER pro tempore. No. The gentleman had completed his interrogation.

The Chair recognizes the gentleman from Philadelphia, Mr. Evans.

Mr. EVANS. Mr. Speaker, on the issue of the Benjamin Franklin Partnership, we had extensive hearings on the importance of the Benjamin Franklin Partnership, and, Mr. Speaker, I think that this General Assembly, in conjunction with the Governor, has been very supportive of this particular issue, but again the issue raises the very same question about spending dollars that we do not have. Mr. Speaker, we appropriated \$25 million for the Benjamin Franklin Partnership and 4 of that \$25 million is in reserve.

Mr. Speaker, on the question of small business development centers, we treated them extremely well last year, like \$1.9 million, and the Governor has something in reserve in that particular area, too.

Mr. Speaker, it is always great to do the kinds of things that we all think are popular, and I repeat that again, but, Mr. Speaker, I do not think that there is any sound basis for making this particular decision at this particular point to provide money to the Benjamin Franklin Partnership at this particular time when the fiscal year is between March and June, so we need to look at it rather closely, Mr. Speaker. Here we are talking about throwing money at a program and not looking at the program in terms of its performance aspect. We need to be clear, Mr. Speaker, that although this gentleman has some good intent, we have a process that we go through, and that process is that we attempt to look at pro-

grams and weigh them and make some kind of decision about if this is the best investment to make.

What I am saying to you, Mr. Speaker, is that we made a decision, and the other gentleman made a decision about being a part of making some direction. Well, Mr. Speaker, we did that back on August 4 or August 5, when we voted a budget. We were part of that direction, and we set a tone, Mr. Speaker, about the budget. But unfortunately, Mr. Speaker, some things happened on our way as we were moving through this year called the recession. With the amount of money that we had available, we could not meet all of the obligations that we had, and some decisions had to be made. They are not popular decisions, Mr. Speaker. They are decisions that, unfortunately, we have to join with the executive branch and work with them to deal with the problem that we have.

This is not the legislature versus the executive branch. We are all Pennsylvanians, Mr. Speaker, and this, Mr. Speaker, in my view, is not what we need to be doing at this particular time. I understand what the gentleman was expressing, but I am saying to you, Mr. Speaker, at this particular time, in my particular view, this is not what we should be doing, and I would ask my colleagues to be against this particular amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentlelady from Lehigh County, Mrs. McHale.

Mrs. McHALE. Thank you, Mr. Speaker.

I am proud to represent the city of Bethlehem, home to one of the Ben Franklin centers, and I do agree with my colleague as to the importance of these centers and the contribution that they have made to the economic recovery and revitalization in Pennsylvania. When we are working on this year's budget later this year, I will be happy to join with my Republican colleagues and my Democratic colleagues in working hard for sufficient appropriations for this program.

However, this is not the appropriate way to do this or the responsible way to do this, and though I support the Ben Franklin programs completely and will work hard for their funding later this year, I will be voting "no" on this amendment. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Birmelin.

Mr. BIRMELIN. Thank you, Mr. Speaker.

As the previous speaker indicated, there is a time and a place to provide money for these organizations. The time was last year in the budget when it was approved. If we wait until next budget and we so-call fight for their funding, something very unfortunate will happen to these organizations.

If you will notice in the amendment, we are talking about restoring the funding to the Ben Franklin Partnership and the small business developmental centers. They work on a matching-fund basis. I am not sure what the Ben Franklin's ratio is, but the small business development centers work on a 2-to-1 matching-fund ratio. So for every dollar they get— Well, Mr. Dent says it is 4. I will take him at his word. Is that Ben Franklin, Mr. Speaker? Thank you.

What is happening is, because we are not getting the State proportion that was in the budget last year, they are not getting all those matching dollars in these months that are going by. They will never make them up. So to say that I am going to fight for these funds at a later time negates the months that they do not have the funds, lost money, Federal or otherwise, and they are losing a great deal of money. We just had a reception here last week that many of you attended with the small business developmental centers, and they are closing down many of their offices. They are not going to be able to continue to provide the services that they had planned on because of last year's budget figures which they thought they were going to get.

Now, here is one other thing that I think you ought to consider when voting on this, and this is different than some of the other amendments, because this amendment, these two organizations create jobs; they give people employment; they increase business activity; and they increase taxes, and I will guarantee you, guarantee you, that you will make money in tax revenues, not lose money, by passing this amendment. You will make money. I do not know if that rings a bell with some of you, but you will make money by passing this instead of losing money because you will be increasing the business activity and getting the turnover in all of the extra dollars that they can raise through matching funds.

If we want to put it in terms that everybody understands, this is a jobs bill and this is a jobs amendment. This will create jobs, expand business in Pennsylvania, for a few million dollars as opposed to keeping it in reserve somewhere where it does not do anything.

This is different, Mr. Speaker, from the other amendments you have been voting on, and I really would caution you to be careful on how you cast your vote, because this will turn over and make money for the State in taxes as well. So I encourage a "yes" vote. Thank you.

THE SPEAKER PRO TEMPORE (DAVID R. WRIGHT) PRESIDING

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes Representative Uliana.

Mr. ULIANA. Thank you, Mr. Speaker.

As a representative of the city of Bethlehem and Lehigh University, where one of the finest Ben Franklin centers is located, I rise in strong support for this amendment. I rise because I want to fulfill and sustain the dreams of hundreds of small entrepreneurs who have sought out the help of Ben Franklin. I want to support this amendment because of people like Mike Gausling in solar care technology, of other people who have ideas and dreams that want to be fulfilled - dreams of jobs, dreams of making a better world, and dreams of products that will help out Pennsylvania over the long run.

Every job that is created with Ben Franklin is a job which is a good job; it is a good-paying job—it is manufacturing mostly—and those jobs will come back in the future and help Pennsylvania.

This is an investment in the future, and all those of you who vote against this are voting against the future. So I urge you all to realize the importance that Ben Franklin has played in economic development in this State and support the amendment. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Does the gentleman, Mr. Armstrong, seek recognition?

Mr. ARMSTRONG. Yes, sir.

The SPEAKER pro tempore. The gentleman is recognized on the amendment.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

A comment was made a couple minutes ago as to us being able to assess the value of the program, which I would like to respond to that.

The projects that received funding in our local area had to deal with some new dehumidification systems for homes; new computer software for investment management of securities portfolios; a computerized fiber-optic transducer to measure torque and horsepower. Furthermore, these projects are based upon if they can be completed successfully, if they will improve the profitability of the prospective companies, and if they will create the jobs.

This is what Ben Franklin is about. Mr. Speaker, I would just as soon let them have the authority to continue to make those assessments, and again I encourage everyone to support this amendment. Thank you.

**THE SPEAKER PRO TEMPORE
(JEFFREY W. COY) PRESIDING**

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair thanks the gentleman, Mr. Wright, for presiding.

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

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

I might say that it looks very good to see both you and Mr. Wright in the Chair. That revolving Speaker's Chair is pretty amazing up there.

In closing remarks, first of all, I would like to address the remarks that Mr. Lloyd made.

Those moneys that he is talking about, these are separate branches of government. These are moneys that the executive branch has encumbered anyhow, and these are moneys that we as a General Assembly can spend. So I would like to make that very clear on the record.

Second of all, I would like to put on the record that in Allegheny County, for instance, we know what this program means to Allegheny County. We know what it means to Tom Petrone. We know what it means to Tom Murphy. We know what it means in those districts over there and in the Beaver Valley. These are real jobs. These are not jobs that when you are done, you have a bunch of wornout brooms, but these are people who pay taxes and actually increase the coffers of the State and bring wealth to the State.

Why in the name of all good logic would we want to vote "no" on an amendment, an amendment that would actually mean many more dollars in matching dollars and mean real jobs, real small companies, real seeds of growth, and especially for those of us in western Pennsylvania, economic development and real economic development?

This is not your traditional workfare program. This is a true wealth creator, and it is a program that the General Assembly has invested in. And to make one other correction to my friend, Dwight Evans' remarks, it is a program that the Governor has seen fit every year to cut in his budget.

I say it is time that we vote for economic development. I say it is time we vote for real job creation. I say it is time we give business a vote and say we vote for investment in this State, and let us quit playing this partisan politics stuff. Vote for an amendment where we have shown clear cuts, where we can add these moneys in and still balance the record. I say vote "yes" on this amendment.

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

The following roll call was recorded:

YEAS—97

Adolph	Durham	Johnson	Reinard
Allen	Fairchild	Kennedy	Ryan
Anderson	Fargo	King	Saurman
Angstadt	Farmer	Langtry	Scheetz
Argall	Fleagle	Lawless	Schuler
Armstrong	Flick	Lee	Semmel
Barley	Foster	Leh	Serafini
Belfanti	Gallen	McHugh	Smith, B.
Birmelin	Gannon	Markosek	Smith, S. H.
Black	Geist	Marsico	Snyder, D. W.
Boyes	Gerlach	Mayernik	Snyder, G.
Brown	Gladeck	Merry	Stairs
Bunt	Godshall	Micozzie	Strittmatter
Bush	Gruppo	Nahill	Stuban
Carlson	Hagarty	Nailor	Taylor, E. Z.
Carone	Haluska	Nickol	Taylor, J.
Cessar	Harley	Nyce	Telek
Chadwick	Hasay	O'Brien	Tulli
Civera	Hayes	Perzel	Uliana
Clark	Heckler	Phillips	Vance
Clymer	Herman	Piccola	Vroon
Cornell	Hershey	Pitts	Wilson
Davies	Hess	Raymond	Wogan
Dempsey	Jadlowiec	Reber	Wright, M. N.
Dent			

NAYS—99

Acosta	Evans	Linton	Rudy
Arnold	Fajt	Lloyd	Saloom
Battisto	Fee	Lucyk	Scrimenti
Belardi	Freeman	McCall	Staback
Billow	Gamble	McGeehan	Steelman
Bishop	George	McHale	Steighner
Blaum	Gigliotti	Maiale	Stetler
Bowley	Gruitza	Melio	Stish
Broujos	Hanna	Michlovic	Sturla
Butkovitz	Harper	Mihalich	Surra
Caltagirone	Hayden	Mrkonic	Tangretti
Cappabianca	Hughes	Mundy	Taylor, F.
Carn	Itkin	Murphy	Thomas
Cawley	James	Olasz	Tigue
Cohen	Jarolin	Oliver	Trello
Colafrèlla	Josephs	Pesci	Trich
Colaizzo	Kaiser	Petrarca	Van Horne
Cole	Kasunic	Petrone	Veon

Corrigan	Krebs	Pistella	Wambach
Cowell	Kruszewski	Preston	Williams
Coy	Kukovich	Richardson	Wozniak
DeLuca	LaGrotta	Rieger	Wright, D. R.
DeWeese	Laughlin	Ritter	
Daley	Lescovitz	Robinson	O'Donnell,
Dermody	Levdansky	Roebuck	Speaker
Donatucci			

NOT VOTING—1

McNally

EXCUSED—4

Freind	Kosinski	Noye	Tomlinson
--------	----------	------	-----------

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

On the question recurring,

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

Mr. HERSHEY offered the following amendments No. A1229:

Amend Bill, page 1, by inserting after line 29

Section 1. Section 201 of the act of August 4, 1991 (P.L.484, No.7A), known as the General Appropriation Act of 1991, is amended to read:

Section 201. Governor.—The following amounts are appropriated to the Governor: Federal State

For the Office of the Governor: including the maintenance of the Governor's Home, the expense of entertainment of official guests and members of the General Assembly and the Judiciary, participation in the Governor's Conference, the expenses of the Executive Board and the payment of traveling expenses of persons other than employees of the Commonwealth appointed by the Governor to represent or otherwise serve the Commonwealth.

[State appropriation.....	6,006,000]
State appropriation.....	5,806,000]

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

2

Amend Sec. 1, page 2, lines 2 through 4, by striking out "of August 4, 1991" in line 2, all of line 3 and "1991" in line 4

Amend Bill, page 2, by inserting between lines 20 and 21

Section 3. As much of the State appropriation for rural leadership training program in section 211 of the act is amended to read:

Section 211. Department of Community Affairs.—The following amounts are appropriated to the Department of Community Affairs: Federal State

Rural leadership training program.

[State appropriation.....	200,000]
State appropriation.....	400,000]

Amend Sec. 2, page 2, line 21, by striking out "2" and inserting

4

Amend Sec. 3, page 3, line 8, by striking out "3" and inserting

5

Amend Sec. 4, page 4, line 2, by striking out "4" and inserting

6

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Hershey.

Mr. HERSHEY. Thank you, Mr. Speaker.

In the last budget process, we had asked for \$200,000 for the rural leadership training program, which I was a board member of. It stemmed off the old Kellogg program from years back. It is a very, very fine program that we have worked in conjunction with Penn State University. It trains rural leaders in public speaking, rural development, how to access funds. Two hundred thousand dollars of this money was approved and now has been frozen. This amendment will restore that out of the appropriation to the Office of the Governor.

I ask for your support.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the gentlelady from Centre County, Mrs. Rudy.

Mrs. RUDY. Thank you, Mr. Speaker.

While I understand the intent of the maker of this amendment to try and restore funds to the rural leadership program, which I wholeheartedly support, I do not believe that Christmas-treeing a supplemental appropriation bill is the proper method in which to restore these funds.

First of all, not all the money has been encumbered. A portion of it has been released, and this amendment actually doubles the amount of the moneys that have been encumbered by the Budget Secretary.

So I ask for a "no" vote on this amendment.

The SPEAKER pro tempore. The Chair thanks the gentlelady.

The gentleman from Philadelphia, Mr. Evans.

Mr. EVANS. Mr. Speaker, I rise to support my colleague from Centre County. Representative Ruth Rudy, I think, described it correctly and properly. There has not been a stronger supporter than Representative Ruth Rudy for the rural leadership. She has, more than anybody in this House, single-handedly carried this particular issue, and if she stands up and she says to all of us that we should be "no," we should listen to what she has said. She has made that issue very clear, and I am going to stand with Representative Ruth Rudy and support her by voting "no" on this particular amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the amendment, the gentleman, Mr. Hershey, for the second time.

Mr. HERSHEY. I am not going to debate the issue on who has done the most for the program. We will let the students in the State say that.

This is not a Christmas-tree amendment. It is just putting the money back where the General Assembly intended to have it.

I would appreciate your support.
 The SPEAKER pro tempore. The gentleman from Clarion County, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, this is obviously a political ploy, and I regret that those of us who have supported rural issues all these years are being subjected now to simply a political trick. As a matter of fact, the amendment which Mr. Hershey presents is twice as much as we appropriated, and it is even more than the request that was made from the center.

I really regret that this situation has come before us. I think it is harmful to the program to have it brought into the political mudpile, but I would urge us to vote against the amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The gentleman from Lebanon County, Mr. Arnold.

Mr. ARNOLD. Thank you, Mr. Speaker.

I rise regretfully to speak against Art Hershey's amendment here. I am a supporter of the rural leadership program as Art is. I certainly respect him. We worked very hard when we worked on the rural initiatives last year in the Ag Committee to get money funded for the leadership program. We did pass a bill. It is in the Senate. We know that some of this money was put in budgetary reserve, but I think Mr. Hershey also realizes, with Mr. Wright's help and Mrs. Rudy's help, we have gotten some money to see that the rural program can go on and exist until June 30.

So I respectfully ask my colleagues— You know, as much as it hurts me personally, this, again, I think, is not a day for political grandstanding, and it grieves me to make it appear that I am voting against rural, but I am not. I am voting for Pennsylvania, for responsibility, and for the rural program. I think as we explained to those people, we have done everything we can to see that that is extended, and we will continue to work for them.

So I ask for a "no" vote on the Hershey amendment. Thank you.

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

The following roll call was recorded:

YEAS—94

Adolph	Durham	Kenney	Saurman
Allen	Fairchild	King	Scheetz
Anderson	Fargo	Langtry	Schuler
Angstadt	Farmer	Lawless	Semmel
Argall	Fleagle	Lee	Serafini
Armstrong	Flick	Leh	Smith, B.
Barley	Foster	McHugh	Smith, S. H.
Belfanti	Gallen	Marsico	Snyder, D. W.
Birmelin	Gannon	Merry	Snyder, G.
Black	Geist	Micozzie	Stairs
Boyes	Gerlach	Nahill	Strittmatter
Brown	Gladeck	Nailor	Stuban
Bunt	Godshall	Nickol	Surra
Bush	Gruppo	Nyce	Taylor, E. Z.
Carlson	Hagarty	O'Brien	Taylor, J.
Cessar	Harley	Perzel	Telek
Chadwick	Hasay	Phillips	Tulli
Civera	Hayes	Piccola	Uliana
Clark	Heckler	Pitts	Vance
Clymer	Herman	Raymond	Vroon

Cornell	Hershey	Reber	Wilson
Davies	Hess	Reinard	Wogan
Dempsey	Jadlowiec	Ryan	Wright, M. N.
Dent	Johnson		

NAYS—103

Acosta	Evans	Linton	Robinson
Arnold	Fajt	Lloyd	Roebuck
Battisto	Fee	Lucyk	Rudy
Belardi	Freeman	McCall	Saloom
Billow	Gamble	McGeehan	Scrimenti
Bishop	George	McHale	Staback
Blaum	Gigliotti	McNally	Steelman
Bowley	Gruitza	Maiale	Steighner
Broujos	Haluska	Markosek	Stetler
Butkovitz	Hanna	Mayernik	Stish
Caltagirone	Harper	Melio	Sturla
Cappabianca	Hayden	Michlovic	Tangretti
Carn	Hughes	Mihalich	Taylor, F.
Carone	Itkin	Mrkonc	Thomas
Cawley	James	Mundy	Tigue
Cohen	Jarolin	Murphy	Trello
Colafrilla	Josephs	Olasz	Trich
Colaizzo	Kaiser	Oliver	Van Horne
Cole	Kasunic	Pesci	Veon
Corrigan	Krebs	Petrarca	Wambach
Cowell	Kruszewski	Petrone	Williams
Coy	Kukovich	Pistella	Wozniak
DeLuca	LaGrotta	Preston	Wright, D. R.
DeWeese	Laughlin	Richardson	
Daley	Lescovitz	Rieger	O'Donnell,
Dermody	Levdansky	Ritter	Speaker
Donatucci			

NOT VOTING—0

EXCUSED—4

Freind	Kosinski	Noye	Tomlinson
--------	----------	------	-----------

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—113

Acosta	Donatucci	Lloyd	Scrimenti
Angstadt	Evans	Lucyk	Serafini
Arnold	Fajt	McCall	Staback
Battisto	Fee	McGeehan	Steelman
Belardi	Freeman	McHale	Steighner
Belfanti	Gamble	McNally	Stetler
Billow	George	Maiale	Stish
Bishop	Gigliotti	Markosek	Stuban
Blaum	Gruitza	Mayernik	Sturla
Bowley	Haluska	Melio	Surra
Boyes	Hanna	Michlovic	Tangretti
Broujos	Harper	Mihalich	Taylor, F.
Butkovitz	Hasay	Mrkonc	Telek
Caltagirone	Hayden	Mundy	Thomas
Cappabianca	Hughes	Murphy	Tigue
Carn	Itkin	Olasz	Trello
Carone	James	Oliver	Trich
Cawley	Jarolin	Pesci	Van Horne

Cohen	Josephs	Petrarca	Veon
Colaifella	Kaiser	Petrone	Vroon
Colaizzo	Kasunic	Pistella	Wambach
Cole	Krebs	Preston	Williams
Corrigan	Kruszewski	Richardson	Wogan
Cowell	Kukovich	Rieger	Wozniak
Coy	LaGrotta	Ritter	Wright, D. R.
DeLuca	Laughlin	Robinson	
DeWeese	Lescovitz	Roebuck	O'Donnell,
Daley	Levdansky	Rudy	Speaker
Dermody	Linton	Saloom	

NAYS—83

Adolph	Fairchild	Johnson	Reber
Allen	Fargo	Kenney	Reinard
Anderson	Farmer	King	Ryan
Argall	Fleagle	Langtry	Saurman
Armstrong	Flick	Lawless	Scheetz
Barley	Foster	Lee	Schuler
Birmelin	Gallen	Leh	Semmel
Black	Gannon	McHugh	Smith, B.
Brown	Geist	Marsico	Smith, S. H.
Bunt	Gerlach	Merry	Snyder, D. W.
Bush	Gladeck	Micozzie	Snyder, G.
Carlson	Godshall	Nahill	Stairs
Cessar	Gruppo	Nailor	Strittmatter
Chadwick	Hagarty	Nickol	Taylor, E. Z.
Civera	Harley	Nyce	Taylor, J.
Clark	Hayes	O'Brien	Tulli
Clymer	Heckler	Perzel	Uliana
Cornell	Herman	Phillips	Vance
Davies	Hershey	Piccola	Wilson
Dempsey	Hess	Pitts	Wright, M. N.
Dent	Jadlowiec	Raymond	

NOT VOTING—1

Durham

EXCUSED—4

Freind	Kosinski	Noye	Tomlinson
--------	----------	------	-----------

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.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 293 By Representatives GAMBLE, D. W. SNYDER, REBER, KOSINSKI, TANGRETTI, FARMER, BOYES, LEH, MRKONIC, LAUGHLIN, ANDERSON, TRELLO, FARGO, LAWLESS, S. H. SMITH, E. Z. TAYLOR, PITTS, GIGLIOTTI, DeLUCA, FEE, PETRONE, CARLSON, BUNT, JOHNSON, DEMPSEY, HASAY, STEIGHNER, STAIRS, FREIND, WOZNIAK, SCHEETZ, KING, LANGTRY, CLYMER, KAISER, MERRY, BROWN, ARMSTRONG, TRICH, GEIST, MARKOSEK, NOYE, OLASZ, DALEY, BIRMELIN, NYCE, CLARK, BLACK, TELEK, FLICK, KRUSZEWSKI, HERSHEY,

M. N. WRIGHT, GALLEN, GRUPPO, BARLEY, JADLOWIEC and VROON

A Resolution urging the Governor, the Secretary of Education and the State Board of Education to delay consideration and implementation of proposed amendments to Title 22 of the Pennsylvania Code.

Referred to Committee on RULES, March 31, 1992.

JUDICIARY COMMITTEE MEETING

The SPEAKER pro tempore. The gentleman, Mr. Caltagirone, the chairman of the Committee on Judiciary, calls an immediate meeting of the Committee on Judiciary in the rear of the hall of the House.

RULES COMMITTEE MEETING

The SPEAKER pro tempore. The gentleman, Mr. DeWeese, the chairman of the Committee on Rules, calls an immediate meeting of the Committee on Rules at the majority leader's desk.

VOTE CORRECTIONS

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

Mr. DALEY. To correct the record.

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

Mr. DALEY. On HB 2529, amendment A1206, PN 3374, my finger malfunctioned and I was not recorded. I wish to be recorded in the affirmative.

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

The gentlelady, Mrs. Durham. For what purpose does the gentlelady rise?

Mrs. DURHAM. To correct the record, Mr. Speaker.

The SPEAKER pro tempore. The gentlelady is in order and may proceed.

Mrs. DURHAM. I was out of my seat when we voted final passage on HB 2529. If I had been in my seat, I would have voted in the negative. Thank you.

The SPEAKER pro tempore. The remarks of the gentlelady will be spread upon the record.

RESOLUTION REPORTED FROM COMMITTEE

HR 293, PN 3388

By Rep. DeWEESE

A Resolution urging the Governor, the Secretary of Education and the State Board of Education to delay consideration and implementation of proposed amendments to Title 22 of the Pennsylvania Code.

RULES.

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

HB 1805, PN 3386 (Amended)

By Rep. MURPHY

An Act amending the act of June 5, 1968 (P. L. 140, No. 78), entitled, "An act regulating the writing, cancellation of or refusal to renew policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner therefor," providing for a certain notice to insureds relating to the surrender of registration plates.

INSURANCE.

HB 2516, PN 3387 (Amended)

By Rep. MURPHY

An Act amending the act of June 5, 1968 (P. L. 140, No. 78), entitled "An act regulating the writing, cancellation of or refusal to renew policies of automobile insurance; and imposing powers and duties on the Insurance Commissioner therefor," further providing for premium payments.

INSURANCE.

SB 1110, PN 2066 (Amended)

By Rep. MURPHY

An Act amending the act of May 17, 1921 (P. L. 789, No. 285), entitled, as amended, "The Insurance Department Act of one thousand nine hundred and twenty-one," regulating exclusions for certificates of authority to do business.

INSURANCE.

SB 1435, PN 1912

By Rep. MURPHY

An Act providing procedures for the reorganization of a domestic mutual life insurance company into a domestic stock life insurance company.

INSURANCE.

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

Mr. RYAN. Mr. Speaker, I notice that some of the members are milling around, probably thinking that there are no further votes. Out of a sense of fairness, I want to say that I am calling up today a discharge resolution on page 17 of the calendar when we reach it, and that is to discharge the Appropriations Committee from further consideration of SB 3, which is the living will legislation, which provisions are identical to those found in the living will bill that passed through the House some months ago.

PARLIAMENTARY INQUIRY

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

Mr. BELFANTI. Mr. Speaker, under rule 55, privileged motions— Let us make this a parliamentary inquiry.

The SPEAKER *pro tempore*. The gentleman will state his point of parliamentary inquiry.

Mr. BELFANTI. By what process does a rank-and-file member ask for a caucus?

I think the matter that Mr. Ryan just raised is deserving of a caucus.

The SPEAKER *pro tempore*. The Chair would believe that the best way to handle this is for you to walk down and talk to Mr. DeWeese.

Mr. BELFANTI. I did that a little bit earlier.

The SPEAKER *pro tempore*. Try it again.

The Chair is unfamiliar with a rule that would apply in this case.

VOTE CORRECTIONS

The SPEAKER *pro tempore*. The gentlelady, Mrs. Rudy. For what purpose does the gentlelady rise?

Mrs. RUDY. I wish to correct the record. On amendment 1207 I was out of my seat when the vote was taken, and I wish to be voted in the affirmative.

The SPEAKER *pro tempore*. The remarks of the gentlelady will be spread upon the record.

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

Mr. ACOSTA. Thank you, Mr. Speaker.

On HB 1314; HB 517, amendment 395; HR 289; HB 2529; and HB 2529, amendment 1039, I want to be recorded "yes."

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

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

HB 627, PN 692

By Rep. CALTAGIRONE

An Act establishing certain fees to be received by the clerks of orphans' courts of counties of the first class.

JUDICIARY.

DEMOCRATIC CAUCUS

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, upon discussion with myself and Mr. Belfanti and the majority leader and the Appropriations Committee chairman, we have all decided that what we need now is a Democratic caucus, so therefore, I am calling a Democratic caucus immediately. I urge the attendance of all members.

The SPEAKER *pro tempore*. The gentleman, Mr. Ryan.

Mr. RYAN. Mr. Speaker, upon discussion with myself, I am curious as to whether or not you guys are going to come back from caucus, or are we going to be sitting here all night?

Mr. Speaker, I did not hear any amount of time called for, and if we are playing games with the living will legislation, I would like to hear it. Come on out front and say it. Otherwise, call for your 15 minutes or your half-hour caucus.

I rather think, Mr. Speaker, as long as I still have the floor, that it is intended that games be played. I have no recollection of the majority party ever calling for a caucus before where there was no time to reconvene mentioned except when we did not come back, and I strongly suspect that that is what is in

their mind, and if that is the way you defeat living will legislation, come on, Bill, come on out front; be up front with us and just adjourn for the day. You have got the votes.

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

Mr. DeWEESE. It is amazing to listen to the gentleman as he says, "be up front with us"; "do not play games with us." In spite of all of the frivolous behavior that has been exhibited on the other side of the aisle today, it is absolutely amazing to listen to that.

Now, there is no doubt, there is no doubt that the living will is a piece of legislation that we are trying to advance; that Mr. Peterson's proposal, the living will proposal, is one that we are attempting to advance. There are very sensitive negotiations going on between Republicans in the Senate and some of our own people. We are within several days of being able to finalize these exchanges. I do not understand what the crucial differential is that Mr. Ryan is embracing with today. We have indicated to him that our Appropriations Committee is poised for some potential action and the other side of the building is also negotiating with us. This is not something we are trying to stymie or stultify.

Mr. RYAN. Mr. Speaker?

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

Mr. RYAN. Mr. Speaker, in response.

I do not really care about negotiations the majority House members are having with the majority or the minority Senate members. What I do care about is for a period of about 10 months, since last June, living will legislation has been sitting in this House. Now, when I go back to my district—and I know this is true of many of our members—and I meet with senior citizens, I meet with nursing groups, I meet with hospital groups, what I hear is, when are you passing living will legislation?

I am telling you, Mr. DeWeese, if you are playing games and you are going to adjourn today, fine, but do not plan on doing it again tomorrow because this thing is going to stay here until we get it out of the way.

MOTION FOR SPECIAL ORDER OF BUSINESS

Mr. RYAN. Now, the recess has not been declared. I move as a matter of priority business—and I am asking the Parliamentarian to give me the proper motion—but I move as an order of special business—that is the word, I believe—page 17 of this calendar, Discharge Resolution 19, and require a roll-call vote on it.

ADJOURNMENT

Mr. DeWEESE. Mr. Speaker, I move that we now adjourn until tomorrow at 11 a.m.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:13 p.m., e.s.t., the House adjourned.