

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, MARCH 23, 1993

SESSION OF 1993

177TH OF THE GENERAL ASSEMBLY

No. 16

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. WILLIAM DeWEESE) PRESIDING

PRAYER

The SPEAKER. The prayer will be offered this morning by the Reverend Randall E. McCaskill. Reverend McCaskill was the former Chaplain of the State of New York under Governor Rockefeller.

Reverend McCaskill.

REV. RANDALL E. McCASKILL offered the following prayer:

Shall we pray:

Eternal and Loving God our Father, the maker and the creator, the provider and the sustainer of the universe, into Thy hands we lift our hearts; into Thy hands we commend Thy benediction upon the Speaker of this great institution.

Upon all who have gathered here today for legislative concerns, may Thy rich grace impart strength to their desiring hearts, and lift their minds above the mundane and let them focus upon the hearts and the concerns and the destiny of mankind for this Commonwealth.

Together we say, 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 22, 1993, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 830 By Representatives DERMODY, PESCI, OLASZ, MIHALICH, KUKOVICH, KENNEY, VAN HORNE, COY, CESSAR, PISTELLA, MELIO, DALEY, CORRIGAN, STERN, HERMAN, BATTISTO, E. Z. TAYLOR, GEIST, KIRKLAND, TRELLO,

BELFANTI, ROONEY, DeLUCA, KASUNIC, DURHAM, GIGLIOTTI, TOMLINSON and TRICH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for leaving an unattended child in a motor vehicle.

Referred to Committee on AGING AND YOUTH, March 23, 1993.

No. 852 By Representatives CALTAGIRONE, LEH, SANTONI, SEMMEL, ALLEN, MILLER, ROHRER, LaGROTTA and ARGALL

An Act relating to wastewater recycling involving silver or silver by-products.

Referred to Committee on CONSERVATION, March 23, 1993.

No. 854 By Representatives DeLUCA, KASUNIC, PETRONE, BROWN, PETRARCA, FAIRCHILD, TRELLO, CESSAR, DALEY, TIGUE, ROBINSON, RAYMOND, HALUSKA, LAUGHLIN, SURRA, SCHEETZ, ROONEY, ARMSTRONG, GIGLIOTTI, BUNT, HESS, ADOLPH, CLYMER, BELFANTI, STISH, FAJT, MIHALICH, M. N. WRIGHT, KENNEY, BATTISTO, DRUCE, ROHRER, MAYERNIK, MARKOSEK, BEBKO-JONES, TANGRETTI and BARLEY

An Act amending the act of April 23, 1956 (1955 P.L.1510, No.500), known as the Disease Prevention and Control Law of 1955, providing for premarital examination for AIDS and HIV.

Referred to Committee on HEALTH AND WELFARE, March 23, 1993.

No. 855 By Representatives DeLUCA, KASUNIC, PETRONE, BROWN, PETRARCA, FAIRCHILD, TRELLO, CESSAR, DALEY, TIGUE, ROBINSON, BARLEY, RAYMOND, HALUSKA, LAUGHLIN, SURRA, SCHEETZ, ROONEY, ARMSTRONG, GIGLIOTTI, BUNT, HESS, ADOLPH, CLYMER, BELFANTI, STISH, FAJT, MIHALICH, M. N. WRIGHT, KENNEY, BATTISTO, DRUCE, ROHRER, MAYERNIK, MARKOSEK, BEBKO-JONES and TANGRETTI

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for examination and tests for AIDS and HIV.

Referred to Committee on HEALTH AND WELFARE, March 23, 1993.

No. 856 By Representatives KASUNIC, DeLUCA, TIGUE, HALUSKA, STAIRS, STERN, KUKOVICH, FLEAGLE, SAYLOR, CESSAR, M. N. WRIGHT, DALEY, VAN HORNE, GORDNER, TRELLO, ROBERTS, LUCYK, LINTON, JAROLIN, PRESTON, WOZNIAK, ARGALL, KENNEY, PISTELLA, TANGRETTI, STABACK, BELFANTI, FAJT, CLARK, SURRA, STEELMAN, TOMLINSON, LAUGHLIN and WILLIAMS

An Act amending the act of July 28, 1988 (P.L.556, No.101), known as the Municipal Waste Planning, Recycling and Waste Reduction Act, further providing for restrictions on certain wastes and out-of-State wastes.

Referred to Committee on CONSERVATION, March 23, 1993.

No. 857 By Representatives KASUNIC, DeLUCA, TIGUE, KUKOVICH, STAIRS, STERN, HERSHEY, B. SMITH, FLEAGLE, SAYLOR, M. N. WRIGHT, DALEY, GEIST, MILLER, VAN HORNE, GORDNER, TRELLO, ROBERTS, LUCYK, LINTON, JAROLIN, PRESTON, WOZNIAK, ARGALL, KENNEY, HENNESSEY, PISTELLA, SEMMEL, NYCE, BATTISTO, TANGRETTI, McCALL, STABACK, ROEBUCK, BELFANTI, FAJT, CLARK, SURRA, STEELMAN, TOMLINSON, WAUGH, WOGAN, LAUGHLIN, LEDERER and WILLIAMS

An Act providing for the Department of Transportation to conduct, as part of its currently scheduled projects, a demonstration project using crumb rubber from waste tires as an additive in surfacing material, structural material, subbase material and fill; and conducting a feasibility study of crumb rubber in asphalt for road resurfacing or subbase material.

Referred to Committee on CONSERVATION, March 23, 1993.

No. 858 By Representatives RUDY, JOSEPHS, VEON, SURRA, TRELLO, BEBKO-JONES, TIGUE, DENT, PISTELLA, PESCI, MELIO, MANDERINO, HECKLER, STURLA, GODSHALL, MILLER, GEIST, PRESTON, HENNESSEY, KASUNIC, L. I. COHEN, ARMSTRONG, FAJT, STEELMAN, LAUGHLIN and WILLIAMS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting intimidation based on handicap or disability.

Referred to Committee on JUDICIARY, March 23, 1993.

No. 859 By Representatives SCHEETZ, GEORGE, KREBS, TIGUE, NICKOL, HARLEY, TRELLO, DEMPSEY, PETRONE, CLYMER, CLARK, S. H. SMITH, JAROLIN, E. Z. TAYLOR, PESCI, STEELMAN, STABACK, SEMMEL, BARLEY, SCHULER, HECKLER,

STURLA, GERLACH, STRITTMATTER, HERSHEY, MELIO, ARGALL, BATTISTO, MICOZZIE, SAURMAN, D. W. SNYDER, DeLUCA, CARONE, LAUGHLIN, MERRY, ALLEN, VEON, STERN, KASUNIC, COY, KING and ITKIN

An Act providing for the regulation of water well construction and pump installation; licensing well contractors and pump installation contractors; conferring powers and duties on the Department of Environmental Resources and on local agencies; creating a technical advisory committee; and establishing the Water Well Construction and Pump Installation Account.

Referred to Committee on CONSERVATION, March 23, 1993.

No. 860 By Representatives KELLER, DONATUCCI, KENNEY, McGEEHAN, DENT, DeLUCA, ROONEY, GLADECK, RAYMOND, YANDRISEVITS, BELFANTI, J. TAYLOR, FAJT, STISH, WOGAN, PISTELLA and LEE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for civil proceedings and for monetary limits of parental liability.

Referred to Committee on JUDICIARY, March 23, 1993.

No. 861 By Representatives KELLER, DONATUCCI, KENNEY, McGEEHAN, ROONEY, GLADECK, RAYMOND, J. TAYLOR and LEDERER

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the sale of aerosol spray-paint cans and broad-tipped markers to minors; regulating the display of such cans and markers; and providing a penalty.

Referred to Committee on JUDICIARY, March 23, 1993.

No. 862 By Representatives KELLER, DONATUCCI, KENNEY, TIGUE, McGEEHAN, DENT, ROONEY, GLADECK, RAYMOND, BELFANTI, J. TAYLOR, FAJT, STISH and WOGAN

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

Referred to Committee on JUDICIARY, March 23, 1993.

No. 863 By Representatives KELLER, DONATUCCI, KENNEY, BATTISTO, TIGUE, McGEEHAN, DENT, DeLUCA, ROONEY, GLADECK, RAYMOND, YANDRISEVITS, BELFANTI, J. TAYLOR, ADOLPH, FAJT, STISH, HASAY, EVANS, VEON and LEDERER

An Act amending Titles 18 (Crimes and Offenses) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for criminal mischief.

Referred to Committee on JUDICIARY, March 23, 1993.

No. 864 By Representatives BISHOP, VEON and TIGUE

An Act amending the act of August 7, 1963 (P.L.549, No.290), referred to as the Pennsylvania Higher Education Assistance Agency Act, providing for discharge of student loans.

Referred to Committee on EDUCATION, March 23, 1993.

No. 865 By Representatives BISHOP, PISTELLA, TRELLO, GIGLIOTTI, LAUGHLIN, CIVERA, RITTER, STURLA, MUNDY, KELLER and M. COHEN

An Act amending the act of May 1, 1933 (P.L.216, No.76), known as The Dental Law, providing for required practices.

Referred to Committee on PROFESSIONAL LICENSURE, March 23, 1993.

No. 866 By Representatives BISHOP, RICHARDSON, KIRKLAND, JAMES, TRELLO, LAUGHLIN, GIGLIOTTI, MELIO and KELLER

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for day-care programs for children of pupils.

Referred to Committee on EDUCATION, March 23, 1993.

No. 867 By Representatives BISHOP, TIGUE, DALEY, BLAUM, MELIO, GIGLIOTTI, STURLA, RITTER, CIVERA, HERMAN, TRELLO, LAUGHLIN, PISTELLA and BELFANTI

An Act providing a supplemental appropriation for day-care services.

Referred to Committee on APPROPRIATIONS, March 23, 1993.

No. 868 By Representatives D. W. SNYDER, LESCOVITZ, PISTELLA, MERRY and BATTISTO

An Act repealing the act of July 2, 1937 (P.L.2797, No.584), entitled "An act requiring collectors of city, county, borough, town, township, and school district taxes, to file certain reports with the quarter sessions court and the Department of Community Affairs; directing such department to prepare and furnish forms for such reports, making such reports available for public inspection; and making violation of the act a misdemeanor."

Referred to Committee on LOCAL GOVERNMENT, March 23, 1993.

No. 869 By Representatives D. W. SNYDER, LESCOVITZ, PISTELLA, MERRY and BATTISTO

An Act amending the act of July 31, 1968 (P.L.805, No.247), known as the Pennsylvania Municipalities Planning Code, further providing for construction, for planning commission membership and business, for planning agency powers and duties, for compliance by counties, for official municipality maps, for county planning agency jurisdiction, for subdivision and land development ordinances, for plat approval and recording, for preventive remedies, for the transportation capital improvements plan, for

ordinance provisions, for classifications, for municipal curative amendments and for standards and conditions for planned residential development; providing for transferable development rights; further providing for zoning hearing board membership, organization, jurisdiction and time limits; and making repeals.

Referred to Committee on LOCAL GOVERNMENT, March 23, 1993.

No. 870 By Representatives STURLA, VAN HORNE, STETLER, ULIANA, ARMSTRONG, BELFANTI, BELARDI, KASUNIC, CORRIGAN, KUKOVICH, GRUITZA, VANCE, DALEY, YANDRISEVITS, TRELLO, FREEMAN, McGEEHAN, TOMLINSON, HARLEY, COY, M. COHEN, MICHLOVIC, VEON, LAUGHLIN, MELIO, SANTONI, ROONEY, GORDNER, KELLER, RICHARDSON, DURHAM, CIVERA, ADOLPH, MERRY, EVANS, COWELL, BUXTON, MURPHY, WOZNIAK, CAPPABIANCA, RITTER, BLAUM, WILLIAMS, FAJT, LINTON, ITKIN, GAMBLE, CALTAGIRONE and DENT

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the distribution of certain collected fines and forfeitures to municipalities.

Referred to Committee on JUDICIARY, March 23, 1993.

No. 871 By Representatives HALUSKA, DALEY, FARGO, BELFANTI, YEWIC, JAROLIN, COLAFELLA, ROBERTS, WOZNIAK, D. R. WRIGHT, S. H. SMITH, MELIO, GODSHALL, DeWEESE, STEELMAN, HARLEY, REBER, GEORGE, CESSAR, PETRONE, COLAIZZO, BROWN, PETRARCA, TRELLO, VEON, FEE, LAUGHLIN, STISH, KASUNIC, OLASZ, CORRIGAN, LUCYK, KING, ALLEN, PESCI, GEIST, MIHALICH, HERMAN, HANNA, STAIRS and GIGLIOTTI

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for tax credits.

Referred to Committee on FINANCE, March 23, 1993.

No. 872 By Representatives HALUSKA, DALEY, COLAIZZO, JAROLIN, CESSAR, HERMAN, OLASZ, LEVDANSKY, PISTELLA, CORRIGAN, LUCYK, TRELLO, LAUGHLIN, GIGLIOTTI, KASUNIC, PETRARCA and HANNA

An Act making an appropriation to the Department of Environmental Resources for allocation to the Bureau of Topographic and Geologic Survey to conduct coal-related research.

Referred to Committee on APPROPRIATIONS, March 23, 1993.

No. 873 By Representatives DALEY, COLAIZZO, JAROLIN, MIHALICH, CESSAR, HERMAN, S. H. SMITH, HANNA, OLASZ, PISTELLA, CORRIGAN, BELFANTI, LUCYK, TRELLO, LAUGHLIN, GIGLIOTTI, KASUNIC, PETRARCA and TRICH

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, establishing the Department of Energy and providing for its powers and duties; creating the Energy Research and Development Advisory Board and prescribing its functions; further providing for the composition of the Environmental Quality Board and for special powers relating to State vehicles; providing for energy or fuel supply emergencies and for coordination of monitoring of supplies of energy resources; further providing for the composition of the Energy Development Authority and for indebtedness of the Energy Development Authority; and transferring personnel, appropriations and equipment.

Referred to Committee on CONSERVATION, March 23, 1993.

No. 874 By Representatives DALEY, COLAIZZO, STISH, JAROLIN, MIHALICH, CESSAR, HERMAN, HANNA, OLASZ, PISTELLA, CORRIGAN, BELFANTI, FARGO, LUCYK, TRELLO, LAUGHLIN, GIGLIOTTI, KASUNIC, PETRARCA and TRICH

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, creating the Department of Energy and prescribing its powers and duties; establishing the Energy Research and Development Advisory Board as an advisory board in the Department of Energy; further providing for the powers and duties of the Department of Environmental Resources and the appointment of mine inspectors; further providing for the composition of the Environmental Quality Board; creating a Division of Administrative Hearings in the Office of Attorney General and prescribing its powers and duties; further providing for mine inspectors and certain conflicts of interest; providing for the salary of the Secretary of Energy; further providing for special powers relating to State vehicles; providing for energy or fuel supply emergencies and for coordination of monitoring of supplies of energy resources; further providing for the composition of the Energy Development Authority and for indebtedness of the Energy Development Authority; transferring certain bureaus, personnel, allocations, appropriations, equipment and other materials; and making repeals.

Referred to Committee on CONSERVATION, March 23, 1993.

No. 875 By Representatives PITTS, MARKOSEK, BOYES, DEMPSEY, NAILOR, COLAIZZO, MELIO, BUSH, ULIANA, DENT, KING, BIRMELIN, ALLEN, STABACK, CLARK, BATTISTO, BELARDI, RAYMOND, GERLACH, SAURMAN, TULLI, MARSICO, LEH, DeLUCA, NICKOL, KASUNIC, GEIST, SEMMEL, MERRY, E. Z. TAYLOR, SCHEETZ, S. H. SMITH, ARMSTRONG, D. W. SNYDER, FARMER, GODSHALL, CLYMER, HARLEY, PICCOLA, SERAFINI, GIGLIOTTI, VANCE, TOMLINSON, PETTIT, HESS, MICOZZIE, BROWN, MASLAND, STERN, MUNDY, HENNESSEY, ROHRER, L. I. COHEN, CIVERA, PESCI, HERSHEY, BUNT, HUTCHINSON, HECKLER, FLEAGLE, FAIRCHILD and LAUGHLIN

An Act providing for substance abuse testing, for a cause of action and for penalties; and conferring powers and duties on the Department of Health.

Referred to Committee on HEALTH AND WELFARE, March 23, 1993.

No. 876 By Representatives PITTS, GERLACH, E. Z. TAYLOR, FLICK, HERSHEY, HENNESSEY and RUBLEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the imposition of interest charges for installment payments for certain fines; and requiring certain fines to be paid within two years.

Referred to Committee on TRANSPORTATION, March 23, 1993.

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 22, 1993

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, March 29, 1993, 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, March 29, 1993, 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.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Steighner, for reports of leaves of absence.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask for leave for today only for the gentleman from Lackawanna, Mr. STABACK.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Perzel, for leaves of absence.

Mr. PERZEL. Mr. Speaker, I would like a temporary leave of absence for the gentleman from Northampton, Mr. ULIANA, and for the gentleman from Bucks, Mr. REINARD, for the day.

The SPEAKER. The Chair thanks the gentleman.

FILMING PERMISSION

The SPEAKER. The Chair would like to announce that the gentleman, Mr. David Mashek—David Mashek—is photographing on the floor of the House today.

MASTER ROLL CALL

The SPEAKER. The master roll is about to be taken. Members will proceed to vote on today's master roll call.

The following roll call was recorded:

PRESENT—199

Acosta	Fargo	Levdansky	Rubley
Adolph	Farmer	Linton	Rudy
Allen	Fee	Lloyd	Ryan
Argall	Fichter	Lucyk	Santoni
Armstrong	Fleagle	Lynch	Sather
Baker	Flick	Maitland	Saurman
Barley	Freeman	Manderino	Saylor
Battisto	Gamble	Markosek	Scheetz
Bebko-Jones	Gannon	Marsico	Schuler
Belardi	Geist	Masland	Scrimenti
Belfanti	George	Mayernik	Semmel
Birmelin	Gerlach	McCall	Serafini
Bishop	Gigliotti	McGeehan	Smith, S. H.
Blaum	Gladeck	McNally	Snyder, D. W.
Boyes	Godshall	Melio	Stairs
Brown	Gordner	Merry	Steelman
Bunt	Gruitz	Michlovic	Steighner
Bush	Gruppo	Micozzie	Steil
Butkovitz	Haluska	Mihalich	Stern
Buxton	Hanna	Miller	Stetler
Caltagirone	Harley	Mundy	Stish
Cappabianca	Hasay	Murphy	Strittmatter
Carn	Heckler	Nailor	Sturla
Carone	Hennessey	Nickol	Surra
Cawley	Herman	Nyce	Tangretti
Cesar	Hershey	O'Brien	Taylor, E. Z.
Chadwick	Hess	O'Donnell	Taylor, J.
Civera	Hughes	Olasz	Thomas
Clark	Hutchinson	Oliver	Tigue
Clymer	Itkin	Perzel	Tomlinson
Cohen, L. I.	Jadlowiec	Pesci	Trello
Coheu, M.	James	Petrarca	Trich
Colafella	Jarolin	Petrone	True
Colaizzo	Josephs	Pettit	Tulli
Cornell	Kaiser	Phillips	Vance
Corrigan	Kasunic	Piccola	Van Home
Cowell	Keller	Pistella	Veon
Coy	Kenney	Pitts	Vitali
Curry	King	Platts	Waugh
Daley	Kirkland	Preston	Williams
DeLuca	Krebs	Raymond	Wogan
Dempsey	Kukovich	Reber	Wozniak
Dent	LaGrotta	Richardson	Wright, D. R.
Dermody	Laub	Riegar	Wright, M. N.
Donatucci	Laughlin	Ritter	Yandrisevits
Druce	Lawless	Roberts	Yewcic
Durham	Lederer	Robinson	Zug
Egolf	Lee	Roebuck	
Evans	Leh	Rohrer	DeWeese,
Fairchild	Lescovitz	Rooney	Speaker
Fajt			

ADDITIONS—1

Smith, B.

NOT VOTING—0**EXCUSED—3**

Reinard

Staback

Uliana

LEAVES CANCELED—1

Uliana

**BILLS REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND TABLED****HB 337, PN 943 (Amended) By Rep. GEORGE**

An Act regulating toxic materials used in packaging and components thereof; and providing for additional duties of the Department of Environmental Resources, for certain procedures, for remedies and enforcement and for civil and criminal penalties.

CONSERVATION.**HB 484, PN 535 By Rep. GEORGE**

An Act amending the act of July 7, 1980 (P.L.380, No.97), known as the Solid Waste Management Act, further providing for management of residual waste, for disposal, processing and storage of residual waste and for transportation of residual waste.

CONSERVATION.**HB 907, PN 918 By Rep. GEORGE**

An Act providing for the observance of April 22 each year as Earth Day.

CONSERVATION.**REPUBLICAN CAUCUS**

The SPEAKER. Does the gentleman, Mr. Geist, desire recognition?

Mr. GEIST. Thank you, Mr. Speaker.

The Republicans will caucus at 10 minutes after 1. We have to do the rest of the calendar and then we will be on the floor by 1:30.

The SPEAKER. Does the gentleman, Mr. Coy, desire recognition in response to the Republican call for a caucus?

Mr. COY. Mr. Speaker, I confess I did not hear the announcement.

The SPEAKER. Will the gentleman please repeat his announcement.

Mr. GEIST. Thank you, Mr. Speaker.

The Republicans will caucus at 1 o'clock. We should be finished to be on the floor by 1:30 and would appreciate your indulgence.

The SPEAKER. The Chair thanks the gentleman.

Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

There is no need for a Democratic caucus at this time.

RECESS

The SPEAKER. The House stands in recess until 1:30 p.m.

AFTER RECESS

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

**THE SPEAKER PRO TEMPORE
(FRED A. TRELLO) PRESIDING**

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 958 By Representatives ITKIN and RYAN

An Act amending the act of September 30, 1983 (P.L.160, No.39), known as the Public Official Compensation Law, providing for the salaries of members of the Pennsylvania Public Utility Commission; and making a repeal.

Referred to Committee on CONSUMER AFFAIRS, March 23, 1993.

**HOUSE RESOLUTION
INTRODUCED AND REFERRED**

No. 45 By Representatives NYCE, FLEAGLE, GORDNER, PESCI, MAITLAND, JAROLIN, VANCE, TIGUE, GRUPPO, FARMER, SANTONI, BROWN, PETRARCA, BAKER, FARGO, ULIANA, HERSHEY, CARONE, CARN, COLAIZZO, OLASZ, PETTIT, PETRONE, FLICK, DENT, ROBERTS, SAYLOR, HESS, M. N. WRIGHT, DeLUCA, PISTELLA, FICHTER, ZUG, FAJT, BEBKO-JONES, CAWLEY, LAUGHLIN, TRELLO, MELIO, STERN, B. SMITH, BELFANTI, SCHULER, JOSEPHS, DEMPSEY, CURRY, STAIRS, KING, PLATTS and SAURMAN

A Resolution designating the month of April 1993 as "Mathematics Education Month" in Pennsylvania.

Referred to Committee on RULES, March 23, 1993.

MEMBER'S PRESENCE RECORDED

The SPEAKER pro tempore. Bruce Smith will be added to the master roll.

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

HB 149, PN 945 (Amended) By Rep. PETRONE

An Act allocating a percentage of the net proceeds from all unclaimed funds from sheriffs' sales of residential real property to the Pennsylvania Housing Finance Agency for the purpose of assisting potential home buyers with the financing and purchase of homes at sheriffs' sales.

URBAN AFFAIRS.

HB 678, PN 742 By Rep. D. R. WRIGHT

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for landlord ratepayers and tenants, for notice prior to termination of service, for penalties and for remedies; and imposing duties upon owners of rental property.

CONSUMER AFFAIRS.

HB 846, PN 909 By Rep. D. R. WRIGHT

An Act requiring radon testing and notification for sale of residential property.

CONSUMER AFFAIRS.

HB 853, PN 915 By Rep. PETRONE

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further providing for the sale of real and personal property; providing for appointments to the board of health; permitting interests in firefighters' pension funds to vest after 12 years under certain conditions; providing for the amount of the retirement allowance benefit vested; adding a definition; and making an editorial change.

URBAN AFFAIRS.

GUESTS INTRODUCED

The SPEAKER pro tempore. The Chair recognizes the Pennsylvania Council of the Delta Sigma Theta, who are here in the gallery.

BILL REMOVED FROM TABLE

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

Mr. ITKIN. Mr. Speaker, I move that HB 907 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

CALENDAR

BILLS ON SECOND CONSIDERATION

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

HB 559, PN 610; and HB 815, PN 917.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The gentleman, Mr. Uliana, will be added to the master roll.

REMARKS SUBMITTED FOR THE RECORD

Mr. EVANS submitted the following remarks for the Legislative Journal:

There has been a lot of recent attention paid to the way in which the General Assembly performs its job. In some cases, more attention to the way than the what.

The bills we are about to consider say a little bit about each. While much of what they do is establish or refine process, they do it surrounding some major substance - the effectiveness of government-funded programs and the appropriation of money to carry them out.

These bills are not new to this chamber. In fact, we overwhelmingly approved them last session. They attack head-on what I believe is the most important thing people want from government, and that is that government works harder and performs better.

For those in the chamber who have wanted to continue to reform how things happen in Harrisburg, here it is. One of these

bills sets up duties, responsibilities and deadlines and the penalties for failure to meet them. One of those penalties would be the loss of access to House and Senate operating accounts until appropriate action is taken.

Another would amend the State Constitution to permit the State Senate to initiate revenue-generating legislation. Currently only the House can do so.

A third would establish an independent revenue forecasting board, an effort to provide expert and independent insight into the business of projecting the State's revenue picture.

The fourth would establish a performance evaluation commission charged with assuring that all programs administered by State government undergo periodic performance evaluations. Right now there is not systemic, consistent evaluation process in place.

As a direct result of this year's budget hearings on accountability in State government, this legislation was amended in committee to require the development and implementation of a State employees' cost reduction incentive program to award State employees who propose ideas which reduce State expenditures or improve State operations, provided such ideas are put in place.

I urge all members to look beyond the short term, focus on the long term, and vote "yes" on these bills.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 550, PN 665**, entitled:

An Act establishing the Pennsylvania Performance Evaluation Commission and providing for its powers and duties.

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—200

Acosta	Fargo	Linton	Rudy
Adolph	Farmer	Lloyd	Ryan
Allen	Fee	Lucyk	Santoni
Argall	Fichter	Lynch	Sather
Armstrong	Fleagle	Maitland	Saurman
Baker	Flick	Mandinno	Saylor
Barley	Freeman	Markosek	Scheetz
Battisto	Gamble	Marsico	Schuler
Bebko-Jones	Gannon	Masland	Scrimenti
Belardi	Geist	Mayernik	Semmel
Belfanti	George	McCall	Serafini
Birmelin	Gerlach	McGeehan	Smith, S. H.
Bishop	Gigliotti	McNally	Snyder, D. W.
Blaum	Gladeck	Melio	Stairs
Boyes	Godshall	Merry	Steelman
Brown	Gordner	Michlovic	Steighner
Bunt	Gruitza	Micozzie	Steil
Bush	Gruppo	Mihalich	Stern
Butkovitz	Haluska	Miller	Stetler
Buxton	Hanna	Mundy	Stish
Caltagirone	Harley	Murphy	Strittmatter
Cappabianca	Hasay	Nailor	Sturla
Carn	Heckler	Nickol	Surra
Carone	Hennessey	Nyce	Tangretti
Cawley	Herman	O'Brien	Taylor, E. Z.

Cassar	Hershey	O'Donnell	Taylor, J.
Chadwick	Hess	Olasz	Thomas
Civera	Hughes	Oliver	Tigue
Clark	Hutchinson	Perzel	Tomlinson
Clymer	Itkin	Pesci	Trello
Cohen, L. I.	Jadlowiec	Petrarca	Trich
Cohen, M.	James	Petrone	True
Colaella	Jarolin	Pettit	Tulli
Colaizzo	Josephs	Phillips	Uliana
Cornell	Kaiser	Piccola	Vance
Corrigan	Kasunic	Pistella	Van Horne
Cowell	Keller	Pitts	Veon
Coy	Kenney	Platta	Vitali
Curry	King	Preston	Waugh
Daley	Kirkland	Raymond	Williams
DeLuca	Krebs	Reber	Wogan
Dempsey	Kukovich	Richardson	Wozniak
Dent	LaGrotta	Rieger	Wright, D. R.
Dermody	Laub	Ritter	Wright, M. N.
Donatucci	Laughlin	Roberts	Yandriaevits
Druce	Lawless	Robinson	Yewcic
Durham	Lederer	Roebuck	Zug
Egolf	Lee	Rohrer	
Evans	Leh	Rooney	DeWeese, Speaker
Fairchild	Lescovitz	Rubley	
Fajt	Levdansky		

NAYS—0

NOT VOTING—1

Smith, B.

EXCUSED—2

Reinard Staback

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 587, PN 638**, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the origination of revenue bills.

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—162

Acosta	Evans	Levdansky	Santoni
Adolph	Fajt	Linton	Sather
Allen	Fargo	Lloyd	Saurman

Argall	Farmer	Lucyk	Saylor
Baker	Fee	Lynch	Scrimenti
Barley	Fichter	Manderino	Semmel
Battisto	Flick	Markosek	Serafini
Bebko-Jones	Freeman	Mayernik	Snyder, D. W.
Belardi	Gamble	McCall	Stairs
Belfanti	Geist	McGeehan	Steelman
Birmelin	George	McNally	Steighner
Bishop	Gerlach	Melio	Stern
Blaum	Gigliotti	Merry	Stetler
Boyes	Gladeck	Michlovic	Stish
Brown	Godshall	Micozzie	Strittmatter
Bush	Gordner	Mihalich	Sturla
Butkovitz	Gruitza	Miller	Surra
Buxton	Gruppo	Mundy	Tangretti
Caltagirone	Haluska	Murphy	Taylor, E. Z.
Cappabianca	Hanna	Nailor	Taylor, J.
Carn	Hasay	Nyce	Thomas
Carone	Hennessey	O'Brien	Tigue
Cawley	Herman	O'Donnell	Tomlinson
Cessar	Hershey	Olasz	Trello
Civera	Hughes	Oliver	Trich
Cohen, M.	Itkin	Pesci	Tulli
Colafella	Jadlowiec	Petrarca	Uliana
Colaizzo	James	Petrone	Vance
Cornell	Jarolin	Pistella	Van Horne
Corrigan	Josephs	Pitts	Veon
Cowell	Kaiser	Preston	Vitali
Coy	Kasunic	Raymond	Williams
Curry	Keller	Reber	Wogan
Daley	Kenney	Richardson	Wozniak
DeLuca	Kirkland	Rieger	Wright, D. R.
Dempsey	Krebs	Ritter	Wright, M. N.
Dent	Kukovich	Roberts	Yandrisevits
Dermody	LaGrotta	Robinson	Yewcic
Donatucci	Laughlin	Roebuck	
Druce	Lederer	Rooney	DeWeese,
Durham	Lescovitz	Rudy	Speaker

NAYS-35

Armstrong	Harley	Marsico	Rubley
Bunt	Hess	Masland	Ryan
Chadwick	Hutchinson	Nickol	Scheetz
Clark	King	Perzel	Schuler
Clymer	Laub	Pettit	Smith, S. H.
Cohen, L. I.	Lawless	Phillips	Steil
Egolf	Lee	Piccola	True
Fairchild	Leh	Platts	Zug
Fleagle	Maitland	Rohrer	

NOT VOTING-4

Gannon	Heckler	Smith, B.	Waugh
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EXCUSED-2

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

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

The House proceeded to third consideration of HB 588, PN 639, entitled:

An Act providing deadlines for budgetary actions by the General Assembly; and imposing certain sanctions.

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-199

Acosta	Fargo	Levdansky	Rudy
Adolph	Farmer	Linton	Ryan
Allen	Fee	Lloyd	Santoni
Argall	Fichter	Lucyk	Sather
Armstrong	Fleagle	Lynch	Saurman
Baker	Flick	Maitland	Saylor
Barley	Freeman	Manderino	Scheetz
Battisto	Gamble	Markosek	Schuler
Bebko-Jones	Gannon	Marsico	Scrimenti
Belardi	Geist	Masland	Semmel
Belfanti	George	Mayernik	Serafini
Birmelin	Gerlach	McCall	Smith, S. H.
Bishop	Gigliotti	McGeehan	Snyder, D. W.
Blaum	Gladeck	McNally	Stairs
Boyes	Godshall	Melio	Steelman
Brown	Gordner	Merry	Steighner
Bunt	Gruitza	Michlovic	Steil
Bush	Gruppo	Micozzie	Stern
Butkovitz	Haluska	Mihalich	Stetler
Buxton	Hanna	Miller	Stish
Caltagirone	Harley	Mundy	Strittmatter
Cappabianca	Hasay	Murphy	Sturla
Carn	Heckler	Nailor	Surra
Carone	Hennessey	Nickol	Tangretti
Cawley	Herman	Nyce	Taylor, E. Z.
Cessar	Hershey	O'Brien	Taylor, J.
Chadwick	Hess	O'Donnell	Thomas
Civera	Hughes	Olasz	Tigue
Clark	Hutchinson	Oliver	Tomlinson
Clymer	Itkin	Perzel	Trello
Cohen, L. I.	Jadlowiec	Pesci	Trich
Cohen, M.	James	Petrarca	True
Colafella	Jarolin	Petrone	Tulli
Colaizzo	Josephs	Pettit	Uliana
Cornell	Kaiser	Phillips	Vance
Corrigan	Kasunic	Piccola	Van Horne
Cowell	Keller	Pistella	Veon
Coy	Kenney	Pitts	Vitali
Curry	King	Platts	Waugh
Daley	Kirkland	Raymond	Williams
DeLuca	Krebs	Reber	Wogan
Dempsey	Kukovich	Richardson	Wozniak
Dent	LaGrotta	Rieger	Wright, D. R.
Dermody	Laub	Ritter	Wright, M. N.
Donatucci	Laughlin	Roberts	Yandrisevits
Druce	Lawless	Robinson	Yewcic
Durham	Lederer	Roebuck	Zug
Egolf	Lee	Rohrer	
Evans	Leh	Rooney	DeWeese,
Fairchild	Lescovitz	Rubley	Speaker
Fajt			

NAYS-0

NOT VOTING—2

Preston Smith, B.

EXCUSED—2

Reinard Staback

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 589, PN 640, entitled:

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further imposing additional budgetary duties and responsibilities on the Governor and the Secretary of the Budget; requiring the Auditor General and State Treasurer to furnish lists of employees and requiring monthly updates of employee lists to be furnished to the Legislative Data Processing Center; creating an independent advisory board to be known as the Independent Revenue Forecasting Board, providing for the appointment of its members, and defining its powers and duties; establishing an Economic Advisory Council; and providing for duties of the Governor, the Secretary of Public Welfare and the Secretary of Revenue.

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?

VOTE CORRECTIONS

The SPEAKER pro tempore. The Chair recognizes Representative Smith. For what purpose does the gentleman rise?

Mr. B. SMITH. Mr. Speaker, my switch is not working. I would like to be recorded individually, in the affirmative, on each of the three previous bills. My switch is malfunctioning.

The SPEAKER pro tempore. The gentleman's remarks will be spread upon the record, and the Chair will recognize the gentleman on his vote.

CONSIDERATION OF HB 589 CONTINUED

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—186

Acosta	Evans	Lloyd	Santoni
Adolph	Fajt	Lucyk	Sather
Allen	Farmer	Lynch	Saurman
Argall	Fee	Manderino	Saylor

Armstrong	Fichter	Markosek	Schoetz
Baker	Fleagle	Marsico	Schuler
Barley	Flick	Masland	Scrimanti
Bebko-Jones	Freeman	Mayermik	Sammel
Belardi	Gamble	McCall	Smith, B.
Belfanti	Gannon	McGeehan	Snyder, D. W.
Birmelin	Geist	McNally	Stairs
Bishop	George	Melio	Steelman
Blaum	Gerlach	Merry	Steighner
Boyes	Gigliotti	Micozzie	Steil
Brown	Gladeck	Mihalich	Stern
Bunt	Godshall	Miller	Stetler
Bush	Gordner	Mundy	Stish
Butkowitz	Gruitza	Murphy	Strittmatter
Buxton	Gruppo	Nailor	Sturla
Caltagirone	Haluska	Nickol	Surra
Cappabianca	Hanna	Nyce	Tangretti
Carn	Harley	O'Brien	Taylor, E. Z.
Carone	Heckler	O'Donnell	Taylor, J.
Cawley	Hennessey	Olasz	Thomas
Cesar	Herman	Oliver	Tigue
Chadwick	Hershey	Perzel	Tomlinson
Civera	Hutchinson	Pesci	Trello
Clark	Itkin	Petrarca	Trich
Clymer	Jadlowiec	Petrone	True
Cohen, L. I.	James	Pettit	Tulli
Cohen, M.	Jarolin	Piccola	Uliana
Colafiglia	Josephs	Pistella	Vance
Colaizzo	Kaiser	Pitts	Van Horne
Cornell	Kasunic	Platts	Veon
Corrigan	Keller	Preston	Vitali
Cowell	Kenney	Raymond	Waugh
Coy	King	Reber	Williams
Curry	Kirkland	Richardson	Wogan
Daley	Krebs	Rieger	Wozniak
DeLuca	Kukovich	Ritter	Wright, D. R.
Dempsey	LaGrotta	Roberts	Wright, M. N.
Dent	Laughlin	Robinson	Yandrisevits
Dermody	Lederer	Roebuck	Yewcic
Donatucci	Lee	Rooney	Zug
Druce	Lescovitz	Rublely	
Durham	Levdansky	Rudy	DeWeese,
Egolf	Linton	Ryan	Speaker

NAYS—13

Battisto	Hess	Leh	Rohrer
Fairchild	Laub	Maitland	Serafini
Fargo	Lawless	Phillips	Smith, S. H.
Hasay			

NOT VOTING—2

Hughes Michlovic

EXCUSED—2

Reinard Staback

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 473, PN 524, entitled:

An Act amending the act of December 5, 1972 (P.L.1280, No.284), known as the Pennsylvania Securities Act of 1972, making it unlawful to act as an associated person unless registered; establishing an exemption from registration for associated persons; revising certain exemptions for transactions in securities; and authorizing imposition of monetary assessments.

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—189

Acosta	Fajt	Lloyd	Ryan
Adolph	Farmer	Lucyk	Santoni
Allen	Fee	Lynch	Sather
Argall	Fichter	Maitland	Saurman
Armstrong	Fleagle	Manderino	Saylor
Baker	Flick	Markosek	Scheetz
Barley	Freeman	Marsico	Schuler
Battisto	Gamble	Masland	Scrimenti
Bebko-Jones	Gannon	Mayernik	Semmel
Belardi	Geist	McCall	Smith, B.
Belfanti	George	McGeehan	Snyder, D. W.
Birmelin	Gerlach	McNally	Stairs
Bishop	Gigliotti	Melio	Steelman
Blaum	Gladeck	Merry	Steighner
Boyes	Godshall	Michlovic	Steil
Brown	Gordner	Micozzie	Stern
Bunt	Gruitza	Mihalich	Stetler
Bush	Gruppo	Miller	Stish
Butkovitz	Haluska	Mundy	Sturla
Buxton	Hanna	Murphy	Surra
Caltagirone	Harley	Nailor	Tangretti
Cappabianca	Hasay	Nyce	Taylor, E. Z.
Carn	Heckler	O'Brien	Taylor, J.
Carone	Hennessey	O'Donnell	Thomas
Cawley	Herman	Olasz	Tigue
Chadwick	Hershey	Oliver	Tomlinson
Civera	Hess	Perzel	Trello
Clark	Hughes	Pesci	Trich
Cohen, L. I.	Itkin	Petrarca	True
Cohen, M.	James	Petrone	Tulli
Colafella	Jarolin	Pettit	Uliana
Colaizzo	Josephs	Phillips	Vance
Cornell	Kaiser	Piccola	Van Horne
Corrigan	Kasunic	Pistella	Veon
Cowell	Keller	Pitts	Vitali
Coy	Kenney	Platts	Waugh
Curry	King	Preston	Williams
Daley	Kirkland	Raymond	Wogan
DeLuca	Krebs	Reber	Wozniak
Dempsey	Kukovich	Richardson	Wright, D. R.
Dent	LaGrotta	Rieger	Wright, M. N.
Dermody	Laub	Ritter	Yandrisevits
Donatucci	Laughlin	Roberts	Yewcic
Druce	Lederer	Robinson	Zug
Durham	Lee	Roebuck	
Egolf	Leacovitz	Rooney	DeWeese,
Evans	Levdanský	Rubley	Speaker
Fairchild	Linton	Rudy	

NAYS—12

Cessar	Hutchinson	Leh	Serafini
Clymer	Jadlowiec	Nickol	Smith, S. H.
Fargo	Lawless	Rohrer	Strittmatter

NOT VOTING—0

EXCUSED—2

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

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

* * *

The House proceeded to third consideration of **HB 85, PN 478**, entitled:

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Corrections, to convey a tract of land in Lower Allen Township, Cumberland County, Pennsylvania, to Lower Allen Township.

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—200

Acosta	Fargo	Lloyd	Ryan
Adolph	Farmer	Lucyk	Santoni
Allen	Fee	Lynch	Sather
Argall	Fichter	Maitland	Saurman
Armstrong	Fleagle	Manderino	Saylor
Baker	Flick	Markosek	Scheetz
Barley	Freeman	Marsico	Schuler
Battisto	Gamble	Masland	Scrimenti
Bebko-Jones	Geist	Mayernik	Semmel
Belardi	George	McCall	Serafini
Belfanti	Gerlach	McGeehan	Smith, B.
Birmelin	Gigliotti	McNally	Smith, S. H.
Bishop	Gladeck	Melio	Snyder, D. W.
Blaum	Godshall	Merry	Stairs
Boyes	Gordner	Michlovic	Steelman
Brown	Gruitza	Micozzie	Steighner
Bunt	Gruppo	Mihalich	Steil
Bush	Haluska	Miller	Stern
Butkovitz	Hanna	Mundy	Stetler
Buxton	Harley	Murphy	Stish
Caltagirone	Hasay	Nailor	Strittmatter
Cappabianca	Heckler	Nickol	Sturla
Carn	Hennessey	Nyce	Surra
Carone	Herman	O'Brien	Tangretti
Cawley	Hershey	O'Donnell	Taylor, E. Z.
Cessar	Hess	Olasz	Taylor, J.

Chadwick	Hughes	Oliver	Thomas
Civera	Hutchinson	Perzel	Tigue
Clark	Itkin	Pesci	Tomlinson
Clymer	Jadlowiec	Petrarca	Trello
Cohen, L. I.	James	Petrone	Trich
Cohen, M.	Jarolin	Pettit	True
Colaella	Josephs	Phillips	Tulli
Colaizzo	Kaiser	Piccola	Uliana
Cornell	Kasunic	Pistella	Vance
Corrigan	Keller	Pitts	Van Horne
Cowell	Kenney	Platts	Veon
Coy	King	Preston	Vitali
Curry	Kirkland	Raymond	Waugh
Daley	Krebs	Reber	Williams
DeLuca	Kukovich	Richardson	Wogan
Dempsey	LaGrotta	Rieger	Wozniak
Dent	Laub	Ritter	Wright, D. R.
Dermody	Laughlin	Roberts	Wright, M. N.
Donatucci	Lawless	Robinson	Yandrisevits
Druce	Lederer	Roebuck	Yewcic
Durham	Lee	Rohrer	Zug
Egolf	Leh	Rooney	DeWeese, Speaker
Evans	Leacovitz	Rublely	
Fairchild	Levdansky	Rudy	
Fajt	Linton		

NAYS—0

NOT VOTING—1

Gannon

EXCUSED—2

Reinard Staback

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.

HB 587 RECONSIDERED

The SPEAKER pro tempore. The Chair is in possession of a reconsideration motion by the gentleman, Mr. Perzel, who moves that the vote by which HB 587, PN 638, was passed on the 23d day of March be reconsidered.

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

The following roll call was recorded:

YEAS—201

Acosta	Fargo	Linton	Ryan
Adolph	Farmer	Lloyd	Santoni
Allen	Fee	Lucyk	Sather
Argall	Fichter	Lynch	Saurman
Armstrong	Fleagle	Maitland	Saylor
Baker	Flick	Manderino	Scheetz
Barley	Freeman	Markosek	Schuler
Battisto	Gamble	Marsico	Scrimenti
Bebko-Jones	Gannon	Masland	Semmel
Belardi	Geist	Mayernik	Serafini
Belfanti	George	McCall	Smith, B.
Birmelin	Gerlach	McGeehan	Smith, S. H.
Bishop	Gigliotti	McNally	Snyder, D. W.

Blaum	Gladeck	Melio	Stairs
Boyes	Godshall	Merry	Stoolman
Brown	Gordner	Michlovic	Steighner
Bunt	Gruitza	Micozzie	Steil
Bush	Gruppo	Mihalich	Stern
Butkowitz	Haluska	Miller	Stetler
Buxton	Hanna	Mundy	Stih
Caltagirone	Harley	Murphy	Strittmatter
Cappabianca	Hassay	Nailor	Sturla
Carn	Heckler	Nickol	Surra
Carone	Hennessey	Nyce	Tangretti
Cawley	Herman	O'Brien	Taylor, E. Z.
Cessar	Hershey	O'Donnell	Taylor, J.
Chadwick	Hess	Olasz	Thomas
Civera	Hughes	Oliver	Tigue
Clark	Hutchinson	Perzel	Tomlinson
Clymer	Itkin	Pesci	Trello
Cohen, L. I.	Jadlowiec	Petrarca	Trich
Cohen, M.	James	Petrone	True
Colaella	Jarolin	Pettit	Tulli
Colaizzo	Josephs	Phillips	Uliana
Cornell	Kaiser	Piccola	Vance
Corrigan	Kasunic	Pistella	Van Horne
Cowell	Keller	Pitts	Veon
Coy	Kenney	Platts	Vitali
Curry	King	Preston	Waugh
Daley	Kirkland	Raymond	Williams
DeLuca	Krebs	Reber	Wogan
Dempsey	Kukovich	Richardson	Wozniak
Dent	LaGrotta	Rieger	Wright, D. R.
Dermody	Laub	Ritter	Wright, M. N.
Donatucci	Laughlin	Roberts	Yandrisevits
Druce	Lawless	Robinson	Yewcic
Durham	Lederer	Roebuck	Zug
Egolf	Lee	Rohrer	
Evans	Leh	Rooney	DeWeese, Speaker
Fairchild	Leacovitz	Rublely	
Fajt	Levdansky	Rudy	

NAYS—0

NOT VOTING—0

EXCUSED—2

Reinard Staback

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

On the question recurring,
Shall the bill pass finally?

DECISION OF CHAIR RESCINDED

The SPEAKER pro tempore. Without objection, the Chair rescinds its decision that HB 587 was agreed to for the third time.

On the question recurring,
Will the House agree to the bill on third consideration?
Mr. GANNON offered the following amendments No. A0526:

Amend Title, page 1, lines 1 through 3, by striking out all of said lines and inserting
Proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for special tax provisions for certain persons who have attained 65 years of age.

Amend Bill, page 1, lines 6 through 13, by striking out all of said lines and inserting

Section 1. The following amendment to the Constitution of Pennsylvania is proposed in accordance with Article XI:

That section 2(b) of Article VIII be amended by adding a clause to read:

§ 2. Exemptions and special provisions.

* * *

(b) The General Assembly may, by law:

* * *

(vi) Provide that, subject to income limitations established by act of the General Assembly, the amount of tax levied by a school district on the residence of a person shall not be increased after the person attains 65 years of age and, in the case where a person who has attained 65 years of age purchases a residence, that the amount of tax levied by a school district on the residence shall not be increased during the period the person owns the residence. The Commonwealth shall provide for the reimbursement of school districts by the Commonwealth for revenue losses resulting from this special tax provision.

* * *

Section 2. This proposed amendment shall be submitted by the Secretary of the Commonwealth to the qualified electors of this Commonwealth at the primary, general or municipal election next held after the advertising requirements of section 1 of Article XI of the Constitution of Pennsylvania have been satisfied.

On the question,

Will the House agree to the amendments?

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, I am not certain that this amendment has been circulated on the floor at this time. Oh, okay; it has. Thank you, Mr. Speaker.

Mr. Speaker, this is a very, what I feel is a very important and significant amendment, and it is something that the senior citizens of Pennsylvania have been asking for from this legislature for a number of years. This, I believe, is the first opportunity that we have had as a body to address this issue on the floor of the House. What it does, Mr. Speaker, it says to those folks who are 65 years and older that enough is enough; your property tax increases have to stop.

This proposal to the Constitution of Pennsylvania says that when you are 65 years and older, your property tax rates freeze. There will be no further increase in property taxes for senior citizens 65 years and older, and I know that many members of this legislature, including myself, have received numbers of petitions and letters and requests from senior citizens in our districts and throughout the Commonwealth for this type of local property tax relief.

I urge a "yes" vote on this amendment. Thank you, Mr. Speaker.

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

Mr. EVANS. Mr. Speaker, there are a number of things I would like to—

Mr. PICCOLA. Mr. Speaker, a point of personal privilege.

The SPEAKER pro tempore. What is your point of personal privilege?

Mr. PICCOLA. Mr. Speaker, these lights that have all of a sudden come on here in the chamber are quite distracting, and unless they are of extreme importance, I would request that they be turned off.

The SPEAKER pro tempore. I can appreciate the gentleman's remarks, but the lights are needed temporarily, and I can assure you that the problem will be taken care of in a very short period of time.

The Chair recognizes the gentleman, Mr. Evans.

Mr. EVANS. Mr. Speaker, there are a number of things I would like to say regarding this major amendment that Mr. Gannon is offering.

The first thing I would like to note is that we received this amendment at 12:45 today, and, Mr. Speaker, although we received it at 12:45 today, we were able to prepare a fiscal note, Mr. Speaker. I state that for the record so people can understand certainly the complexity of trying to put together a fiscal note. Even though we were able to put together a fiscal note, Mr. Speaker, there are some implications in this amendment that are far-reaching for the Commonwealth of Pennsylvania that could be extremely costly.

If you notice your fiscal note—and I hope that you have it on your desks—you will notice that this particular amendment says that school districts cannot increase resident property taxes on persons ages 65 and above. The Commonwealth, Mr. Speaker, must reimburse school districts for any revenue. Let me repeat that: School districts, as is stated, cannot increase resident property taxes on persons ages 65 and above. However, Mr. Speaker, that revenue has to be made up by someone. We need to understand in this House, Mr. Speaker, that these things are not done by magic. The reality of it is, Mr. Speaker, this Commonwealth will be responsible for reimbursing those school districts. I do not know, Mr. Speaker, where the maker of this particular amendment has an answer to that problem.

I would encourage you to vote "no" on this particular amendment, because in my view, Mr. Speaker, this again is an amendment that is not well thought out. If you are going to deal with this particular issue, Mr. Speaker, this needs to be dealt with in the context of tax reform for the Commonwealth of Pennsylvania and not just dealt with in a narrow way. So I stress to you, Mr. Speaker, that you need to read the fiscal note and understand the fiscal implications if this amendment should pass. Thank you.

The SPEAKER pro tempore. The Chair recognizes Mr. Preston from Allegheny County.

Mr. PRESTON. Thank you, Mr. Speaker.

Will the maker of the amendment stand for interrogation?

Mr. GANNON. Yes, Mr. Speaker.

The SPEAKER pro tempore. The gentleman, Mr. Gannon, agrees that he will agree.

Mr. PRESTON. It is apparent that the Commonwealth would be responsible should your amendment pass. How and in what manner would you assess that the Commonwealth would be able and where will we get the funds to be able to pay for your amendment?

Mr. GANNON. Mr. Speaker, this amendment provides a very reasonable and simple mechanism for the Commonwealth to reimburse school districts. We already reimburse school districts for, in some instances, 50 to 40 to 60 percent of their educational costs.

This amendment only addresses the increase in property taxes, not the whole property tax that is now assessed against an individual 65 or older. And those revenues, Mr. Speaker, would come from the same source that all of our general revenues come from, and that would be our sales tax, our corporate net income taxes, our business taxes, and of course, our other income taxes.

Mr. PRESTON. Being that we currently are under a constitutional law of having a balanced budget, would you say then if we pass your amendment for the additional revenues, are you recommending that we would increase taxes, sir?

Mr. GANNON. No. Mr. Speaker, this amendment would not require any increase in taxes. That is obvious on its face.

POINT OF ORDER

Mr. MELIO. Point of order, Mr. Speaker.

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

Mr. MELIO. Mr. Speaker, there are some of us who do not have the fiscal note on our desks. None of us.

The SPEAKER pro tempore. The fiscal note is now being prepared and will be circulated in a few seconds. Will the House stay in order until the fiscal note is circulated.

POINT OF ORDER

Mr. PRESTON. A point of order also. A question of order, sir.

The SPEAKER pro tempore. The Chair recognizes Representative Preston. What is your point of order?

Mr. PRESTON. Was this amendment submitted within our rules context?

The SPEAKER pro tempore. Yes.

Mr. PRESTON. Okay. Thank you.

The SPEAKER pro tempore. The new rules are effective March 29.

Mr. STURLA. Mr. Speaker?

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

Mr. STURLA. Mr. Speaker, I was seeking to interrogate the maker of the amendment.

The SPEAKER pro tempore. Well, we are awaiting the arrival of the fiscal note. Then after we get the fiscal note, you will be in order.

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

BILL PASSED OVER

The SPEAKER pro tempore. HB 587, PN 638, will go over for the day.

HOUSE BILLS INTRODUCED AND REFERRED

No. 903 By Representatives COWELL, BATTISTO, RUDY, HALUSKA, E. Z. TAYLOR, FAJT, REBER, McCALL, TRICH, SAYLOR, GORDNER, KUKOVICH, PESCI, LESCOVITZ, COLAIZZO, TRELLO, GIGLIOTTI, STISH, MELIO and BELARDI

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for the weather emergency of March 1993.

Referred to Committee on EDUCATION, March 23, 1993.

No. 1001 By Representatives BLAUM, KUKOVICH, GRUPPO, DeWEESE, L. I. COHEN, COY, VEON, GEIST, BUNT, GORDNER, ROONEY, HALUSKA, STURLA, KREBS, HERMAN, CURRY, STISH, RITTER, KASUNIC, BISHOP, STETLER, HESS, OLASZ, DeLUCA, MUNDY, BELFANTI, STAIRS, LaGROTTA, DALEY, E. Z. TAYLOR, LEDERER, PESCI, TIGUE, M. N. WRIGHT, LAUGHLIN, PISTELLA, TRELLO, CAPPABIANCA, VAN HORNE, PICCOLA, ULIANA, LESCOVITZ, GODSHALL, COLAIZZO, STABACK, HASAY, GERLACH, FREEMAN, BATTISTO, SURRA, GIGLIOTTI, ROBERTS, HANNA, RICHARDSON, D. W. SNYDER, DONATUCCI, JOSEPHS, McCALL, TRICH, TOMLINSON, SERAFINI, JAMES, SAYLOR and DRUCE

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for preliminary provisions, for reporting suspected child abuse, for powers and duties of the Department of Public Welfare, for organization and responsibilities of child protective service and for miscellaneous provisions; providing for school students and for background checks for school employment; and imposing powers and duties on the Department of State and various professional licensure boards.

Referred to Committee on AGING AND YOUTH, March 23, 1993.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 40 By Representatives PITTS, MILLER, MUNDY, GORDNER, MASLAND, SAYLOR, CESSAR, ULIANA, KING, GLADECK, FARGO, FLICK, PETTTT, DENT, FICHTER, GEIST, HARLEY, SCHULER, M. N. WRIGHT, PLATTS, CORNELL, BAKER, TOMLINSON, TRUE, VEON, KASUNIC, RAYMOND, BATTISTO, PESCI, VANCE, TIGUE, CARONE, B. SMITH, TRELLO, STERN, YEWIC, FLEAGLE, L. I. COHEN, DeLUCA, PISTELLA, LAUB, SEMMEL, JOSEPHS, PERZEL, HALUSKA, ADOLPH, D. W. SNYDER, HESS, WAUGH, GERLACH, STABACK, HUTCHINSON, BELFANTI, SAURMAN, LAUGHLIN, FARMER, BROWN, LINTON, CLYMER, RUBLEY, LAWLESS, OLASZ, STURLA, HANNA, HASAY, NYCE,

ARMSTRONG, ROONEY, McCALL, E. Z. TAYLOR,
MELIO and BELARDI

A Resolution urging the Department of Education, local school districts and intermediate units to participate in the second annual Statewide Pennsylvania Academic Competition on April 18, 1993.

Referred to Committee on RULES, March 23, 1993.

No. 41 By Representatives E. Z. TAYLOR, OLASZ, SAURMAN, FARMER, FARGO, SCHULER, PESCI, ARMSTRONG, STEIGHNER, KENNEY, KREBS, COLAIZZO, COY, FLICK, RUBLEY, HARLEY, TIGUE, DeLUCA, STURLA, KASUNIC, GIGLIOTTI, ZUG, M. N. WRIGHT, ULIANA, WOZNAK, ARGALL, RAYMOND, CLYMER, BUNT, MELIO, CURRY, HERMAN, MARSICO, FAIRCHILD, REBER, TRUE, B. SMITH, JOSEPHS, BAKER, BARLEY, NAILOR, TRELLO, GERLACH, STABACK, ADOLPH, GEIST, WAUGH, SAYLOR, PLATTS, PITTS, FLEAGLE, PISTELLA, MILLER, TOMLINSON, NYCE, BATTISTO, PETRARCA, HESS, CORRIGAN, HERSHEY, KING, LAUGHLIN, HECKLER and L. I. COHEN

A Resolution designating April 1993 as "Pennsylvania Organ and Tissue Donor Awareness Month."

Referred to Committee on RULES, March 23, 1993.

No. 42 By Representatives E. Z. TAYLOR, MANDERINO, VANCE, CLYMER, FARGO, SCHULER, ARMSTRONG, FARMER, PESCI, STEIGHNER, KENNEY, KREBS, PETTTT, COLAIZZO, COY, FLICK, RUBLEY, HARLEY, TIGUE, DeLUCA, STURLA, FICHTER, KASUNIC, GIGLIOTTI, ZUG, M. N. WRIGHT, RUDY, ULIANA, DENT, WOZNAK, ARGALL, RAYMOND, BUNT, MELIO, CURRY, HERMAN, SANTONI, MARSICO, FAIRCHILD, REBER, TRUE, STERN, B. SMITH, BROWN, JOSEPHS, BAKER, BARLEY, NAILOR, TRELLO, GERLACH, LAUB, STABACK, ADOLPH, DRUCE, HECKLER, GEIST, WAUGH, SAYLOR, PLATTS, PITTS, FLEAGLE, PISTELLA, MILLER, TOMLINSON, NYCE, L. I. COHEN, BATTISTO, OLASZ, PETRARCA, ROONEY, HESS, CORRIGAN, SAURMAN, ROHRER, HERSHEY, KING and LAUGHLIN

A Resolution recognizing the month of May 1993 as "Healthy Baby Month" in Pennsylvania.

Referred to Committee on RULES, March 23, 1993.

No. 43 By Representatives E. Z. TAYLOR, TIGUE, FLICK, RUBLEY, FARGO, SCHULER, ARMSTRONG, FARMER, PESCI, STEIGHNER, KENNEY, KREBS, COLAIZZO, COY, HARLEY, DeLUCA, FICHTER, KASUNIC, GIGLIOTTI, ZUG, M. N. WRIGHT, ULIANA, DENT, WOZNAK, ARGALL, RAYMOND, CLYMER, BUNT, MELIO, CURRY, HERMAN, SANTONI, MARSICO, FAIRCHILD, REBER, TRUE, STERN,

B. SMITH, BROWN, JOSEPHS, BAKER, BARLEY, NAILOR, TRELLO, GERLACH, LAUB, STABACK, ADOLPH, GEIST, WAUGH, SAYLOR, PLATTS, PITTS, FLEAGLE, PISTELLA, MILLER, TOMLINSON, NYCE, L. I. COHEN, BATTISTO, OLASZ, PETRARCA, HESS, CORRIGAN, SAURMAN, ROHRER, HERSHEY, KING, LAUGHLIN, DRUCE and HECKLER

A Resolution designating the month of May 1993 as "Physical Fitness and Sports Month."

Referred to Committee on RULES, March 23, 1993.

No. 44 By Representatives ARMSTRONG, DENT, M. N. WRIGHT, CAWLEY, RAYMOND, RUBLEY, ROHRER, NYCE, FARMER, FAIRCHILD, VEON, NAILOR, WOZNAK, PESCI, BIRMELIN, MASLAND, DEMPSEY, ROBERTS, SAURMAN, SCHULER, WAUGH, TRELLO, B. SMITH, LESCOVITZ, DALEY, ARGALL, CAPPABIANCA, STRITTMATTER, BUSH, MERRY, HANNA, PLATTS, NICKOL, ULIANA, BUNT, D. W. SNYDER, STEIL, CIVERA, GANNON, CHADWICK, PICCOLA, TULLI, MAITLAND, EGOLF, BELARDI, SATHER, CLYMER, PETTTT, LEH, SEMMEL, BROWN, MELIO, KASUNIC, TIGUE, KING, ROONEY, HERSHEY, PETRARCA, FARGO, OLASZ, LEE, CORNELL, ADOLPH, SAYLOR, ZUG, L. I. COHEN, GERLACH, LAUGHLIN, MARSICO, E. Z. TAYLOR, TRUE, SCHEETZ, FLEAGLE, VANCE and HESS

A Resolution declaring the week of April 19 through 25, 1993, as "Salute to Free Enterprise Week."

Referred to Committee on RULES, March 23, 1993.

The SPEAKER pro tempore. There will be no further votes for today. The members will be free to leave.

RECESS

The SPEAKER pro tempore. The House stands in recess until the call of the Chair.

AFTER RECESS

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

THE SPEAKER (H. WILLIAM DeWEESE) PRESIDING

The SPEAKER. The Chair wishes to reannounce, to reannounce that there will be no further votes taken today. However, the Chair will remain open to receive bills and resolutions from the State Senate.

RECESS

The SPEAKER. The House stands in recess until the call of the Chair.

AFTER RECESS

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

**HOUSE BILL
INTRODUCED AND REFERRED**

No. 1003 By Representatives CALTAGIRONE, PICCOLA, LaGROTTA, MANDERINO, PESCI, MELIO, GIGLIOTTI, TRELLO, HECKLER, SAURMAN, LAUGHLIN, D. W. SNYDER and ROONEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the Constable Education and Training Program and for powers and duties of constables; and making repeals.

Referred to Committee on JUDICIARY, March 23, 1993.

BILLS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes Mr. Keller.

Mr. KELLER. Mr. Speaker, I move that this House do now adjourn until Wednesday, March 24, 1993, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:49 p.m., e.s.t., the House adjourned.