

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

TUESDAY, APRIL 5, 1994

SESSION OF 1994

178TH OF THE GENERAL ASSEMBLY

No. 22

HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.t.

THE SPEAKER (H. WILLIAM DeWEESE) 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, as we come this day we come as empty pitchers before a full fountain, as disobedient children before a loving Father. We come with praise, for You are worthy of all honor. We laud and magnify Your holy and righteous name and confess that all power is in Your hand. You can destroy; You will defend.

"You move in a mysterious way, Your wonders to perform; You plant Your footsteps on the sea and ride on every storm.

"Your purposes are ripening fast, unfolding every hour; the bud might have a bitter taste, but sweet will be the flower."

We pray for a faith to know that in the midst of adversity and misfortune, we can drink from a fountain that never runs dry.

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 Wednesday, March 23, 1994, will be postponed until printed. The Chair hears no objection.

JOURNAL APPROVED

The SPEAKER. The Journal for Thursday, October 7, 1993, is in print, and without objection, the Journal stands approved. The Chair hears no objection.

FILMING PERMISSION

The SPEAKER. The Chair would like to alert the membership that Mike Ross of channel 27 and Robert Lang of Radio Pennsylvania Network will be on the floor today allowing their news crews to observe the opening of today's session as well as consideration of HB 1510. Mr. Lang and Mr. Ross are on the floor representing the media today.

COMMUNICATION FROM TUITION ACCOUNT PROGRAM ADVISORY BOARD

The SPEAKER. The Speaker hereby acknowledges receipt of the first interim report of the Tuition Account Program Advisory Board submitted pursuant to section 304(d) of the Tuition Account Program and College Savings Bond Act.

The following communication was submitted:

Scheetz, Smith & Co.
Incorporated
Investment Bankers

March 24, 1994

The Honorable H. William DeWeese
Speaker of the House of Representatives
139 Main Capitol Building
Harrisburg, PA 17120

Re: Letter of Transmittal - "First Interim Report" of the Tuition Account Program Advisory Board

Dear Representative DeWeese:

On behalf of the Tuition Account Program Advisory Board, I hereby respectfully submit the enclosed "First Interim Report" to the Governor and the General Assembly of the Commonwealth of Pennsylvania.

Sincerely yours,
Michael A. Dillon
Chairman

Enclosure

(Copy of report is on file with the Journal clerk.)

COMMUNICATION FROM AUDITOR GENERAL

The SPEAKER. This is to acknowledge receipt of the Auditor General's certificate submitted pursuant to Article VIII, sections 7(a)(4) and (c), of the Constitution of Pennsylvania.

The following communication was submitted:

Commonwealth of Pennsylvania
Office of the Auditor General
Harrisburg, PA 17120-0018

March 31, 1994

The Honorable H. William DeWeese
Speaker of the House
139 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Speaker DeWeese:

In accordance with the provisions of Article VIII, Section 7 of the Constitution of Pennsylvania and Section 1604-B of The Fiscal Code, as amended, the Governor has requested a certificate relevant to the settlement for the general obligation bond sale of March 16, 1994.

A duplicate original of my certificate is enclosed.

Sincerely,
Barbara Hafer
Auditor General

BH:lmj
Enclosure

(Copy of certificate is on file with the Journal clerk.)

COMMUNICATION FROM DELAWARE RIVER PORT AUTHORITY

The SPEAKER. The Chair would also acknowledge receipt of the report submitted by the Delaware River Port Authority to Pennsylvania Consolidated Statutes, section 3503.

The following communication was submitted:

Delaware River Port Authority
of
Pennsylvania and New Jersey
Bridge Plaza
Camden, New Jersey 08101

March 30, 1994

The Honorable H. William DeWeese
Speaker of the House of Representatives
Commonwealth of Pennsylvania
Room 139 Main Capitol
Harrisburg, PA 17120

Dear Mr. DeWeese:

The Delaware River Port Authority submits the attached report in compliance with the requirements of its Compact as revised effective October, 1992 (see, NJSA 32:3 - 13; 36 Pa. CSA § 3503 et seq.).

We would be pleased to respond to any questions that you or your staff may present.

Sincerely yours,
Paul Drayton
Executive Director

PD/a
Attachments

(Copy of report is on file with the Journal clerk.)

COMMUNICATION FROM PUBLIC EMPLOYEE RETIREMENT COMMISSION

The SPEAKER. Finally, the Chair acknowledges receipt of the annual report submitted by the Pennsylvania Employee Retirement Commission.

The following communication was submitted:

Commonwealth of Pennsylvania
Public Employee Retirement Commission
Harrisburg
17120

March, 1994

To: Governor Casey and
Members of the Pennsylvania General Assembly

As required by the Public Employee Retirement Commission Act, this annual public report is issued to summarize the Commission's findings, recommendations, and activities for the year 1993.

During 1993, the Commission authorized the attachment of twenty actuarial notes to twenty-two bills at the request of the various committees of the General Assembly. This report contains a synopsis of each of these notes and contains a summary of the Commission's reviews of the State Employees' Retirement System and the Public School Employees' Retirement System. This report also describes research conducted during 1993 and summarizes the Commission's administrative activities under the Municipal Pension Plan Funding Standard and Recovery Act and Act 293 of 1972.

On behalf of the Public Employee Retirement Commission and its staff, I am pleased to submit the eleventh annual public report of the Commission. The Commission hereby expresses its thanks and appreciation to all individuals, organizations, and agencies whose assistance and cooperation contributed to the work of the Commission during 1993.

Sincerely,
Dale D. Stone
Chairman

(Copy of report is on file with the Journal clerk.)

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman, Mr. Steighner, from Butler County for leaves of absence.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I would ask for leave for today only for the gentleman from Philadelphia, Mr. RICHARDSON; the gentleman from Columbia, Mr. GORDNER; the gentleman from Allegheny, Mr. McNALLY; and the gentlelady from Philadelphia, Ms. WASHINGTON.

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

Mr. PERZEL. Thank you, Mr. Speaker.

We request a leave of absence for the gentleman from Wyoming, Mr. LEE, for the day, and the gentleman from Lycoming for the week, Mr. BUSH.

The SPEAKER. The Chair thanks the gentleman.

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—196

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

ADDITIONS—0

NOT VOTING—0

EXCUSED—6

Bush	Lee	Richardson	Washington
Gordner	McNally		

GUESTS INTRODUCED

The SPEAKER. The Chair would like to acknowledge in the hall of the House guests of Representative Al Masland. Babette Madison from the Dickinson School of Law and Jillian McKeehan from Trinity High School are here visiting the hall of the House as guests of Representative Masland. Welcome to the hall of the House.

The Chair will remind the membership, the Chair will remind the membership that there are cameras, there are cameras on the floor. There are cameras on the floor.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 484, PN 3161**, entitled:

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 and for transportation of residual waste.

On the question,

Will the House agree to the bill on third consideration?

BILL TABLED

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

Mr. ITKIN. Mr. Speaker, I move that on page 2 of today's calendar, HB 484, PN 3161, be placed upon the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes once again the gentleman from Point Breeze, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I move that HB 484, PN 3161, be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

GUESTS INTRODUCED

The SPEAKER. The Chair would also like to acknowledge the presence in the hall of the House of Jim Miner and Tom Lenchke, guests of Nicky Colafiglia. Welcome to the hall of the House.

Tom and Jim, in spite of some confusion, it will be upon the record.

BILL ON FINAL PASSAGE POSTPONED

The House proceeded to consideration on final passage postponed of **HB 1510, PN 3393**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further specifying when lights and windshield wipers are to be in operation.

On the question recurring,
Shall the bill pass finally?

The **SPEAKER**. The Chair recognizes the gentleman from Somerset County, Mr. Lloyd, on final passage.

Mr. **LLOYD**. Thank you, Mr. Speaker.

Mr. Speaker, this bill deals with headlights and windshield wipers. We passed this bill as, I think, the last order of business before we recessed. I do not know about other people, but I know that I did not look at it carefully enough and I asked to have it reconsidered because we have debated this issue numerous times over the years and there has always been a lot of controversy surrounding it.

I am going to vote "no," and everyone can do as he or she pleases, but I think that it is important to understand what this bill does.

Under current law, it is not necessary to turn on your headlights unless you cannot see or be seen 1,000 feet ahead. Under this bill, as I read it, it will now be necessary to turn on your headlights anytime there is rain, snow, sleet, hail, fog, smoke, or smog. Regardless of whether it is bright and you can see, you will have to turn on your headlights.

The second thing which this bill does is to require that under those same circumstances you will turn on your windshield wipers, and I think we all have had experience driving in very light snow where it was not really necessary to turn on the windshield wipers or at least we did not think it was because we did not do it.

What members need to be aware of when they vote on this bill today is that if they vote for this bill, they will be voting to mandate that the lights and windshield wipers be on under those circumstances. Thank you, Mr. Speaker.

The **SPEAKER**. The Chair thanks the gentleman from Somerset and recognizes George Hasay.

Mr. **HASAY**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to HB 1510.

Mr. Speaker, having your windshield wipers on and headlights on at the same time is, of course, the government making another decision for the individual. Right now legally to drive you have to have a seatbelt on. If you have children, you have to have a child restraint seat, and so on, and be licensed at the same time.

Now, if you do not have your lights on or your wipers on at the same time and you add the cost up in the magistrate's office—which I did last week—it is an \$88.50 fine that your constituents will have to pay for not having their lights on when their wipers are on. Thank you, Mr. Speaker.

The **SPEAKER**. The gentleman, Mr. Markosek, from Allegheny County.

Mr. **MARKOSEK**. Thank you, Mr. Speaker.

Mr. Speaker, this bill came up in committee, and there was some talk about the clarity of having your wipers on and having your lights on at the same time. We argued a little bit about the fact that you could have a situation where you had your wipers on for the purpose of cleaning your windshield and, of course, you would not have your lights on during that time. Somebody brought up the fact that, well, if that is the case, a police officer that perhaps was having a bad day or something could come along and get you on a technicality. So I took it upon myself to ask PennDOT to draft an amendment that would clarify that to say that you would not be necessarily committing a crime if you did not have your lights on while you were washing your windows. That amendment, of course, then was put into the bill. It also required you to have your lights on during a time when the atmospheric conditions were not good, where you could not see all that well, and more importantly, where other people could not see you. That was the purpose of putting in the amendment in the first place.

Now, it became convoluted and, I guess, confusing, and certainly I will let the members decide for themselves how they want to vote on this. I am going to support the bill as it is, but it is really something that, I guess, I did not feel all that strongly about. But I did want to make a clarification, which is what I was attempting to do with my amendment that is now in the bill. So I will let the members decide for themselves.

I intend to vote for the bill as it is right now. Thank you, Mr. Speaker.

The **SPEAKER**. The Chair thanks the gentleman and recognizes the gentlelady from Philadelphia, Ms. Bishop.

Ms. **BISHOP**. Thank you, Mr. Speaker.

Mr. Speaker, I wish to address the bill, HB 1510.

Number one, the bill mandates that when the windshield wipers are in operation, the lights will come on; when the lights are in operation, the windshield wipers will come on. They work simultaneously together.

It is a very simple bill. It has been law in New York for over a year. According to the officials there, it has been very productive in saving lives.

That bill was introduced, number one, for a personal reason in addition to some of my constituents. Traveling the turnpike, the Pennsylvania Turnpike, in weather where the snow was very bad, it was very difficult to see. I almost hit the car in front of me. The only thing that kept me from hitting that car in the dense snow was the fact that the lights were on. Had my bill been in operation, that would have been law at that time because the man in front of me or the woman had their lights on. My lights were on, which made it easy, no doubt, for those traveling behind me to see.

Without this bill, there are times when you absolutely cannot see when the snow, when the fog is on, and you are not mandated to have it on. Therefore, lives are lost, especially on the turnpike and especially outside in the suburban areas of Pennsylvania.

So I would like to ask all of those to reconsider that are standing in opposition to this bill. It only mandates a summary

if you do not have your lights and your windshield wipers on. I do not understand the big complication or all the debate over something so simple as saying the windshield wipers and the lights must work together when it is difficult to see. Thank you.

I ask your support so that we can save lives. The bottom line on this bill is that it will save lives in Pennsylvania, especially on the highways. Thank you.

The SPEAKER. The Chair thanks the gentlelady and recognizes the gentleman from Cambria, Mr. Wozniak.

Mr. WOZNIAK. Could we have a little order, Mr. Speaker?

The SPEAKER. Sergeants at Arms, mobilize. Staff, please be seated.

No one can say that this is not an interesting debate. The subject matter is interesting. Mr. Wozniak is going to illuminate us as to his point of view.

The gentleman is recognized.

Mr. WOZNIAK. Thank you, Mr. Speaker.

Hello. Anybody out there? Thank you.

Mr. Speaker, this is not an issue of splitting hairs and about what the penalties are. This is an issue of safety and saving lives.

The issue that we have our headlights on in inclement weather or whether we have our windshield wipers on or off is not the question. The issue is, we need to see the other guy. You do not have your windshield wipers on during fog, snow, sleet, or rain to improve your seeing outside the car; it is so that somebody can see your automobile.

Last month we had a very significant and traumatic accident on Route 22 in Cambria County in which four people of the same family died in a multicar collision caused by a whiteout. Now, I do not know if having the headlights on, which is already law in this Commonwealth, would have prevented it, but it is about time to start using this opportunity to maybe save a few lives.

I was driving that same day out to a hearing in Somerset County where one of my good colleagues had a hearing on appropriations. I went through a number of whiteouts and witnessed a number of accidents, and if those headlights were on, people would have seen those automobiles and possibly might have avoided a very dangerous condition.

I rise to support this legislation. It has been passed in a couple other States. We are not here to penalize people and fine them for not having their headlights on. What we are saying is, not because it is a law but because it is a good idea. Thank you very much, Mr. Speaker.

The SPEAKER. The gentleman from Cumberland County, Mr. Nailor, on final passage.

Mr. NAILOR. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1510.

In central Pennsylvania we suffer tragic accidents, many of them, particularly in construction zones surrounding the Harrisburg area.

The law as it now stands does state that your lights will be on with your windshield wipers when you cannot see 1,000

feet. We all know now and we knew when we passed that bill that that bill is not enforceable. Who is to judge 1,000 feet? There are no markings out there on the highway to prove that. This bill makes it very simple. When your wipers are on, your lights come on at the same time.

Many accidents have occurred in the Harrisburg area and we hear the same comment: I never saw them. Many of the accidents occur at dusk and at dawn, and they never saw them. Headlights can help that. Turning on the headlights with your windshield wipers can in fact save lives.

Similar laws in other States, and in New York in particular, have produced statistics that show that safety is a factor, and this does serve that factor. It does provide additional safety for those on the highways. If it was only up to the individuals who chose not to turn their lights on, that would be okay, I guess, but it is the innocent driver, the innocent drivers that follow the rules and the regulations that we pass in the State House, in the General Assembly, that often suffer the fatalities in these accidents and not those that do not abide by the laws that we have enacted.

Again, this saves lives, as the two previous speakers have said, and that should be our ultimate goal — the safety of our constituents.

I urge the passage of this bill, HB 1510, Mr. Speaker.

The SPEAKER. Dick Hess is recognized on final passage, Representative Hess.

Mr. HESS. Thank you, Mr. Speaker.

Mr. Speaker, I stand to support this legislation.

Two sessions ago I had similar legislation such as this, and I thought it was a very good idea from the standpoint of safety.

Many times we drive down the highway and the visibility is not very good, but if we have headlights, it helps us to see the oncoming traffic but also the oncoming traffic can see us also.

We have something similar with our trucks. When our trucks are under 40 miles an hour, they have to put on their four-ways, which indicates to us that there is a slow-moving vehicle. What is wrong with us having lights on to indicate there is an oncoming vehicle?

I ask all my members to support this legislation. Thank you.

The SPEAKER. The gentleman from Allegheny, Mr. Michlovic, on final passage.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, I think the proponents of this legislation are forgetting the reality of the situation. Every week we drive back and forth from Harrisburg to our home districts and we experience the kinds of things that happen in real life. What the proponents of this legislation have forgotten is that all windshield wipers are not in the same condition, and you may get on the highway and it starts to sleet and rain and a truck passes you and some dirt gets on your windshield and there is not enough rain to really provide the liquid to get it off. If you keep your wipers going back and forth, it fogs up and it obliterates your vision. That happens. That happens a couple times, three, four, five times a year to all of us.

Does every one of you right now have your windshield wiper fluid full? What happens if you have some low fluid and you are trying to get to the next gas station and you are trying to preserve your fluid, and so you shut the wipers off for a while, you let it build up, you put the wipers back on, and you throw some fluid on until you get to the next gas station. That happens; that is real, and we are simply saying by law you have to have that thing winging back and forth every time there is any kind of inclement condition.

We do not give people and drivers enough credit for having the sense to determine on their own what their situation is, what their windshield wiper's condition is. We are not in that car. We are not making a decision right then and there, and we should let those drivers make the decision. They do not want to get in an accident any more than anybody else does. That is the incentive for them to drive properly and to use the equipment that they have, and we should not by law be passing legislation that puts them in circumstances that sometimes jeopardizes them even more than they would be had they not had the legislation.

Mr. Speaker, I voted against this legislation last week, and I am going to continue to vote against it. I urge the other members of the House to do so.

The SPEAKER. Representative Lederer from Philadelphia is recognized on final passage of HB 1510.

Mrs. LEDERER. Mr. Speaker, I have a question for the sponsor.

The SPEAKER. Ms. Bishop indicates that she will stand for interrogation. Mrs. Lederer may proceed.

Mrs. LEDERER. Mr. Speaker, what penalty is anticipated, and who will decide the penalty?

Ms. BISHOP. I am sorry, Mr. Speaker; I did not understand the question.

Mrs. LEDERER. What penalty is anticipated, and who will decide that penalty?

Ms. BISHOP. The penalty is a summary offense, and it is decided by the police department.

Mrs. LEDERER. Thank you.

The SPEAKER. The gentleman from Lancaster County, Mr. Schuler, is recognized on final passage.

Mr. SCHULER. Thank you, Mr. Speaker.

Will the prime sponsor stand for interrogation, please?

The SPEAKER. Representative Bishop indicates that she will stand for interrogation.

Mr. SCHULER. Mr. Speaker, I just need some clarification. Under existing law, atmospheric conditions would be when you are not able to see someone or another vehicle at a distance of 1,000 feet. It is my understanding that your legislation will strike that from existing law. Is that correct?

Ms. BISHOP. That is correct.

Mr. SCHULER. Then my second question is, what would be then considered unfavorable atmospheric conditions? That is my confusion here.

Ms. BISHOP. The confusion— Let me put it this way. When it is necessary—it does not deal with unfavorable atmospheric conditions—when it is necessary for you to put

your lights on. When the conditions are so that you cannot see without your lights, then you cannot see without your windshield wipers, so you must put your windshield wipers on also.

Mr. SCHULER. Thank you, Mr. Speaker.

I would like to speak on final passage.

The SPEAKER. Mr. Schuler is recognized, and if he wishes to try to rise above the din, he may proceed.

Mr. SCHULER. Thank you, Mr. Speaker.

I do have some concerns that we are opening up a situation where "unfavorable" can be interpreted in many different ways.

Under existing law, we allow for 1,000 feet. At least that gives us some type of direction. Under the present proposal, there is really no definition of what is "unfavorable." Some people may turn on their lights, some may not turn on their lights. So I think it is open for a lot of confusion. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Serafini, from Lackawanna.

Mr. SERAFINI. Mr. Speaker, I appreciate the opportunity to speak on this legislation.

It is my opinion that what we do in this State is continue to fine the innocent victim of a violation which he at times could be guilty of through no fault of his own, merely a forgetful effort not to turn the lights on when he turns his wipers on, and all of a sudden he is pulled over and fined.

In my opinion, this legislation should be addressed by the people who sell the automobiles. It would be simple for them to hook up the windshield wiper with the headlight so that both could operate simultaneously instead of putting the fine on the poor individual who must remember that this law exists every time he turns his wipers on.

I believe the sponsor of this bill should rewrite the bill so that those who sell automobiles are responsible for having the headlights and windshield wipers both activated at the same time. Thank you.

The SPEAKER. The Chair thanks the gentleman from Lackawanna.

The gentleman, Mr. Lynch, is recognized.

Mr. LYNCH. Thank you, Mr. Speaker.

I would like to speak on the bill, and while I realize that the intention of this bill is honorable, I am going to be voting against this bill.

The main reason I am hearing in favor of it is an argument on behalf of safety. Well, I could understand legislation to impact the safety whether it be the specifics of an automobile or some other mechanized manner, but this could just turn out to be another attempt to legislate judgment, and I do not think that we can nor should we be attempting to do that.

For those of us who feel that more government is not good, I will remind you that not always does decreasing the size of government mean just cutting back the amount of money that we are spending, but sometimes it means just keeping their fingers out of the pie.

I am going to vote "no" on this bill, and I would urge my colleagues to do the same. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Saurman, is recognized from Montgomery County.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, Representative Serafini, I think, hit the nail on the head, and several years ago I had a resolution memorializing Congress to do just that, to require that whenever the windshield wipers went on, the lights would go on. That is a much easier solution, Mr. Speaker, and I think it has to be done nationally if it is going to be done, because automobile makers cannot do it just for Pennsylvania or for one single State.

We have a real problem with this legislation, I think, for some of our drivers who are already experiencing difficulty, and that is our senior citizens, and I think perhaps also for our young people. To try and determine when it is that there is sufficient rain to turn on the windshield wipers with all of these circumstances that were talked about and then to remember to turn on the lights additionally, Mr. Speaker, is something that we can do educationally, but I do not think that we can do it punitively. I think it is the wrong way to go to put another emphasis, another problem, on drivers when we should be teaching them rather than trying to force them to do something.

Mr. Speaker, I also heard the prime sponsor of the legislation say something which she may want to clarify. It bothered me that she said, this is very simple; when it rains and the wipers are on, your lights go on; when your lights go on, your wipers go on. Mr. Speaker, that to me, if I am going to drive all night with my wipers on when there is no rain, I think that is ridiculous. I assume that what she said was a mistake, but if it was not, if that is her intent, then that is all the more reason to vote "no" for this legislation. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes Bruce Smith.

Mr. B. SMITH. Thank you, Mr. Speaker.

I rise in support of HB 1510. As a matter of fact, I have sponsored similar legislation in the past, and I have had a number of constituents, after traveling in other States that have a similar law, call me and ask, why does Pennsylvania not have this law?

The difference between HB 1510 and present law is that this would be enforceable. It is very, very simple. As a matter of fact, it is just plain common sense. If it is raining and you have to turn your windshield wipers on, you turn your headlights on.

It is true that it is a government mandate, but it is also a safety mandate. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. Melio from Bucks is recognized on final passage.

Mr. MELIO. Mr. Speaker, may I interrogate the prime sponsor of the bill, please?

The SPEAKER. Representative Bishop indicates that she will stand for interrogation. Mr. Melio may proceed.

Mr. MELIO. Mr. Speaker, I would just like to clarify, my impression is that when the lights go on, you must turn on your windshield wipers, but you did say that if your wipers go

on, you must turn on your headlights. Could you tell me, what is the case?

Ms. BISHOP. The case is whenever it is necessary for you to put your windshield wipers on. If you cannot see and it is necessary for you to put your windshield wipers on, then automatically you must put your lights on. Okay? Work together.

Mr. MELIO. I was under the impression that when it rained or you had some reason, if the windshield is at least wet, then you would turn the wipers on. But if they are not wet, are you saying then that you would put the wipers on anyway?

Ms. BISHOP. If you cannot see and you need your windshield wipers - if it is snowing, if it is raining, if the condition is so that you need windshield wipers - then your lights must automatically go on at that time.

Mr. MELIO. Okay.

Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Acosta, is recognized.

Mr. ACOSTA. Thank you, Mr. Speaker.

I just want to ask a question. What about when the light switch or the wiper switch malfunctions? Then you do not have any of them.

Ms. BISHOP. What happens now when the light switch malfunctions? Same thing.

Mr. ACOSTA. Thank you.

The SPEAKER. On final passage, those in favor of HB 1510- Does Ms. Bishop seek recognition? She does.

For the second time, Ms. Bishop is recognized.

Ms. BISHOP. Thank you, Mr. Speaker.

And I would simply just like to ask all of the members to please remember, the bottom line on this bill and the reason it was introduced is to save lives. Thousands and thousands of lives are lost in the Commonwealth of Pennsylvania every year, and if they could answer, probably those who are left, they do say, well, we did not see; we had an accident because we could not see, and oftentimes people just do not remember when they are driving the highway in the snow that if they can see, the person behind them might not be able to see.

Lastly I would like to say, the color of the cars today makes it very difficult when it is snowing to see certain colors. They are automatically lost in the rain or they are automatically, because of their color, lost in the snow.

We as lawmakers must do something to provide safety on our highways and our streets and help to save thousands of lives that are being lost. This bill will help to save lives, and I ask you, please, support the bill and vote "yes." Thank you.

The SPEAKER. Mr. Matthew Baker is recognized on final passage.

Mr. BAKER. Thank you, Mr. Speaker.

Will the maker of the legislation please stand for a brief interrogation?

The SPEAKER. The gentelady indicates that she will. Mr. Baker may proceed.

Mr. BAKER. Thank you, Mr. Speaker.

Mr. Speaker, I support the merits of the legislation; however, I have a couple of questions that perhaps some of my

colleagues would also be interested in learning concerning the answers.

Do you have any data that supports that there is a correlation between using wipers and headlights and a reduction in traffic accidents or fatalities?

Ms. BISHOP. Only New York City—and I do not have the exact figures with me—indicated that there was a reduction in the loss of lives since that law has been in effect.

Mr. BAKER. You have no specifics to support that?

Ms. BISHOP. No specifics on that.

Mr. BAKER. How long has the New York State law been in effect?

Ms. BISHOP. It has been there a little over a year. We are in the second year of that law.

Mr. BAKER. And do they have any statistics to support this legislation?

Ms. BISHOP. I did not bring them to the floor. Sorry about that.

Mr. BAKER. Are you aware of any Federal Highway Administration statistics or Pennsylvania highway statistics?

Ms. BISHOP. No.

Mr. BAKER. Okay. Do you know if the Pennsylvania Department of Transportation supports this legislation?

Ms. BISHOP. They are aware of it. They were not against it. They did not oppose it.

Mr. BAKER. Okay. Is the Pennsylvania State Troopers Association supporting this or the municipal police officers supporting this legislation?

Ms. BISHOP. Yes.

Mr. BAKER. They are?

Ms. BISHOP. Yes.

Mr. BAKER. Okay.

Are you aware of any monetary incentives or inducements from the Federal Government for Pennsylvania if we were to enact this legislation?

Ms. BISHOP. No.

Mr. BAKER. Okay. Thank you.

Thank you, Mr. Speaker.

The SPEAKER. On final passage, Mr. Gerlach from Chester.

Mr. GERLACH. Thank you.

Would the maker of the bill stand for interrogation, Mr. Speaker?

The SPEAKER. The gentleman, Mr. Gerlach, seeks to interrogate Ms. Bishop. Ms. Bishop indicates she will respond to questions from the gentleman from Chester — in back, to your right.

Mr. GERLACH. Thank you, Mr. Speaker.

Mr. Speaker, just a question with regard to the intent of the maker of the bill as it pertains to the rear windshield wiper on the back of vans. Is it the maker of the bill's intent that in the event the atmospheric conditions or the lighting conditions that exist that would otherwise require that the front windshield wipers be activated by the operator of the vehicle, that at the same time the rear wiper of the vehicle must also be activated, at that same time, in all circumstances?

Ms. BISHOP. We did not deal, Mr. Speaker, with the rear. Only some cars have that, and that is very limited. We were dealing with the front, the windshield wipers on the front of the car, which makes it possible for you to see what is in front of you. We were not dealing with the rear.

Mr. GERLACH. So for purposes of enforcement of this provision, if it were to be enacted into law and be inserted into the Motor Vehicle Code, it would not be grounds for a law enforcement officer to issue a citation to a motorist who does not have the rear wiper engaged on a van—

Ms. BISHOP. I am sorry, Mr. Speaker, I cannot hear. May we have some order, please? I cannot hear the question.

The SPEAKER. Mr. Gerlach has only been in our midst for a couple of years. His debate is interesting; his questions are poignant. Ms. Bishop would like to hear them. I do not think it is too much to ask.

Staff will all please be seated. Staff will all be seated. Sergeants at Arms, please escort any staff member to a seat — all staff, all staff, all staff. Mr. Gerlach's questions deserve to be heard, and Ms. Bishop's responses also need to be monitored.

The lady will continue.

Mr. GERLACH. Mr. Speaker, I will rephrase the question so that the maker of the bill can hear me.

Mr. Speaker, is it your intention that under section 2 of the bill, which would amend section 4537 requiring the use of windshield wiper systems, that the operator of the motor vehicle, say a van, which has a rear windshield wiper must also engage that windshield wiper whenever the other wipers, the front windshield wipers, have to be engaged due to the lighting conditions or unfavorable atmospheric conditions that exist that would be called for under this legislation? Is that your intent?

Ms. BISHOP. We were dealing with the windshield wipers in the front. However, if there are windshield wipers in the back and it is necessary for the driver to see, if it is raining or snowing and the driver cannot see, then my intent would be that the system should be in operation, and when they are in operation, it is necessary for the lights to go on.

Mr. GERLACH. Okay. So in other words, on page 3 of the bill under subsection (B), the term "the wiper system," it is your intent that the wiper system will include not only the front windshield wipers but also the rear wiper as well. Is that correct?

Ms. BISHOP. Yes.

Mr. GERLACH. Okay. So it is possible that a law enforcement officer can cite a motorist, while the motorist may have engaged the headlights and the front windshield wipers, if the back wiper is not also engaged, that would be subject to a citation from a law enforcement official. Is that your intent?

Ms. BISHOP. Yes.

Mr. GERLACH. All right.

Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks Mr. Gerlach.

On the question recurring,
Shall the bill pass finally?

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

YEAS—89

Acosta	Geist	Markosek	Rubleby
Bebko-Jones	Gigliotti	Marsico	Rudy
Belardi	Gruitza	McCall	Sather
Belfanti	Gruppo	McGeehan	Scrimenti
Bishop	Herman	Melio	Smith, B.
Blaum	Hershey	Merry	Stairs
Bunt	Hess	Miller	Steelman
Burns	Hughes	Mundy	Stetler
Buxton	Hutchinson	Nailor	Sturla
Caltagirone	Itkin	Oliver	Taylor, E. Z.
Cappabianca	James	Petrarca	Taylor, J.
Carn	Jarolin	Pistella	Thomas
Cawley	Josephs	Pitts	Tigue
Cohen, M.	Kasunic	Platts	Trich
Colafrella	Keller	Preston	Tulli
Colaizzo	Kenney	Reber	Uliana
Coy	Kirkland	Rieger	Veon
Daley	LaGrotta	Ritter	Williams
Dent	Laub	Roberts	Wogan
Donatucci	Laughlin	Robinson	Wozniak
Druce	Lederer	Roebuck	Wright, M. N.
Flick	Manderino	Rooney	Zug
Freeman			

NAYS—106

Adolph	Evans	Levdansky	Scheetz
Allen	Fairchild	Lloyd	Schuler
Argall	Fajt	Lucyk	Semmel
Armstrong	Fargo	Lynch	Serafini
Baker	Farmer	Maitland	Smith, S. H.
Barley	Fee	Masland	Snyder, D. W.
Battisto	Fichter	Mayernik	Staback
Birmelin	Fleagle	Michlovic	Steighner
Boyes	Gamble	Micozzie	Steil
Brown	Gannon	Mihalich	Stern
Carone	George	Nickol	Stish
Cessar	Gerlach	Nyce	Strittmatter
Chadwick	Gladeck	O'Brien	Surra
Civera	Godshall	Olasz	Tangretti
Clark	Haluska	Perzel	Tomlinson
Clymer	Hanna	Pesci	Trello
Cohen, L. I.	Harley	Petrone	True
Conti	Hasay	Pettit	Vance
Cornell	Hennessey	Phillips	Van Horne
Corrigan	Jadlowiec	Piccola	Vitali
Cowell	Kaiser	Raymond	Waugh
Curry	King	Reinard	Wright, D. R.
DeLuca	Krebs	Rohrer	Yandrisevits
Dempsey	Kukovich	Ryan	Yewcic
Dermody	Lawless	Santoni	
Durham	Leh	Saurman	DeWeese,
Egolf	Lescovitz	Saylor	Speaker

NOT VOTING—1

Butkovitz

EXCUSED—6

Bush	Lee	Richardson	Washington
Gordner	McNally		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill fell.

GUESTS INTRODUCED

The SPEAKER. We have a couple of guests in the hall of the House.

Al Pettit's granddaughter, Megan Skorupan, is here as an honorary page. That is one of the biggest hands anybody has gotten in a long time.

Representative Lucyk has two guests here - Rusty McAndrew and Megan Gerrity. Please rise and be recognized.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 2162, PN 2665**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exclusion from automobile insurance benefits.

On the question,

Will the House agree to the bill on third consideration?

Mr. HASAY offered the following amendment No. A1159:

Amend Title, page 1, line 2, by inserting after "Statutes," providing for a personal wild resource conservation plate; and

Amend Sec. 1, page 1, line 6, by striking out "Section" where it appears the second time and inserting Sections 1352 and

Amend Sec. 1, page 1, line 7, by striking out "is" and inserting

are
Amend Sec. 1, page 1, by inserting between lines 7 and 8 § 1352. *Wild resource conservation plate.*

(a) General rule.—The [department] Department of Transportation, in consultation with the Wild Resource Conservation Board, shall design a special wild resource conservation registration plate. Upon application of any person, accompanied by a fee of \$35 which shall be in addition to the annual registration fee, the department shall issue the plate for a passenger car or other vehicle with a registered gross weight of not more than 9,000 pounds. The Wild Resource Conservation Fund shall receive \$15 of each additional fee for this plate.

(b) Personal plate version.—Upon request by the applicant for a wild resource conservation plate, the department may issue a personal registration plate consisting of any combination of numbers, letters or numbers and letters. The department may refuse any combination of letters and numbers for cause and shall adopt reasonable rules and regulations for the issuance of the plates and for carrying out the provisions of this subsection. The applicant shall comply with all laws and regulations pertaining to registration, including the payment of an additional fee of \$20 for the personal plate version to be divided as follows:

- (1) \$15 for the department; and
- (2) \$5 for the Wild Resource Conservation Fund.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN

The SPEAKER. On the amendment, Mr. Hasay.

Mr. HASAY. Mr. Speaker, the amendment has been withdrawn.

The SPEAKER. The Chair thanks the gentleman, Mr. Hasay.

Mr. Lawless indicates he has withdrawn his amendment.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. REINARD offered the following amendment No. A1204:

Amend Bill, page 2, by inserting between lines 11 and 12 Section 2. All acts and parts of acts are repealed insofar as they are inconsistent with this act.

Amend Sec. 2, page 2, line 12, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the Chair recognizes Mr. Reinard.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, what this amendment does is it attempts to clarify the intent of this legislation as it corresponds to other existing acts, specifically Act 78. It just says that this language supersedes any other legislation that is currently out, and that is making reference to Act 78.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Acosta	Fajt	Lloyd	Sather
Adolph	Fargo	Lucyk	Saurman
Allen	Farmer	Lynch	Saylor
Argall	Fee	Maitland	Scheetz
Armstrong	Fichter	Manderino	Schuler
Baker	Fleagle	Markosek	Scrimenti
Barley	Flick	Marsico	Semmel
Battisto	Freeman	Masland	Serafini
Bebko-Jones	Gamble	Mayernik	Smith, B.
Belardi	Gannon	McCall	Smith, S. H.
Belfanti	Geist	McGeehan	Snyder, D. W.
Birmelin	George	Melio	Staback
Bishop	Gerlach	Merry	Stairs
Blaum	Gigliotti	Michlovic	Steelman
Boyes	Gladeck	Micozzie	Steighner
Brown	Godshall	Mihalich	Steil
Bunt	Gruitza	Miller	Stern
Burns	Gruppo	Mundy	Stetler
Butkovitz	Haluska	Nailor	Stish
Buxton	Hanna	Nickol	Strittmatter
Caltagirone	Harley	Nyce	Sturla
Cappabianca	Hassay	O'Brien	Surra
Carone	Hennessey	Olasz	Tangretti
Cawley	Herman	Oliver	Taylor, E. Z.
Cessar	Hershey	Perzel	Taylor, J.
Chadwick	Hess	Pesci	Thomas
Civera	Hughes	Petrarca	Tigue
Clark	Hutchinson	Petrone	Tomlinson
Clymer	Itkin	Petit	Trello
Cohen, L. I.	Jadlowiec	Phillips	Trich
Cohen, M.	James	Piccola	True
Colafrella	Jarolin	Pistella	Tulli
Colaizzo	Josephs	Pitts	Uliana
Conti	Kaiser	Platts	Vance

Cornell	Kasunic	Preston	Van Horne
Corrigan	Keller	Raymond	Veon
Cowell	Kenney	Reber	Vitali
Coy	King	Reinard	Waugh
Curry	Kirkland	Rieger	Williams
Daley	Krebs	Ritter	Wogan
DeLuca	Kukovich	Roberts	Wozniak
Dempsey	LaGrotta	Robinson	Wright, D. R.
Dent	Laub	Roebuck	Wright, M. N.
Dermody	Laughlin	Rohrer	Yandrisevits
Donatucci	Lawless	Rooney	Yewcic
Druce	Lederer	Rubley	Zug
Durham	Leh	Rudy	
Egolf	Lescovitz	Ryan	DeWeese,
Evans	Levdansky	Santoni	Speaker
Fairchild			

NAYS—0

NOT VOTING—1

Cam

EXCUSED—6

Bush	Lee	Richardson	Washington
Gordner	McNally		

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

On the question,

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

Mr. M. N. WRIGHT offered the following amendment No. A1224:

Amend Title, page 1, line 3, by removing the period after "benefits" and inserting and for parking regulations for handicapped persons and disabled veterans.

Amend Sec. 1, page 1, line 6, by striking out "Section 1718(c)" and inserting Sections 1718(c) and 3354(d)(3)

Amend Sec. 1, page 1, line 7, by striking out "is" and inserting are

Amend Bill, page 2, line 12, by striking out all of said line and inserting

§ 3354. Additional parking regulations.

(d) Handicapped persons and disabled veterans.—

(3) (i) Except for persons parking vehicles lawfully bearing a handicapped or severely disabled veteran registration plate or displaying a handicapped or severely disabled veteran parking placard when such vehicles are being operated by or for the transportation of a handicapped person or a severely disabled veteran, no person shall park a vehicle on public or private property reserved for a handicapped person or severely disabled veteran which property has been so posted in accordance with departmental or municipal regulations which shall require [a sign stating the penalty amount indicated in subsection (f), a sign indicating that vehicles in violation of the subsection may be towed and require that signs be replaced when they become either obsolete or missing with all costs to replace the necessary signs to be borne by the persons responsible for signing

the particular location} both an upright sign and pavement markings within the reserved space. Any vehicle which is unlawfully parked in a designated handicapped parking area may be removed from that area by towing and may be reclaimed by the vehicle owner upon payment of the towing costs.

(ii) Neither the absence of departmental regulations nor the failure to conform to them in the posting of parking spaces reserved for handicapped persons or severely disabled veterans shall be a bar to the enforcement of fines or penalties enacted by local ordinance, provided such ordinance contains uniform requirements for such posting.

(iii) Parking spaces on private property within a municipality which are designated by the owner thereof as reserved for handicapped or severely disabled veterans parking shall be under the jurisdiction of the municipal government wherein they are located for the purpose of enforcement. Failure on the part of the local ordinance to prescribe a fine for violating handicapped or severely disabled veteran parking restrictions shall not be a bar to penalizing the violator and the penalties contained in subsection (f) shall apply in lieu of a locally set amount.

[(ii)] (iv) Local authorities shall have the power and may, by ordinance or resolution, authorize handicapped persons and severely disabled veterans to issue statements to violators or violating vehicles for violation of subparagraph (i). The form of the statement shall be as prescribed by the local authorities.

Section 2. This act shall take effect as follows:

(1) The amendment of 75 Pa.C.S. § 1718(c) shall take effect in 60 days.

(2) The amendment of 75 Pa.C.S. § 3354(d)(3) shall take effect immediately.

On the question,

Will the House agree to the amendment?

The SPEAKER. On the amendment, the gentleman, Mr. Wright, is recognized.

Mr. M. N. WRIGHT. Thank you, Mr. Speaker.

This is an amendment for handicapped parking. I tried to get it on a bill last week; I got it in a little late, but what it does, we have a problem in our communities. Our local police are having trouble writing tickets for handicapped parking violators. What is happening is the district justices are throwing the tickets out.

Now, the reason why they are throwing the tickets out is because in current law, there is a clause that we put in about a year and a half ago that is causing a little trouble, and what I am attempting to do is strike that clause out and replace it with a little more clarified clause.

The clause that I am taking out basically says that a sign that is posted, an upright sign that is posted, must have printed on that particular sign the fine. I do not know about anybody else, but none of my shopping centers and whatnot have any handicapped parking signs with the actual fine printed on the sign. And also what we inserted a year and a half ago was, besides the fine, you also have to have stamped on that sign that your car can be towed. Now, I do not know of anybody else who has any handicapped parking signs in their

community that has on their signs the fine and the towing provision. So anybody that contests this in court wins; everybody wins, and as word gets out, then the police are just not even writing any tickets anymore. So I am basically removing that and putting in that they must have an upright sign and a pavement marking with the symbols on them.

One other small change is the Department of Transportation has not implemented their regulations from the last change. The reason why is because they really did not like them. So what I am doing with this one is also saying that if a municipality also passes an ordinance for the same language, it would also be good, too, on private property.

Thank you, Mr. Speaker.

The SPEAKER. On the Wright amendment, Mr. Cessar is recognized.

Mr. CESSAR. Thank you, Mr. Speaker.

Will the gentleman stand for a brief interrogation?

The SPEAKER. The gentleman indicates he will, and Mr. Cessar may proceed.

Mr. CESSAR. Thank you.

Would your amendment in effect give local municipalities the right to write their own ordinances for their municipalities?

Mr. M. N. WRIGHT. Yes.

Mr. CESSAR. Okay.

Mr. Speaker, I reluctantly rise to oppose this amendment. The department is against it, and I would certainly hope that upon your recommendation, I could make the recommendation then, along with the chairman of the Transportation Committee, Representative Petrarca, that they do write the regulations on this. I just do not think each and every local municipality should have the right to write their own ordinances.

The SPEAKER. Does Mr. Wright seek recognition?

Mr. M. N. WRIGHT. Thank you, Mr. Speaker.

I sort of disagree with the last speaker. The department has not come out against this.

One of the particular problems is, and I had verbal contacts with them, but what the problem is is currently, there are no regulations, and nobody is being ticketed for these types of violations.

Now, we have them on the books, but the problem is, if you look at the current language, every handicapped sign must have the fine amount, and my understanding is that in our Commonwealth it is a sliding fee anyway, which could be determined between \$50 and \$200. So how is a shopping center, when they put up in front of the K mart, they have to put a sign up that has the symbol on it and has a \$100 fine placed on that sign. Of course, if the fines change, then they have got to rip these signs down. Plus on top of that, they have to also put on there that your car or vehicle, whatever, can be towed.

My communities do not want that kind of a sign. There is too much to put on it. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Cessar.

Mr. CESSAR. I defer to the gentleman, Mr. Geist.

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

FILMING PERMISSION

The SPEAKER. As we are at ease momentarily, the Chair would make known to the House that the Democratic Broadcast video team will be on the floor of the House for the next several minutes.

CONSIDERATION OF HB 2162 CONTINUED

AMENDMENT WITHDRAWN

Mr. M. N. WRIGHT. Mr. Speaker?

The SPEAKER. Mr. Wright.

Mr. M. N. WRIGHT. I am going to ask that this amendment be withdrawn.

The SPEAKER. The Chair thanks the gentleman. The amendment is withdrawn.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

Mr. Colaizzo is recognized.

Mr. COLAIZZO. Mr. Speaker, would the sponsor of the bill stand for interrogation?

The SPEAKER. Will the gentleman, Mr. Flick, respond to interrogation? The gentleman has truncated his call and will respond to the gentleman, Mr. Colaizzo, from Canonsburg.

Mr. FLICK. Thank you, Mr. Speaker.

Mr. COLAIZZO. Okay. Mr. Speaker, you say that the benefits would be excluded. Would the liability portion also be excluded?

Mr. FLICK. Mr. Speaker, the best answer I can give you is that the individual who is excluded will not be a part of the policy.

Mr. COLAIZZO. How about if they get hurt? They might not receive the benefits, but can they sue the person that perpetrated the accident?

Mr. FLICK. Mr. Speaker, I am not sure if you are referring to the individual who was excluded or a third party who was involved.

Mr. COLAIZZO. The individual that was excluded, Mr. Speaker; the person that was excluded.

Mr. FLICK. No. If he or she is excluded, they would not be entitled to any of the benefits under the policy.

Mr. COLAIZZO. Okay. Now, the other part of the question: Who determines the financial responsibility, if a person is financially responsible?

Mr. FLICK. It would be in the same manner as it is provided for in current law.

Mr. COLAIZZO. Okay. Thank you, Mr. Speaker.

Mr. FLICK. You are welcome.

The SPEAKER. The gentleman has concluded his interrogation.

On the question recurring,

Shall the bill pass finally?

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

YEAS—196

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

NAYS—0

NOT VOTING—0

EXCUSED—6

Bush	Lee	Richardson	Washington
Gordner	McNally		

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 1510 RECONSIDERED

The SPEAKER. We have a reconsideration motion, and then the bill, if it passes, will be placed on the final passage postponed calendar.

The reconsideration motion comes from Ms. Bishop. She moves that the vote by which HB 1510 was defeated on the 5th day of April be reconsidered.

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

The following roll call was recorded:

YEAS—193

Acosta	Fairchild	Levdansky	Saurman
Adolph	Fajt	Lloyd	Saylor
Allen	Fargo	Lynch	Scheetz
Argall	Farmer	Maitland	Schuler
Armstrong	Fee	Manderino	Scrimenti
Baker	Fichter	Markosek	Semmel
Barley	Fleagle	Marsico	Serafini
Battisto	Flick	Masland	Smith, B.
Bebko-Jones	Freeman	Mayernik	Smith, S. H.
Belardi	Gamble	McCall	Snyder, D. W.
Belfanti	Gannon	McGeehan	Staback
Birmelin	Geist	Melio	Stairs
Bishop	George	Merry	Steelman
Blaum	Gerlach	Michlovic	Steighner
Boyes	Gigliotti	Micozzie	Steil
Brown	Gladeck	Mihalich	Stern
Bunt	Godshall	Miller	Stetler
Burns	Gruitza	Mundy	Stish
Butkovitz	Gruppo	Nailor	Strittmatter
Buxton	Haluska	Nickol	Sturla
Caltagirone	Hanna	Nyce	Surra
Cappabianca	Harley	O'Brien	Tangretti
Carn	Hasay	Olasz	Taylor, E. Z.
Carone	Hennessey	Oliver	Taylor, J.
Cawley	Herman	Perzel	Thomas
Cessar	Hershey	Pesci	Tigue
Chadwick	Hess	Petrarca	Tomlinson
Civera	Hughes	Petrone	Trello
Clark	Hutchinson	Pettit	Trich
Clymer	Itkin	Phillips	True
Cohen, L. I.	Jadlowiec	Piccola	Tulli
Cohen, M.	James	Pistella	Uliana
Colaella	Jarolin	Pitts	Vance
Colaizzo	Josephs	Platts	Van Horne
Conti	Kaiser	Preston	Veon
Cornell	Kasunic	Raymond	Vitali
Cowell	Keller	Reber	Waugh
Coy	Kenney	Reinard	Williams
Curry	King	Ritter	Wogan
Daley	Kirkland	Roberts	Wozniak

DeLuca	Krebs	Robinson	Wright, D. R.
Dempsey	Kukovich	Roebuck	Wright, M. N.
Dent	LaGrotta	Rohrer	Yandrisevits
Dermody	Laub	Rooney	Yewcic
Donatucci	Laughlin	Rublely	Zug
Druce	Lawless	Rudy	
Durham	Lederer	Ryan	DeWeese, Speaker
Egolf	Leh	Santoni	
Evans	Lescovitz	Sather	

NAYS—0

NOT VOTING—3

Corrigan	Lucyk	Rieger
----------	-------	--------

EXCUSED—6

Bush	Lee	Richardson	Washington
Gordner	McNally		

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. Without objection, the Chair would rescind its declaration that this bill has been considered and agreed to on three different occasions as amended. The Chair will rescind that observation.

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

MOTION TO REVERT TO PRIOR PRINTER'S NUMBER

The SPEAKER. The Chair recognizes Ms. Bishop. Ms. BISHOP. Thank you, Mr. Speaker.

I would simply like to make a motion that we reconsider and return to the original printer's number, PN 3218. The language is simpler and easier to understand, which simply states that the "General rule" is, "It is unlawful for the driver of a motor vehicle to fail to turn on the motor vehicle's lights WHEN the vehicle's windshield wiper system is in operation, EXCEPT WHEN THE WINDSHIELD WIPER SYSTEM HAS BEEN TURNED ON TEMPORARILY FOR THE PURPOSE OF CLEANING THE WINDSHIELD." It is a simpler bill, and I thank you.

The SPEAKER. The House should be aware that Ms. Bishop's motion is to revert to a prior printer's number. We are on page 8. We are dealing with HB 1510, PN 3393. She moves that we revert to PN 3218; that would be HB 1510, PN 3218.

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

The SPEAKER. On the motion to revert to a prior printer's number, the gentleman, Mr. Lloyd. The gentleman is recognized on the motion to revert to a prior printer's number.

Mr. LLOYD. Mr. Speaker, the lady is correct that the prior printer's number had the virtue of being a clearer rule than what is in the bill now, but the prior printer's number creates the following circumstance, and when I decided to vote against this bill, it was one Saturday morning when I was driving to do my Saturday chores and I had my windshield wipers on occasionally, not because it was raining or snowing but because there had been snow overnight and it was melting and so people were splashing you. Under the prior printer's number, I would have been required, despite the fact that the sun was shining brightly, I would have been required to have my lights on, and I do not think that is a sensible rule. I think this bill can be saved, but I do not think this is the way to do it. Thank you.

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Strittmatter, is recognized on the motion to revert to a prior printer's number.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

For the Parliamentarian, can you outline to the House for the Speaker to tell us exactly what we would be voting on? Would this be all the strikeout on PN 3393? Everything that is struck out now would become law if we would vote for this?

The SPEAKER. The gentleman, Mr. Strittmatter, and members of the House should be aware that PN 3218 would in effect be the reintroduction of page 1 that is crossed out on PN 3393. If you take HB 1510, PN 3393, and eliminate the lines that have crossed out the first 18 lines, that would in effect become PN 3218, which is what Ms. Bishop wants to do.

The gentleman from Allegheny County, Mr. Markosek, rises for what purpose?

Mr. MARKOSEK. To speak on the motion.

The SPEAKER. On the reversion, the gentleman is recognized and may proceed.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, what this motion does is eliminates my amendment in order to make the bill more clear, which is why I put the amendment in, or at least I thought I did, was to try to make the bill more clear. This is one of those situations where we have got some disagreement over what language says what.

In order to be more clear and to go along with the lady and to get her bill passed, I am willing to go along with this motion that will remove my amendment. I am informed by the staff that the intent would still be the same, and I will go along with that as well. So I would offer that we all support the bill at this time.

PARLIAMENTARY INQUIRY

The SPEAKER. Jere Schuler is recognized on the motion to revert to a prior printer's number.

Mr. SCHULER. Thank you, Mr. Speaker.

I need further clarification on what is and what is not taken out of the bill.

On page 2, lines 11 and 12 through 15, I believe, has been stricken. Does that remain in under the new prior printer's number?

The SPEAKER. Mr. Schuler and members of the House should be aware, according to the Parliamentarian, that the only thing in PN 3218, the only thing, is what is stricken out on page 1 of PN 3393. In other words, on page 2 and page 3, none of that language would be included in HB 1510, PN 3218.

Mr. SCHULER. Thank you.

The SPEAKER. On the motion to revert, Mr. Nailor is recognized from Cumberland County.

Mr. NAILOR. Thank you, Mr. Speaker.

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

The SPEAKER. Mr. Lloyd? The gentleman from Somerset indicates in the affirmative. Mr. Nailor may proceed.

Mr. NAILOR. Thank you, Mr. Speaker.

Mr. Speaker, under the section of the reverted printer's number, "...EXCEPT WHEN THE WINDSHIELD WIPER SYSTEM HAS BEEN TURNED ON TEMPORARILY FOR THE PURPOSE OF CLEANING THE WINDSHIELD," would that not be in effect for snow falling off the tree temporarily and wetting your windshield?

Mr. LLOYD. I do not think so, Mr. Speaker. When I think of cleaning the windshield, I think of, I have got a buildup of some kind of mud or whatever on the windshield; I push the little button and the squirter comes on and the windshield wiper runs and then it goes off. I assume that that was the purpose of that amendment, to say that you did not need to turn your lights on under those circumstances.

The situation I am talking about, you needed to have your windshield wiper on driving down the street in town because there was melting snow. If I had been on the turnpike with high-speed driving and trying to pass trucks and so forth, I would have turned my headlights on, even though it was sunny, because there would be some difficulty in seeing. Clearly, on the street of the town, that was not necessary, but it was necessary to have my windshield wipers on, on an intermittent cycle. I think that goes too far. I do not think we need to do that.

Furthermore, I am not sure what the penalties would be normally under the Vehicle Code, but it should be noted that the penalty here is a summary offense.

Mr. NAILOR. Thank you, Mr. Speaker.

BILL RECOMMENDED

Mr. McCALL. Mr. Speaker?
 The SPEAKER. The gentleman from Carbon, Mr. McCall. For what purpose does the gentleman rise?
 Mr. McCALL. To make a motion, Mr. Speaker.
 The SPEAKER. To speak on the motion to revert, the gentleman is recognized and may proceed.
 Mr. McCALL. No, not on the motion to revert, Mr. Speaker; a motion to recommit the bill to the House Transportation Committee.
 The SPEAKER. The gentleman will yield momentarily.
 The Speaker momentarily stumped the Parliamentarian.
 The gentlelady from Philadelphia, Ms. Bishop, should monitor this comment. The gentleman from Carbon has moved to recommit to the Transportation Committee. A motion to recommit supersedes a motion to revert to a prior printer's number.
 The gentleman is in order. The gentleman's motion is that we recommit this measure, HB 1510, PN—at this juncture—3393, since it has not been altered, to the Transportation Committee.

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

The SPEAKER. On the motion to recommit, the gentleman is recognized.

Mr. McCALL. Thank you, Mr. Speaker.

Mr. Speaker, just to inform the membership, the word was given to the gentlelady that we will work with her in trying to adopt language that can be agreeable to the majority of the members of the House.

I would ask for a "yes" vote on recommittal.
 The SPEAKER. The gentleman is thanked by the Chair.

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

The following roll call was recorded:

YEAS—195

Acosta	Fairchild	Levdansky	Santoni
Adolph	Fajt	Lloyd	Sather
Allen	Fargo	Lucyk	Saurman
Argall	Farmer	Lynch	Saylor
Armstrong	Fee	Maitland	Scheetz
Baker	Fichter	Manderino	Schuler
Barley	Fleagle	Markosek	Scrimenti
Battisto	Flick	Marsico	Semmel
Bebko-Jones	Freeman	Masland	Serafini
Belardi	Gamble	Mayernik	Smith, B.
Belfanti	Gannon	McCall	Smith, S. H.
Birmelin	Geist	McGeehan	Snyder, D. W.
Bishop	George	Melio	Staback
Blaum	Gerlach	Merry	Stairs
Boyes	Gigliotti	Michlovic	Steelman
Brown	Gladeck	Micozzie	Steighner
Bunt	Godshall	Mihalich	Steil
Burns	Gruitza	Müller	Stern
Butkovitz	Gruppo	Mundy	Stetler
Buxton	Haluska	Nailor	Stish
Caltagirone	Hanna	Nickol	Strittmatter

Cappabianca	Harley	Nyce	Sturla
Carn	Hasay	O'Brien	Surra
Carone	Hennessey	Olasz	Tangretti
Cawley	Herman	Oliver	Taylor, E. Z.
Cessar	Hershey	Perzel	Taylor, J.
Chadwick	Hess	Pesci	Thomas
Civera	Hughes	Petrarca	Tigue
Clark	Hutchinson	Petrone	Tomlinson
Clymer	Itkin	Pettit	Trello
Cohen, L. I.	Jadlowiec	Phillips	Trich
Cohen, M.	James	Piccola	True
Colafrilla	Jarolin	Pistella	Tulli
Colaizzo	Josephs	Pitts	Uliana
Conti	Kaiser	Platts	Vance
Cornell	Kasunic	Preston	Van Horne
Corrigan	Keller	Raymond	Veon
Cowell	Kenney	Reber	Vitali
Coy	King	Reinard	Wagh
Curry	Kirkland	Rieger	Wogan
Daley	Krebs	Ritter	Wozniak
DeLuca	Kukovich	Roberts	Wright, D. R.
Dempsey	LaGrotta	Robinson	Wright, M. N.
Dent	Laub	Roebuck	Yandrisevits
Dermoddy	Laughlin	Rohrer	Yewcic
Donatucci	Lawless	Rooney	Zug
Druce	Lederer	Rubley	
Durham	Leh	Rudy	DeWeese,
Egolf	Lescovitz	Ryan	Speaker
Evans			

NAYS—0

NOT VOTING—1

Williams

EXCUSED—6

Bush	Lee	Richardson	Washington
Gordner	McNally		

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Ms. Josephs.

Ms. JOSEPHS. Mr. Speaker, I move that the rules of the House be temporarily suspended for the consideration of a resolution memorializing the Holocaust.

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

The following roll call was recorded:

YEAS—194

Acosta	Fairchild	Lloyd	Sather
Adolph	Fajt	Lucyk	Saurman
Allen	Fargo	Lynch	Saylor
Argall	Farmer	Maitland	Scheetz
Armstrong	Fee	Manderino	Schuler
Baker	Fichter	Markosek	Scrimenti
Barley	Fleagle	Marsico	Semmel
Battisto	Flick	Masland	Serafini
Bebko-Jones	Freeman	Mayernik	Smith, B.
Belardi	Gamble	McCall	Smith, S. H.

Belfanti	Gannon	McGeehan	Snyder, D. W.
Birmelin	Geist	Melio	Staback
Biabop	George	Merry	Stairs
Blaum	Gerlach	Michlovic	Steelman
Boyes	Gigliotti	Micozzie	Steighner
Brown	Gladeck	Mihalich	Steil
Bust	Godshall	Miller	Stern
Burns	Gruitza	Mundy	Stetler
Butkowitz	Gruppo	Nailor	Stish
Burton	Haluska	Nickol	Strittmatter
Caltagirone	Harley	Nyce	Sturla
Cappabianca	Hassy	O'Brien	Surra
Carone	Hennessey	Olasz	Tangretti
Cawley	Herman	Oliver	Taylor, E. Z.
Cessar	Hershey	Perzel	Taylor, J.
Chadwick	Hess	Pesci	Thomas
Civera	Hughes	Petrarca	Thomas
Clark	Hutchinson	Petrone	Tigue
Clymer	Itkin	Pettit	Tomlinson
Cohen, L. I.	Jadlowiec	Phillips	Trello
Cohen, M.	James	Piccola	Trich
Colaella	Jarolin	Pistella	Trich
Colaizzo	Josephs	Pitts	True
Conti	Kaiser	Platts	Tulli
Cornell	Kasunic	Preston	Uliana
Corrigan	Keller	Raymond	Vance
Cowell	Kenney	Reber	Van Horne
Coy	King	Reinard	Veon
Curry	Kirkland	Rieger	Vitali
Daley	Krebs	Ritter	Waugh
DeLuca	Kukovich	Roberts	Williams
Dempsey	LaGrotta	Robinson	Wogan
Dent	Laub	Roebuck	Wozniak
Dermody	Laughlin	Rohrer	Wright, D. R.
Donatucci	Lawless	Rooney	Wright, M. N.
Druce	Lederer	Rublely	Yandrisevits
Durham	Leh	Rudy	Yewcic
Egolf	Lescovitz	Ryan	Zug
Evans	Levdansky	Santoni	DeWeese, Speaker

NAYS—0

NOT VOTING—2

Carn Hanna

EXCUSED—6

Bush Lee Richardson Washington
Gordner McNally

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

RESOLUTION

The SPEAKER. Representative Josephs offers HR 288.

The following resolution was read:

House Resolution No. 288

A RESOLUTION

Memorializing the Governor to proclaim the eight days of April 3 through 10, 1994, as "Days of Remembrance of the Victims of the Holocaust."

WHEREAS, From 1933 to 1945, 6,000,000 Jews were murdered in the Nazi Holocaust as part of a systematic program

of genocide, and millions of other people perished as victims of Nazism; and

WHEREAS, The people of this Commonwealth should always remember the atrocities committed by the Nazis so that such horrors should never be repeated and should continually rededicate themselves to the principle of equal justice for all people; and

WHEREAS, The people of this Commonwealth should remain eternally vigilant against all tyranny and should recognize that bigotry provides a breeding ground for tyranny to flourish; and

WHEREAS, The Department of Education in 1990 published "The Holocaust—A Guide for Pennsylvania Teachers," in cooperation with the Pennsylvania Jewish Coalition; and

WHEREAS, Publications of this type are useful and important tools to educate our teachers and their students in eliminating the prejudice and bigotry which leads to discrimination, persecution and, ultimately, to genocide; and

WHEREAS, April 8, 1994, has been designated internationally as a Day of Remembrance of Victims of the Nazi Holocaust, known as Yom Hashoah; and

WHEREAS, It is appropriate for the people of this Commonwealth to join in the international commemoration; therefore be it

RESOLVED, That the House of Representatives memorialize the Governor to proclaim the eight days of April 3 through 10, 1994, as "Days of Remembrance of the Victims of the Holocaust," in memory of the victims of the Holocaust in the hope that we will strive always to overcome prejudice and inhumanity through education, vigilance and resistance; and be it further

RESOLVED, That the House of Representatives memorialize the Governor to support the continued promotion and distribution of "The Holocaust—A Guide for Pennsylvania Teachers" in schools of this Commonwealth.

- Babette Josephs
- Robert L. Freeman
- Lita Indzel Cohen
- H. William DeWeese
- Louise Williams Bishop
- Andrew J. Carn
- Susan Laughlin
- Joseph M. Uliana
- David G. Argall
- Carole A. Rubley
- Fred Belardi
- Richard J. Cessar
- Larry O. Sather
- Anthony L. Colaizzo
- Matthew E. Baker
- Sheila M. Miller
- Robert C. Donatucci
- Jeffrey W. Coy
- Richard A. Geist
- David Orr King
- Jim Gerlach
- Dan A. Surra
- Anthony J. Melio
- Jerry A. Stern
- Marie A. Lederer
- Thomas C. Petrone
- Paul I. Clymer
- Ellen A. Harley
- Katie True
- Stephen R. Maitland
- Stanley E. Saylor
- Robert D. Reber, Jr.
- Robert M. Tomlinson
- Martin L. Laub
- Albert W. Pettit
- Arthur D. Hershey
- Phyllis Mundy
- Joseph F. Markosek
- Donald W. Snyder
- Todd R. Platts

Anthony M. DeLuca
 Keith R. McCall
 Thomas W. Dempsey
 Teresa E. Brown
 Dwight Evans
 Ruth C. Rudy
 Edward G. Staback
 Frank J. Pistella
 Lawrence Roberts
 David J. Steil
 Jere W. Schuler
 Thomas F. Yewcic
 Stanley J. Jarolin
 Timothy L. Pesci
 Lynn B. Herman
 David R. Wright
 James R. Roebuck, Jr.
 Joseph R. Pitts
 David K. Levdansky
 Joseph W. Battisto
 Dick L. Hess
 Frank LaGrotta
 Dante Santoni, Jr.
 George C. Hasay
 William F. Adolph, Jr.
 Ronald I. Buxton
 Roy W. Cornell
 P. Michael Sturla
 Robert W. Godshall
 Jerry L. Nailor
 Linda Bebko-Jones
 Thomas W. Druce
 Herman Mihalich
 Peter J. Zug
 Thomas A. Tangretti
 Jim Lynch
 Robert E. Nyce
 Michael R. Veon
 Fred A. Trello
 Thomas E. Armstrong
 Russ Fairchild
 C. Allan Egolf
 Merle H. Phillips
 Anthony Hardy Williams
 Ron Gamble
 Robert E. Belfanti, Jr.
 Kevin Blaum
 Dennis M. O'Brien
 Lawrence H. Curry
 Edward H. Krebs
 Elinor Z. Taylor
 T. J. Rooney
 Gregory C. Fajt
 Raymond Bunt, Jr.
 Thomas M. Tigue
 Albert H. Masland
 Frank W. Yandrisevits
 Kathy M. Manderino
 Bruce Smith
 Scott E. Hutchinson
 Stephen H. Stetler
 Patrick E. Fleagle
 James R. Merry

The following roll call was recorded:

YEAS—195

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

NAYS—0

NOT VOTING—1

Williams

EXCUSED—6

Bush	Lee	Richardson	Washington
Gordner	McNally		

On the question,
 Will the House adopt the resolution?

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

The SPEAKER. The gentlelady from Philadelphia, Ms. Josephs, indicates that she would like to leave the desk open for the addition of additional signatures to HR 288, memorializing the Holocaust. The desk will remain open.

DEMOCRATIC CAUCUS

The SPEAKER. The gentleman, Mr. Coy, from Franklin County on the purpose of a caucus announcement.

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, it is my understanding that we have concluded the business of the House for the day. There will be no further votes taken, and the Democratic members will go to caucus immediately upon the declaration of a recess or adjournment. There will, of course, be votes taken tomorrow, but as I understand it, the calendar is concluded for today.

Democratic caucus immediately upon the declaration of recess or adjournment.

REPUBLICAN CAUCUS

The SPEAKER. The gentleman, Mr. Geist, is recognized.

Mr. GEIST. Thank you, Mr. Speaker.

Likewise, the Republicans will caucus at the recess. It should be a short caucus, so I would urge the members to be there promptly so we can get in and get out.

The SPEAKER. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentlelady from Philadelphia, Ms. Josephs, for the purpose of an announcement regarding an Appropriations meeting.

Ms. JOSEPHS. Thank you, Mr. Speaker.

The Appropriations Committee will meet immediately, right now, in the majority caucus room, 140. Thank you, Mr. Speaker.

AGING AND YOUTH COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Blaum, is recognized.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, just an announcement about tomorrow's Aging and Youth Committee meeting. The room has been moved. The meeting will now be held in room 39E at 10 a.m.

RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Itkin, who moves that a Rules Committee meeting commence immediately at the majority leader's podium; a Rules Committee meeting at the majority leader's podium commencing immediately.

RESOLUTION REPORTED FROM COMMITTEE

HR 283, PN 3420

By Rep. ITKIN

A Resolution congratulating the American Legion on the momentous occasion of its 75th Anniversary.

RULES.

BILL REREPORTED FROM COMMITTEE

HB 1040, PN 3426 (Amended)

By Rep. DONATUCCI

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for retail licenses issued to certain brewers, for the proper disposal of empty liquor containers, for special occasion permits and for premises to be vacated by patrons.

LIQUOR CONTROL.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2646 By Representatives BURNS and BAKER

An Act creating the Recreational Trails Advisory Board; providing for funding for motorized and nonmotorized recreational trails; providing for powers and duties of the Department of Environmental Resources; establishing a fund; and providing for the disposition of certain tax revenues.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, April 5, 1994.

No. 2647 By Representatives BURNS and BAKER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the disposition of fines imposed for violations of Title 75 involving snowmobiles; and imposing a restriction on the power of the Secretary of Environmental Resources to approve expenditures from a restricted receipts fund relating to snowmobiles.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, April 5, 1994.

No. 2649 By Representatives E. Z. TAYLOR, RICHARDSON, FLEAGLE, VANCE, DENT, DEMPSEY, ULIANA, PLATTS, MASLAND, VAN HORNE, FAIRCHILD, HUTCHINSON, CLARK, TRUE, O'BRIEN, SAURMAN, WAUGH, HASAY, D. W. SNYDER, FLICK, MILLER, RUBLEY, FICHTER, J. TAYLOR, SCHULER, STEIL, CLYMER, KUKOVICH, S. H. SMITH, THOMAS, COWELL, WILLIAMS, NICKOL, MANDERINO, STETLER, STEELMAN, SAYLOR, TIGUE, KREBS, JAMES, LAUB, RUDY, HERSHEY, BEBKO-JONES, BAKER, CAPPABIANCA, FARMER, KAISER, L. I. COHEN, MARKOSEK, ARMSTRONG, MAYERNIK, KING, RITTER, TRELLO, CAWLEY, JOSEPHS, MAITLAND, PITTS, KENNEY, HERMAN, DURHAM, BROWN, GRUPPO, HENNESSEY, DRUCE, BATTISTO, WASHINGTON, RAYMOND, HARLEY, WOGAN, SATHER, BUNT, MERRY, SEMMEL and CARONE

An Act establishing portability of health insurance coverage in this Commonwealth.

Referred to Committee on HEALTH AND WELFARE, April 5, 1994.

No. 2653 By Representatives RUDY, CALTAGIRONE, MARKOSEK, COY, TRICH and L. I. COHEN

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for the purchase of retirement credits by former volunteers in the Peace Corps; and further providing for contributions for the purchase of credit for creditable non-State service.

Referred to Committee on STATE GOVERNMENT, April 5, 1994.

No. 2655 By Representatives FAIRCHILD, PHILLIPS, GORDNER, WAUGH, NAILOR, CESSAR, SAYLOR, ZUG, TULLI, FLEAGLE, BROWN, STABACK, TRUE, DEMPSEY, MILLER, HENNESSEY, BAKER, LAUGHLIN, CLYMER, MERRY, TRELLO, LYNCH, STERN, CORRIGAN, ALLEN, BELFANTI, BARLEY, GEIST, HERSHEY, TOMLINSON, CLARK, STEELMAN and FARGO

An Act amending the act of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code, further providing for contracts and purchases.

Referred to Committee on LOCAL GOVERNMENT, April 5, 1994.

No. 2658 By Representatives TRICH, MELIO, CESSAR, MERRY, LAUB, SERAFINI, GEIST, JAROLIN, VEON, TRELLO and PETTTI

An Act amending Title 15 (Corporations and Unincorporated Associations) of the Pennsylvania Consolidated Statutes, further providing for requirements for corporate name.

Referred to Committee on BUSINESS AND ECONOMIC DEVELOPMENT, April 5, 1994.

No. 2659 By Representatives SCRIMENTI, MERRY, LAUB and WAUGH

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for circulation of school board petition.

Referred to Committee on STATE GOVERNMENT, April 5, 1994.

No. 2660 By Representatives SCRIMENTI, STABACK, PISTELLA, TRELLO, MERRY, CAPPABIANCA, CESSAR, ROBERTS, TIGUE, LUCYK, LAUB, RICHARDSON, BELFANTI and THOMAS

An Act amending the act of December 17, 1968 (P.L.1224, No.387), known as the Unfair Trade Practices and Consumer Protection Law, providing for attorney fees in private actions.

Referred to Committee on CONSUMER AFFAIRS, April 5, 1994.

No. 2661 By Representatives HARLEY, DENT, MILLER, LYNCH, J. TAYLOR, CLYMER, HUTCHINSON, L. I. COHEN, BAKER, BUNT, GORDNER, ARMSTRONG and HENNESSEY

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

Referred to Committee on JUDICIARY, April 5, 1994.

No. 2665 By Representatives SAYLOR, LAWLESS, RUBLEY, PETTTI, SATHER, PLATTS, FARGO, MILLER, HENNESSEY, PHILLIPS, HUTCHINSON, SAURMAN, WOGAN, PITTS, TULLI, DeLUCA, MELIO and LYNCH

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for qualifications of Auditor General and State Treasurer.

Referred to Committee on STATE GOVERNMENT, April 5, 1994.

No. 2666 By Representatives O'BRIEN, SCHULER, CESSAR, DEMPSEY, GODSHALL, ZUG, MARKOSEK, HESS, McCALL, LEH, PHILLIPS, GERLACH, PISTELLA, L. I. COHEN, KING, KENNEY, HENNESSEY, STABACK, CLYMER, SATHER, E. Z. TAYLOR and FLICK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for the pay of officers and enlisted personnel.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, April 5, 1994.

No. 2669 By Representatives PRESTON, PISTELLA, COWELL, BURNS, ROBINSON, ITKIN, GIGLIOTTI, PETRONE and OLASZ

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for the regulation of the placement of public telephones in cities of the second class.

Referred to Committee on CONSUMER AFFAIRS, April 5, 1994.

No. 2670 By Representatives STURLA, BELFANTI, COY, VEON, FAJT, MIHALICH, STISH, MARKOSEK, LAUB, DENT, FARMER, MILLER, COLAIZZO, M. COHEN, LEDERER, BATTISTO, GERLACH, JAROLIN, NAILOR, TANGRETTI, DeLUCA, FREEMAN, ROONEY, MELIO, KING, SAURMAN, ZUG, SCHULER, STRITTMATTER, J. TAYLOR, WAUGH, PISTELLA, RUDY, STABACK, DALEY, WILLIAMS, GEIST, RUBLEY, SAYLOR, CAWLEY, MARSICO, GODSHALL and BROWN

An Act amending Title 18 (Crimes and Offenses) of the

Pennsylvania Consolidated Statutes, providing for gang activity.

Referred to Committee on JUDICIARY, April 5, 1994.

No. 2679 By Representatives WOZNAK, CAWLEY, STABACK, BELARDI, BROWN, KING, HUTCHINSON, HERMAN, E. Z. TAYLOR, SERAFINI, FLICK, YEWIC and RUDY

An Act appropriating money from the Sunny Day Fund to the Department of Commerce for various projects throughout this Commonwealth for fiscal year 1994-1995.

Referred to Committee on APPROPRIATIONS, April 5, 1994.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 284 By Representatives BUXTON, LYNCH, STURLA, LEDERER, LESCOVITZ, ROBERTS, RAYMOND, BAKER, ZUG, BATTISTO, FLICK, TIGUE, MILLER, JOSEPHS, M. N. WRIGHT, STEIL, STABACK, KASUNIC, TRUE, SERAFINI, GIGLIOTTI, MAITLAND, LAUGHLIN, STETLER, JAROLIN, CESSAR, MIHALICH, TOMLINSON, BELARDI, LUCYK, BROWN, VEON, THOMAS, SANTONI, GORDNER, FAIRCHILD, PLATTS, HESS, ROBINSON, MELIO, KING, MUNDY, ARGALL, WAUGH, STAIRS, NYCE, RUBLEY, VANCE, MANDERINO, HENNESSEY, KREBS, M. COHEN, E. Z. TAYLOR, FAJT, COY, GEIST, DeWEESE, PESCI, ROONEY, LAUB, SAYLOR, L. I. COHEN, B. SMITH, TRELLO, DeLUCA and ADOLPH

A Resolution recognizing the weeks of April 4 through 11, 1994, as "Voter Registration and Voter Awareness Week" in Pennsylvania for the primary election and October 4 through 11, 1994, as "Voter Registration and Voter Awareness Week" in Pennsylvania for the general election.

Referred to Committee on RULES, April 5, 1994.

ADDITIONS AND DELETIONS OF SPONSORS

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

(Copy of list is on file with the Journal clerk.)

BILLS REREPORTED FROM COMMITTEE

HB 558, PN 3129 By Rep. EVANS

An Act requiring police departments to adopt and follow a domestic violence response policy.

APPROPRIATIONS.

HB 1979, PN 2432

By Rep. EVANS

An Act amending the act of December 19, 1990 (P.L.1358, No.210), known as the Local Government Capital Project Loan Fund Act, extending the expiration date of the act.

APPROPRIATIONS.

HB 2056, PN 2526

By Rep. EVANS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for special registration plates for recipients of the Expeditionary Forces Medal.

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 558, PN 3129; HB 1979, PN 2432; and HB 2056, PN 2526.

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman, Mr. Curry, from Montgomery County.

Mr. CURRY. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 6, 1994, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:45 p.m., e.d.t., the House adjourned.