

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, APRIL 20, 1998

SESSION OF 1998

182D OF THE GENERAL ASSEMBLY

No. 26

### HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (MATTHEW J. RYAN)  
PRESIDING**

#### PRAYER

REV. DANIEL N. VAN VLEET, Chaplain of the House of Representatives and pastor of Richland Church of the Brethren, Richland, Pennsylvania, offered the following prayer:

Let us pray:

Our Heavenly Father, we thank You for this opportunity to serve You. I thank You for each man and woman here and their willingness to serve as a Representative of this State. I ask that You would bless them with wisdom and insight and patience.

We thank You for your many blessings that we have in this State and in this country.

We ask this in the Lord's name. 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 Tuesday, March 31, 1998, will be postponed until printed. The Chair hears no objection.

#### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2481** By Representatives EVANS, M. COHEN, JOSEPHS, HARHAJ, CURRY, RAMOS, JAMES, MANDERINO, YOUNGBLOOD, MICHLOVIC, CARN and ROONEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for a limit on handgun purchases and sales; and creating the Violence Prevention Fund.

Referred to Committee on JUDICIARY, April 6, 1998.

**No. 2492** By Representatives D. W. SNYDER, DALLY, COY, STERN, FICHTER, ORIE, STABACK, VAN HORNE, ROSS, SATHER, GODSHALL, GRUITZA, TIGUE, TRELLO, MASLAND, SERAFINI, SEMMEL, CIVERA, STEVENSON, HENNESSEY, SEYFERT, E. Z. TAYLOR and DeLUCA

An Act amending Title 20 (Decedents, Estates and Fiduciaries) of the Pennsylvania Consolidated Statutes, further providing for mandatory jurisdiction of the court over guardianship support agencies and attorneys-in-fact; further providing for incapacitated persons with regard to notice of petition, hearings, appointment of guardians, emergency guardians, evidence of incapacity, reports of guardians, powers of guardians to enter into leases and accountings; and making technical changes.

Referred to Committee on JUDICIARY, April 1, 1998.

**No. 2493** By Representative VAN HORNE

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for school director eligibility and incompatible offices.

Referred to Committee on EDUCATION, April 1, 1998.

**No. 2494** By Representatives MAITLAND, NICKOL, BELFANTI, FORCIER, CORNELL, DeLUCA, EGOLF, GIGLIOTTI, HALUSKA, LYNCH, PETRONE, RAMOS, SCRIMENTI, STEELMAN, E. Z. TAYLOR, TRELLO and JAMES

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for alimony pendente lite, counsel fees and expenses.

Referred to Committee on JUDICIARY, April 1, 1998.

**No. 2495** By Representatives WAUGH, NAILOR, FLEAGLE, B. SMITH, MASLAND, FARGO, ARMSTRONG, FICHTER, GORDNER, BROWNE, READSHAW, NICKOL, SATHER, GODSHALL, TRELLO, GEIST, COY, McCALL, HALUSKA, RUBLEY, FAIRCHILD, STABACK, EGOLF, CLARK, McNAUGHTON, YOUNGBLOOD, E. Z. TAYLOR, STERN, CLYMER, ROSS, PRESTON, ROHRER, JAMES, STEELMAN, PIPPY, SEYFERT, ARGALL, HENNESSEY, SEMMEL, RAMOS, PLATTS and SAYLOR

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for nonmedical good Samaritan civil immunity.

Referred to Committee on JUDICIARY, April 1, 1998.

**No. 2496** By Representatives STURLA, DeWEESE, RUBLEY, ITKIN, BELARDI, LEVDANSKY, BARRAR, MASLAND, HALUSKA, M. COHEN, FLICK, BROWNE, WAUGH, HERMAN, READSHAW, VAN HORNE, TIGUE, C. WILLIAMS, TRAVAGLIO, BOSCOLA, STABACK, CLYMER, DALEY, MUNDY, BAKER, TRELLO, JOSEPHS, A. H. WILLIAMS, NAILOR, YOUNGBLOOD, SAYLOR, McGEEHAN, CAWLEY, COY, FAIRCHILD, WOJNAROSKI, PLATTS, BATTISTO, HORSEY, SHANER, LAUGHLIN, RAMOS, WALKO, ROBINSON, PETRARCA, MELIO, GEIST, HERSHEY, HENNESSEY, LUCYK, ARGALL, STEELMAN and SATHER

An Act establishing the Adopt-a-River Program; providing for powers and duties of the Department of Conservation and Natural Resources; and making an appropriation.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 1, 1998.

**No. 2497** By Representatives PIPPY, ALLEN, ARGALL, DALLY, FAIRCHILD, GEIST, HARHART, HENNESSEY, HERMAN, HERSHEY, KENNEY, MAITLAND, MAYERNIK, McNAUGHTON, NAILOR, ORIE, ROSS, SAYLOR, SEYFERT, STEIL, STEVENSON, E. Z. TAYLOR, TRELLO, TRUE, WILT and ZUG

An Act repealing the act of May 21, 1943 (P.L.279, No.131), entitled "An act authorizing the Department of Highways and counties, cities, boroughs, towns and townships to adopt and take over as public roads and highways, certain highways taken over, located, extended or constructed by the Federal Government or any agency thereof, in the exercise of the war power, and providing the procedure therefor."

Referred to Committee on TRANSPORTATION, April 1, 1998.

**No. 2498** By Representatives KIRKLAND, COWELL, ROBINSON, LEVDANSKY, EVANS, READSHAW, PESCI, LAUGHLIN, TRELLO, STURLA, MANDERINO, TIGUE, JAMES, ITKIN, WASHINGTON, MUNDY, RAMOS and STEELMAN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for special board of control; and making editorial changes.

Referred to Committee on EDUCATION, April 1, 1998.

**No. 2499** By Representatives KIRKLAND, BELARDI, ROONEY, TRELLO, JAMES, DALEY, M. COHEN, ROBINSON, C. WILLIAMS, CURRY, HENNESSEY, CORRIGAN, BEBKO-JONES, CARN, YOUNGBLOOD, WASHINGTON, KENNEY, STEELMAN, MYERS and L. I. COHEN

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

Referred to Committee on JUDICIARY, April 1, 1998.

**No. 2500** By Representatives CASORIO, ITKIN, M. COHEN, CAPPABIANCA, OLASZ, TANGRETTI, CORPORA, WOJNAROSKI, PETRARCA, MELIO, LAUGHLIN, GORDNER, MARKOSEK, YOUNGBLOOD, MANDERINO, ARGALL, HORSEY, READSHAW, STEELMAN, BOSCOLA, SANTONI, ROONEY, STABACK, TIGUE, ORIE, DALLY, McCALL, PLATTS, SCRIMENTI, JOSEPHS, C. WILLIAMS, HALUSKA, GIGLIOTTI, MUNDY, CORRIGAN, BEBKO-JONES, SAINATO, SURRA, DeLUCA and WALKO

An Act amending Title 54 (Names) of the Pennsylvania Consolidated Statutes, requiring the domestic relations section to investigate child support files.

Referred to Committee on JUDICIARY, April 1, 1998.

**No. 2501** By Representatives HANNA, TIGUE, TRELLO, BELFANTI, LAUGHLIN, FAIRCHILD, YOUNGBLOOD, ROBERTS and SHANER

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, further providing for subjects of taxation and for limitations on taxation.

Referred to Committee on LOCAL GOVERNMENT, April 1, 1998.

**No. 2502** By Representatives SEYFERT, ARGALL, BAKER, BARD, BARRAR, BELARDI, BELFANTI, BENNINGHOFF, BOSCOLA, FORCIER, BROWNE, CARN, CASORIO, CIVERA, COY, DALLY, DeLUCA, FAIRCHILD, FEESE, FICHTER, HERMAN, HUTCHINSON, KIRKLAND, LAUGHLIN, LEVDANSKY, McILHATTAN, MELIO, MICOZZIE, MUNDY, OLASZ, ORIE, PETRONE, PHILLIPS, PLATTS, RAMOS, READSHAW, ROBINSON, RUBLEY, SEMMEL, SERAFINI, B. SMITH, STAIRS, SURRA, TANGRETTI, E. Z. TAYLOR, TRAVAGLIO, TRELLO, VAN HORNE, WAUGH, C. WILLIAMS, WILT, YOUNGBLOOD, ZUG and MARSICO

An Act providing for a higher education tuition assistance program for volunteer emergency services personnel.

Referred to Committee on EDUCATION, April 2, 1998.

**No. 2503** By Representative McNAUGHTON

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 unlawful conduct.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, April 7, 1998.

**No. 2504** By Representatives VEON, CASORIO, WALKO, BELARDI, DALEY, CAPPABIANCA, ITKIN, JOSEPHS, M. COHEN, DeWEESE, STABACK, ROBINSON, MUNDY, SURRA, TRAVAGLIO, BELFANTI, SCRIMENTI, MICOZZIE, KENNEY, BARRAR, READSHAW, TRELLO, TIGUE, DeLUCA, COLAFELLA, LAUGHLIN, MELIO, YOUNGBLOOD and STEELMAN

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for the powers and duties of the Auditor General; and making an appropriation.

Referred to Committee on EDUCATION, April 8, 1998.

**No. 2505** By Representatives NICKOL, M. COHEN, MAITLAND, SCHULER, WOGAN, BATTISTO, McGILL, STERN, TIGUE, CURRY, ADOLPH, RAMOS, SAYLOR, PETRONE, J. TAYLOR, CIVERA, HENNESSEY and PLATTS

An Act amending the act of December 18, 1984 (P.L.1005, No.205), known as the Municipal Pension Plan Funding Standard and Recovery Act, providing for alternative unfunded actuarial accrued liability mechanisms for cities of the first class.

Referred to Committee on URBAN AFFAIRS, April 15, 1998.

**No. 2506** By Representatives MELIO, CASORIO, CORPORA, M. N. WRIGHT, COLAIZZO, DALEY, YOUNGBLOOD, E. Z. TAYLOR, LEVDANSKY, SCHRODER, WOJNAROSKI, OLASZ, GIGLIOTTI, CORRIGAN, M. COHEN and ROBINSON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for emission inspection program expenditures.

Referred to Committee on TRANSPORTATION, April 15, 1998.

**No. 2507** By Representative NICKOL

An Act authorizing the Department of General Services, with the approval of the Governor and the Department of Conservation and Natural Resources, to grant and convey a sanitary sewer right-of-way over certain State land to Penn Township, York County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, April 20, 1998.

**No. 2508** By Representatives VEON, LAUGHLIN, LaGROTTA, LESCOVITZ and COLAFELLA

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for required first aid course.

Referred to Committee on EDUCATION, April 20, 1998.

**No. 2509** By Representatives VEON, LAUGHLIN, LaGROTTA, LESCOVITZ and COLAFELLA

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for junior driver's license.

Referred to Committee on TRANSPORTATION, April 20, 1998.

## HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 413** By Representatives COLAFELLA, MANDERINO, C. WILLIAMS, LEDERER, OLIVER, ORIE, BOYES, STEVENSON, BROWNE, EVANS, J. TAYLOR, MILLER, L. I. COHEN, RUBLEY, BARD, SCHRODER, FICHTER, CORNELL, YOUNGBLOOD, McGILL, FEESE, B. SMITH, E. Z. TAYLOR, ROSS, THOMAS, PESCI, LAUGHLIN, TRAVAGLIO, STURLA, LLOYD, M. COHEN, DeWEESE, KAISER, VITALI, CORPORA, EACHUS, SHANER, BATTISTO, MELIO, JOSEPHS, DeLUCA, LaGROTTA, MUNDY, WALKO, RAMOS, SURRA and KREBS

A Resolution recognizing April 3, 1998, as "National Pay Inequity Day" in Pennsylvania.

Referred to Committee on RULES, April 1, 1998.

**No. 414** By Representatives WILT, CALTAGIRONE, CAPPABIANCA, KAISER, ALLEN, DEMPSEY, BOYES, CLYMER, DRUCE, PISTELLA, KENNEY, MASLAND, M. COHEN, ORIE, COLAIZZO, DALLY, LESCOVITZ, ARGALL, FORCIER, STABACK, BOSCOLA, HENNESSEY, DENT, SCRIMENTI and D. W. SNYDER

A Concurrent Resolution directing the Legislative Budget and Finance Committee to examine or analyze the family characteristics of undergraduate students attending associate and baccalaureate degree-granting colleges and universities in Pennsylvania.

Referred to Committee on RULES, April 1, 1998.

**No. 416** By Representatives LEVDANSKY, ARGALL, TRUE, M. COHEN, VITALI, CARONE, CURRY, LYNCH, OLASZ, EGOLF, READSHAW, LAUGHLIN, GORDNER, YEWIC, STURLA, JOSEPHS, TRAVAGLIO, WOJNAROSKI, SCRIMENTI, HALUSKA, TANGRETTI, STABACK, C. WILLIAMS, COLAFELLA, KIRKLAND, WASHINGTON and STEELMAN

A Resolution amending House Rule 15.

Referred to Committee on RULES, April 1, 1998.

**No. 417** By Representatives LYNCH, ARMSTRONG, BAKER, CORRIGAN, EGOLF, FAIRCHILD, FEESE, GEIST, HERSHEY, MAITLAND, McGEEHAN, OLASZ, PHILLIPS, PLATTS, READSHAW, ROBERTS, SCHRODER, STABACK, E. Z. TAYLOR, WOGAN, WOJNAROSKI, STERN, ROHRER,

McILHATTAN, HUTCHINSON, FLEAGLE, BIRMELIN,  
CLYMER and DiGIROLAMO

A Concurrent Resolution memorializing the Congress of the United States to pass and submit to the State legislatures an amendment to the Constitution of the United States to allow for freedom of religion in public places.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, April 1, 1998.

**No. 419** By Representatives O'BRIEN, E. Z. TAYLOR, GLADECK, FICHTER, TRICH, BROWNE, COY, CAPPABIANCA, PESCI, HERMAN, CALTAGIRONE, ORIE, MAITLAND, READSHAW, LAUGHLIN, KIRKLAND, BELARDI, BATTISTO, OLASZ, HALUSKA, HORSEY, WALKO, TRELLO, STABACK, JOSEPHS, YOUNGBLOOD, CIVERA, SEYFERT, JAMES, HERSHEY and RAMOS

A Concurrent Resolution forming a commission comprised of individuals with expertise in biomedical research, health care, economic development and higher education to assess the level and nature of biomedical research currently conducted by the State's universities and teaching hospitals and to recommend specific and realistic actions for increasing Pennsylvania's share of Federal and private sector biomedical research funding to enhance the State's health care system as well as contribute to the economy.

Referred to Committee on RULES, April 1, 1998.

**No. 420** By Representatives L. I. COHEN, GORDNER, OLASZ, BARD, LYNCH, MASLAND, RUBLEY, CAPPABIANCA, WALKO, HALUSKA, FICHTER, CARN, READSHAW, DRUCE, BOSCOLA, ORIE, GRUITZA, DALEY, GIGLIOTTI, TRELLO, TIGUE, ITKIN, ROSS, YOUNGBLOOD, BROWNE, BENNINGHOFF, PRESTON, CLYMER, MANDERINO, MELIO, E. Z. TAYLOR, CIVERA, JAMES, SEYFERT, HENNESSEY and RAMOS

A Resolution directing the Judiciary Committee to investigate the impact of certain transactions affecting charitable assets held in the health care community.

Referred to Committee on RULES, April 2, 1998.

#### SENATE BILLS FOR CONCURRENCE

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

**SB 1192, PN 1854**

Referred to Committee on JUDICIARY, April 1, 1998.

**SB 1193, PN 1461**

Referred to Committee on TRANSPORTATION, April 1, 1998.

**SB 1200, PN 1825**

Referred to Committee on TRANSPORTATION, April 1, 1998.

**SB 1216, PN 1738**

Referred to Committee on AGING AND YOUTH, April 1, 1998.

**SB 1292, PN 1672**

Referred to Committee on JUDICIARY, April 1, 1998.

**SB 1311, PN 1684**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1313, PN 1686**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1315, PN 1688**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1316, PN 1689**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1317, PN 1690**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1318, PN 1691**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1319, PN 1692**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1320, PN 1693**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1321, PN 1694**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1322, PN 1695**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1323, PN 1696**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1324, PN 1697**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1326, PN 1699**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1327, PN 1700**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1328, PN 1701**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1329, PN 1702**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1330, PN 1703**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1331, PN 1704**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1332, PN 1705**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1333, PN 1706**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1334, PN 1707**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1335, PN 1708**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1336, PN 1709**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1337, PN 1710**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1338, PN 1711**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1339, PN 1712**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1340, PN 1713**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1341, PN 1714**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1342, PN 1715**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1343, PN 1716**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1344, PN 1717**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1345, PN 1718**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SB 1346, PN 1719**

Referred to Committee on APPROPRIATIONS, April 1, 1998.

**SENATE RESOLUTIONS FOR CONCURRENCE**

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

**SR 113, PN 1608**

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, April 1, 1998.

**SR 134, PN 1678**

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, April 1, 1998.

**BILL REPORTED AND REREFERRED TO  
COMMITTEE ON JUDICIARY****HB 814, PN 914**

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for abandonment and stripping of vehicles.

TRANSPORTATION.

**BILLS REPORTED FROM COMMITTEES,  
CONSIDERED FIRST TIME, AND TABLED****HB 1576, PN 3384 (Amended)**

By Rep. GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for unlawful activities and for police and Commonwealth inspections relating to vehicle inspections.

TRANSPORTATION.

**HB 1851, PN 2323**

By Rep. HASAY

An Act providing for responsibility for the payment of unpaid rent and other charges in manufactured housing communities; providing for notices; and further providing for repossession.

## COMMERCE AND ECONOMIC DEVELOPMENT.

**HB 2016, PN 3391 (Amended)**

By Rep. HASAY

An Act requiring all public bodies, including the Commonwealth, its agencies, authorities and political subdivisions, to include in certain contracts a provision that if certain products are to be used in the performance of the contract, only those products produced in this Commonwealth or the United States shall be used; and providing for a cause of action and for civil penalties.

## COMMERCE AND ECONOMIC DEVELOPMENT.

**HB 2193, PN 3392 (Amended)**

By Rep. HASAY

An Act amending Title 12 (Commerce and Trade) of the Pennsylvania Consolidated Statutes, providing for continuity of contract under the monetary union in member states of the European Union.

## COMMERCE AND ECONOMIC DEVELOPMENT.

**HB 2283, PN 3383 (Amended)**

By Rep. WOGAN

An Act providing for the regulation of home improvement contracts and for registration of certain home improvement contractors; prohibiting certain acts; prescribing requirements for home improvement contracts; establishing the Home Improvement Guaranty Fund; and providing for claims against the fund and for the offense of home improvement fraud.

## CONSUMER AFFAIRS.

**HB 2322, PN 3132**

By Rep. REBER

An Act repealing the act of April 5, 1870 (P.L.47, No.28), entitled "An act for the draining of swampy and wet lands."

## ENVIRONMENTAL RESOURCES AND ENERGY.

**HB 2328, PN 3382 (Amended)**

By Rep. REINARD

An Act providing for the creation of keystone opportunity zones to foster economic opportunities in this Commonwealth, to facilitate economic development, stimulate industrial, commercial and residential improvements and prevent physical and infrastructure deterioration of geographic areas within this Commonwealth; authorizing expenditures; providing tax exemptions, tax deductions, tax abatements and tax credits; creating additional obligations of the Commonwealth and local governmental units; prescribing powers and duties of certain State and local departments, agencies and officials; and making appropriations.

## URBAN AFFAIRS.

**HB 2408, PN 3385 (Amended)**

By Rep. CLYMER

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, providing for supplemental annuities commencing 1998.

## STATE GOVERNMENT.

**HB 2475, PN 3296**

By Rep. REBER

An Act amending the act of June 23, 1982 (P.L.597, No.170), known as the Wild Resource Conservation Act, repealing provisions relating to limitation on General Fund money.

## ENVIRONMENTAL RESOURCES AND ENERGY.

**HB 2491, PN 3347**

By Rep. GEIST

An Act designating a section of the Bay Front Parkway in Erie County, Pennsylvania as the Bernard (Bennie) J. Dombrowski Memorial Highway.

## TRANSPORTATION.

**SB 1, PN 1889 (Amended)**

By Rep. CLYMER

An Act regulating lobbying; providing for further duties of the State Ethics Commission; requiring the registration of lobbyists and principals and the submission of certain reports; providing penalties; establishing a restricted receipts fund; making an appropriation; and making a repeal.

## STATE GOVERNMENT.

**LEAVES OF ABSENCE**

The SPEAKER. The Chair recognizes the gentleman, Mr. Snyder, who requests a leave of absence for the gentleman from Dauphin, Mr. TULLI, and the gentleman from Lackawanna, Mr. SERAFINI. The Chair hears no objection to the requests. The leaves are granted.

The Chair recognizes the gentleman, Mr. Itkin, who requests a leave of absence for the gentleman, Mr. SCRIMENTI; the lady, Ms. BEBKO-JONES; the gentleman, Mr. TANGRETTI; the gentleman, Mr. LaGROTTA; the gentleman, Mr. COWELL; and the gentleman, Mr. DALEY. These leaves will be granted, absent objection. The Chair hears no objection. The leaves are granted.

**MASTER ROLL CALL**

The SPEAKER. The Chair is about to take today's master roll call. Members will proceed to vote.

(A roll-call vote was taken, but due to a malfunction the vote was not recorded. See later roll call.)

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND TABLED****HB 977, PN 3393 (Amended)**

By Rep. MICOZZIE

An Act providing for managed health care utilization review; imposing duties on managed care entities; providing for disclosure, civil immunity and penalties; and conferring powers and duties on the Department of Health and the Insurance Department.

## INSURANCE.

**MASTER ROLL CALL RETAKEN**

The SPEAKER. There was a malfunction in the machine at the time the master roll call was taken. The members will proceed to vote again on the master roll call. Members will proceed to vote on the master roll call.

The following roll call was recorded:

**PRESENT—195**

Adolph	Egolf	Maher	Santoni
Allen	Evans	Maitland	Sather
Argall	Fairchild	Major	Saylor
Armstrong	Fargo	Manderino	Schroder
Baker	Feese	Markosek	Schuler
Bard	Fichter	Marsico	Semmel
Barley	Fleagle	Masland	Seyfert
Barrar	Flick	Mayernik	Shaner
Battisto	Forcier	McCall	Smith, B.
Belardi	Gannon	McGeehan	Smith, S. H.
Belfanti	Geist	McGill	Snyder, D. W.
Benninghoff	George	McIlhattan	Staback
Birmelin	Gigliotti	McIlhinney	Stairs
Bishop	Gladeck	McNaughton	Steelman
Blaum	Godshall	Melio	Steil
Boscola	Gordner	Michlovic	Stern
Boyes	Gruitza	Micozzie	Stetler
Browne	Gruppo	Miller	Stevenson
Bunt	Habay	Mundy	Strittmatter
Butkovitz	Haluska	Myers	Sturla
Buxton	Hanna	Nailor	Surra
Caltagirone	Harhai	Nickol	Taylor, E. Z.
Cappabianca	Harhart	O'Brien	Taylor, J.
Carn	Hasay	Olasz	Thomas
Carone	Hennessey	Oliver	Tigue
Casorio	Herman	Orie	Travaglio
Cawley	Hershey	Perzel	Trello
Chadwick	Hess	Pesci	Trich
Civera	Horsey	Petrarca	True
Clark	Hutchinson	Petrone	Vance
Clymer	Itkin	Phillips	Van Horne
Cohen, L. I.	Jadlowiec	Pippy	Veon
Cohen, M.	James	Pistella	Vitali
Colafella	Jarolin	Platts	Walko
Colaizzo	Josephs	Preston	Washington
Cornell	Kaiser	Ramos	Waugh
Corpora	Keller	Raymond	Williams, A. H.
Corrigan	Kenney	Readshaw	Williams, C.
Coy	Kirkland	Reber	Wilt
Curry	Krebs	Reinard	Wogan
Dally	Laughlin	Rieger	Wojnaroski
DeLuca	Lawless	Roberts	Wright, M. N.
Dempsey	Lederer	Robinson	Yewcic
Dent	Leh	Roebuck	Youngblood
Dermody	Lescovitz	Rohrer	Zimmerman
DeWeese	Levdansky	Rooney	Zug
DiGirolamo	Lloyd	Ross	
Donatucci	Lucyk	Rubley	
Druce	Lynch	Sainato	Ryan, Speaker
Eachus			

**ADDITIONS—0**

**NOT VOTING—0**

**EXCUSED—8**

Bebko-Jones	Daley	Scrimenti	Tangretti
Cowell	LaGrotta	Serafini	Tulli

**LEAVES ADDED—1**

Lucyk

**LEAVES CANCELED—2**

Cowell

Scrimenti

**HON. HECTOR McCLEAN PRESENTED**

The SPEAKER. There is a special guest in the hall of the House that I have asked to speak to the House.

It is my pleasure to welcome to the hall of the House today the Honorable Hector McClean, who is the Speaker of the House of Representatives of the Republic of Trinidad and Tobago.

Speaker McClean is a barrister-at-law, having been called to the bar in 1963. He received a diploma in American and international law from Southern Methodist University in Dallas, Texas. He was a practicing barrister-at-law from 1963 until 1971, when he was elected to the House of Representatives for two 5-year terms. He also served in various Cabinet positions and other private and public law-related positions until his election as Speaker of the House in 1995.

The Speaker is married to Dr. Rosemarie Paul and has two children.

I am honored to present to you the Honorable Hector McClean, whom I invite to come to the podium at this time to briefly address the House. Mr. Speaker.

Mr. McCLEAN. Hon. Speaker Matt Ryan, honorable members of the House of Representatives, it is a distinct honor and pleasure that you have afforded me to be able to address this distinguished chamber.

I bring greetings from the Parliament, the House of Representatives, and the people of the Republic of Trinidad and Tobago.

I am in this beautiful city as the guest of Penn State University at Harrisburg, having been invited to do a lecture on issues which relate to the positive relationship that has existed between the United States of America and its most southerly small island neighbor, Trinidad and Tobago.

Trinidad and Tobago is a small country of 1.3 million people that is located just 7 miles off the coast of Venezuela, and I must say to you that the United States is the greatest trading partner of the Republic of Trinidad and Tobago, we having been for several years, until 1962 when we became independent, a colony of Britain.

I simply want to repeat that it is a pleasure to have been afforded the honor of addressing this distinguished chamber. The people of my country and the members of our House would be pleased to think that you have afforded us this opportunity, and it is left for me only to say, may your enterprise thrive today and in future days, may you serve the interests of your constituents well, and may God bless. I thank you.

### GUEST INTRODUCED

The SPEAKER. With the Speaker is Professor Winston Richards, an associate professor of mathematics and statistics at Penn State. The professor is here to my left.

The gentleman, Mr. Chadwick.

### THE SPEAKER PRO TEMPORE (J. SCOT CHADWICK) PRESIDING

#### FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to advise the members that he has given permission to Pat Principe of WGAL-TV in Lancaster to videotape with audio the floor proceedings on the House, specifically the Steelton-Highspire and Harrisburg citation presentations.

### HARRISBURG HIGH SCHOOL BASKETBALL TEAM PRESENTED

The SPEAKER pro tempore. The gentleman, Mr. Buxton, is invited to come to the rostrum to present two citations.

The gentleman, Mr. Buxton, is in order.

Mr. BUXTON. Thank you, Mr. Speaker.

Ladies and gentlemen of the House, it is my distinct pleasure today to introduce you to the Pennsylvania PIAA AAAA State boys basketball champions, the Harrisburg High School Cougars.

Accompanying me today, to my right, your left, is Kirk Smallwood, their head coach, and I think I should note to you that Coach Smallwood just last week was awarded the Associated Press Pennsylvania Big School Boys Basketball Coach of the Year Award.

Joining Coach Smallwood are team captains Micah Davenport, Marc Lester, Demone Maxwell, and Ricky Morton.

To the rear of the chamber are the remainder of the AAAA basketball champions, and they are accompanied today by the president of the Harrisburg School Board, Marion Gray; athletic director Fred Clark; assistant coaches Wes Bair, Donald Ross, Dajuann Greene, and Rodger Hines. They are in the rear of the hall.

The Harrisburg High School Cougars compiled a record of 32 and 1 this year, and to my dismay, the one loss came in John Fichter's district to Norristown, but we will save that for another year. But we are very proud of Harrisburg achieving this first State championship in any sport and having their coach named the Associated Press Coach of the Year.

Please join me in congratulating the Harrisburg High School boys basketball team, the AAAA State champions.

### STEELTON-HIGHSPIRE HIGH SCHOOL BASKETBALL TEAM PRESENTED

Mr. BUXTON. Mr. Speaker, ladies and gentlemen, I had the dual honor this year of having two State championships in my district. I am very proud to present to you the AAA PIAA State boys championship team, the Steelton-Highspire Steamrollers.

Joining me up here today are Coach Rick Binder and team captains Sherrod Chisholm, Rick Anderson, and Dwayne Davis.

In the rear of the House, with the remainder of the team, from Steelton-Highspire School District, are school board president James Martin, school district superintendent Dr. Kenneth Kitch, and assistant basketball coach Dwight Forrester.

In winning this year's AAA State boys championship, I would like to note for the record that with the size of the student body of Steelton-Highspire School District, these men could be competing at class A level but, instead, choose to compete at the AAA level and this year brought home their first AAA State championship after winning a AAAA State championship in 1992. So there is a lot of tradition in the Steelton-Highspire School District, and we are proud to recognize them today for their accomplishments in 1998 in winning the AAA PIAA State basketball championship.

Please give them a warm welcome.

### THE SPEAKER (MATTHEW J. RYAN) PRESIDING

### KING OF PRUSSIA CHEERLEADING SQUAD PRESENTED

The SPEAKER. The Chair recognizes the lady from Montgomery, Ms. Williams.

Ms. WILLIAMS. Thank you, Mr. Speaker.

It is a great pleasure to welcome a group of young athletes to the floor of the House today.

Ladies and gentlemen, may I present the King of Prussia Indians cheerleading squad, who were awarded first place at the Keystone State Cheerleading Competition.

Behind me are their coaches, Linda Wilson and Jamie Theil, and captains Christina Leone and Samantha Theil.

It has been one of my greatest pleasures to recognize the outstanding achievements of the youth of my district and of our Commonwealth and of the nation.

The King of Prussia Indians have given up a great deal of their own time and have shown commitment to a goal and unity of purpose. Their hard work, physical fitness, and commitment are proof positive that our young people will continue to achieve.

The Keystone competition is one of the most prestigious cheerleading competitions available in our State. Not only did the King of Prussia squad place first in the regional competition, they took first place in mounts, first in jumps, and first in all-around. This is the fourth year the squad has placed first in this competition.

Working with this lively bunch of young ladies who range in age from 8 to 12 are an equally dedicated staff of coaches and director Linda Wilson.

Now, on behalf of the members of the Pennsylvania House of Representatives, I would like to present you with this citation, which reads, "The House of Representatives of the Commonwealth of Pennsylvania congratulate the King of Prussia Cheerleading Squad on becoming the junior all-around champions at the Keystone State Cheerleading Competition and offer best wishes for continued success...."

I want to thank you for your dedication and for becoming a role model for other young people in our State. Congratulations.



The SPEAKER. Representative Williams asked me if it would be all right if these young ladies would go through one or two of their cheers. I said okay if she joined them. She is ignoring this.

All right. Now, these cheerleaders are in the back of the hall. There are a number of young ladies back there if you want to turn that way.

## COMMUNICATION

### LOBBYIST LIST PRESENTED

The SPEAKER. The Chair acknowledges receipt of a list of lobbyists who have registered under the Lobbying Registration and Regulation Act, which the clerk will file.

The following communication was submitted:

The General Assembly of Pennsylvania  
Main Capitol Building  
Harrisburg, Pennsylvania 17120

April 1, 1998

To the Honorable, the Senate  
of the Commonwealth of Pennsylvania  
To the Honorable, the House of Representatives  
of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from March 1, 1998 through March 31, 1998 inclusive, for the 182nd Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:  
Mark R. Corrigan, Secretary  
Senate of Pennsylvania

Ted Mazia, Chief Clerk  
House of Representatives

(For list, see Appendix.)

## COMMUNICATIONS FROM GOVERNOR

### APPROVAL OF HOUSE BILLS

The Speaker laid before the House communications in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bills had been approved and signed by the Governor:

**HB 162, HB 961, HB 1828, HB 2357, HB 2362, HB 2363, HB 2364, and HB 2365.**

## URBAN AFFAIRS COMMITTEE MEETING

The SPEAKER. The gentleman, Mr. Reinard.

Mr. REINARD. Thank you, Mr. Speaker.

Mr. Speaker, for an announcement of a committee meeting.

Mr. Speaker, the House Urban Affairs Committee will meet on Wednesday at 10 a.m. in room 302, South Office Building.

The SPEAKER. The gentleman, Mr. Reinard, has just announced a scheduled meeting of the Urban Affairs Committee at 10 a.m. on Wednesday. Where is that, Mr. Reinard? 302—

Mr. REINARD. South Office Building.

The SPEAKER. Room 302 in the South Office Building. The Chair thanks the gentleman.

## GUESTS INTRODUCED

The SPEAKER. The Chair is pleased to welcome to the hall of the House today Cara Hillenbrand, who is seated on the House floor, here today as the guest of Representative Julie Harhart. Cara is the winner of "There Ought To Be a Law" contest. She is a junior at Northampton High School. Her family is seated in the gallery. Would the Hillenbrands please rise. Cara is over to the left of the Speaker, over by the wall.

Here today as the guests of Representative John Gordner are five students and their teacher from Central Columbia High School, spending the day at the Capitol. The students are Jennie Roberts, Shannon Wieand, Bethany Smith, Mary Ellen Kaderka, and Kaitlin Fetzer. Their teacher is Roger Mowery, and he is accompanied by student teacher Mike Kogut. Would these guests please rise. They are here to the left of the Speaker.

Here as the guests of the gentleman, Mr. Veon, are two students from his district — Adrienne Cain, a 9th grade student from the Blackhawk High School, and Ryan Johngrass, a 10th grade student from Freedom High School. Would these guests please rise. I should mention that Adrienne was also a recent grand prize winner of the contest, "There Ought To Be a Law," which was sponsored by Mr. Veon in the district. Ryan was the second runner-up in that contest. They are to be congratulated.

Here today as the guests of Representative Pat Fleagle are Andy Geesaman from Waynesboro and Azat Nugumanov from Russia, an exchange student living in Waynesboro. They are seated in the front well of the House as guest pages today. Would these guests please rise.

Here today as the guest of Representative Eachus is Danielle DiRaimo of Elizabethtown Area Middle School. Would this guest please rise. Danielle is working today as a guest page and is seated in the front.

## BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. PERZEL. Mr. Speaker, I move that HB 2475 and HB 2322 be removed from the table.

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

### BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HB 2475 and HB 2322 be recommitted to the Committee on Appropriations.

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

### BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HB 1472 and SB 494, on the tabled bill calendar, be removed from the table.

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

### BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. PERZEL. Mr. Speaker, I move that HB 1472 and SB 494 be recommitted to the Committee on Appropriations.

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

### APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Schuler, for the purpose of making an Appropriations Committee announcement.

Mr. SCHULER. Thank you, Mr. Speaker.

There will be a meeting of the Appropriations Committee immediately at the recess in the Republican Appropriations office. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the Republican Caucus committee chairman, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

The Republican members will caucus at 2:30 to allow a half hour for the Appropriations Committee meeting. So the caucus will start at 2:30. We plan to return to the floor at 3:30 for additional votes.

### DEMOCRATIC CAUCUS

The SPEAKER. The gentleman, Mr. Cohen, the Democratic—  
Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the Democrats will also caucus at 2:30 to allow time for the Appropriations Committee.

The SPEAKER. The Chair thanks the gentleman.

Are there any further announcements? Corrections to the record?

### RECESS

The SPEAKER. It is the understanding of the Chair, when the recess is declared, that the leaders recommend that we return at 3:30.

With that understanding, the Chair now declares this House in recess until 3:30, unless extended by the Chair or recalled sooner by the Chair.

### RECESS EXTENDED

The time of recess was extended until 4 p.m.

### AFTER RECESS

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

### ACTUARIAL NOTES

The SPEAKER. The Chair acknowledges receipt of an actuarial note for amendment 1775 to HB 1289, PN 3300, and an actuarial note for HB 162, PN 3299.

(Copies of actuarial notes are on file with the Journal clerk.)

### COMMUNICATION FROM DEPARTMENT OF GENERAL SERVICES

The SPEAKER. The Chair acknowledges receipt of the Minority and Women Business Enterprise Program Quarterly Report for the fourth quarter of 1997, submitted by the Bureau of Contract Administration and Business Development.

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

### COMMUNICATION FROM DEPARTMENT OF PUBLIC WELFARE

The SPEAKER. The Chair further acknowledges receipt of the annual Summary of the Human Services Development Fund submitted pursuant to Act 78 of 1994.

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

**COMMUNICATION FROM  
CHESAPEAKE BAY COMMISSION**

The SPEAKER. The Chair acknowledges receipt of the annual report submitted by the Chesapeake Bay Commission.

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

**COMMUNICATION FROM  
DELAWARE RIVER PORT AUTHORITY**

The SPEAKER. The Chair acknowledges receipt of the annual report of the Delaware River Port Authority of Pennsylvania and New Jersey.

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

**COMMUNICATION FROM PUBLIC  
EMPLOYEE RETIREMENT COMMISSION**

The SPEAKER. The Chair acknowledges receipt of the annual report of the Public Employee Retirement Commission.

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

**COMMUNICATION FROM  
DEPARTMENT OF HEALTH**

The SPEAKER. The Chair acknowledges receipt of the drug and alcohol program reports submitted by the Department of Health pursuant to Act 63 of 1972.

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

**STATEMENT BY MR. DRUCE**

The SPEAKER. The Chair recognizes the gentleman from Bucks, Mr. Druce. For what purpose does the gentleman seek recognition?

Mr. DRUCE. Mr. Speaker, could I rise for a personal privilege?

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

Mr. DRUCE. Mr. Speaker, several weeks ago this House passed HR 370 in which we asked the House Consumer Affairs Telecommunications Subcommittee to look at an issue which affects southeastern Pennsylvania and the Lehigh Valley, in which the Public Utility Commission had proposed, by way of an overlay, a new area code in that region.

Mr. Speaker, I just want to point out that the subcommittee had completed its work in what probably has to be record time because they were under a deadline of April 10 to respond to the Public Utility Commission as a result of a court order imposed upon the commission.

But I want to take this time, first, to thank the chairman of the committee, Mr. Paul Semmel, and also the ranking Democrat on the committee, Ron Buxton, and all the members of that subcommittee for the excellent work that they did and the report

that they submitted to the Public Utility Commission and to let those members know, who are in the 610 and 215 area code, that the copy of that report, I believe, is available from Mr. Semmel's office, and it is probably something they may want to take a look at as this issue reaches a resolution sometime in May when the commission makes its final ruling.

Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**BILLS REREPORTED FROM COMMITTEE**

**HB 1228, PN 3259**

By Rep. BARLEY

An Act providing for the establishment of an automotive fuel testing and disclosure program, for standards for automotive fuel and for inspection, sampling and testing of automotive fuel; imposing powers and conferring duties on the Department of Agriculture; and providing for penalties.

APPROPRIATIONS.

**HB 1472, PN 1764**

By Rep. BARLEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the possession of tobacco.

APPROPRIATIONS.

**HB 2322, PN 3132**

By Rep. BARLEY

An Act repealing the act of April 5, 1870 (P.L.47, No.28), entitled "An act for the draining of swampy and wet lands."

APPROPRIATIONS.

**HB 2400, PN 3314**

By Rep. BARLEY

An Act providing for the rights and privileges of taxpayers with respect to certain taxes levied by political subdivisions.

APPROPRIATIONS.

**HB 2475, PN 3296**

By Rep. BARLEY

An Act amending the act of June 23, 1982 (P.L.597, No.170), known as the Wild Resource Conservation Act, repealing provisions relating to limitation on General Fund money.

APPROPRIATIONS.

**SB 5, PN 1890 (Amended)**

By Rep. BARLEY

An Act amending Titles 62 (Procurement), 1 (General Provisions) and 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, adding provisions relating to procurement; and making repeals.

APPROPRIATIONS.

**SB 179, PN 782**

By Rep. BARLEY

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, further providing for definitions; imposing additional duties on the Auditor General, the State Treasurer and the Attorney General; and authorizing the Department of Corrections to assess and collect certain payments from prisoners.

APPROPRIATIONS.

**SB 506, PN 533**

By Rep. BARLEY

An Act amending the act of June 23, 1931 (P.L.932, No.317), entitled The Third Class City Code, defining delinquent local taxes as thirty days after the final deadline for paying the taxes.

APPROPRIATIONS.

**SB 509, PN 536**

By Rep. BARLEY

An Act amending the act of June 23, 1931 (P.L.932, No.317), entitled The Third Class City Code, repealing provisions relating to redemption of lands by owner or anyone interested in said lands.

APPROPRIATIONS.

**SB 512, PN 541**

By Rep. BARLEY

An Act amending the act of May 28, 1937 (P.L.955, No.265), entitled, as amended, Housing Authorities Law, further providing for the payment of taxes.

APPROPRIATIONS.

**SB 981, PN 1615**

By Rep. BARLEY

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further adding to the powers and duties of the Adjutant General; further providing for maintenance, construction and repair contracts to be performed by the Armory Board; and making a repeal.

APPROPRIATIONS.

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

**SB 1315, PN 1688**

By Rep. BARLEY

An Act making appropriations to the Trustees of the University of Pennsylvania.

APPROPRIATIONS.

**SB 1316, PN 1891 (Amended)**

By Rep. BARLEY

An Act making appropriations to the Allegheny University of the Health Sciences.

APPROPRIATIONS.

**SB 1317, PN 1690**

By Rep. BARLEY

An Act making appropriations to the Thomas Jefferson University, Philadelphia.

APPROPRIATIONS.

**SB 1318, PN 1691**

By Rep. BARLEY

An Act making an appropriation to the Philadelphia College of Osteopathic Medicine, Philadelphia.

APPROPRIATIONS.

**SB 1319, PN 1892 (Amended)**

By Rep. BARLEY

An Act making an appropriation to the Trustees of Drexel University, Philadelphia.

APPROPRIATIONS.

**SB 1320, PN 1893 (Amended)**

By Rep. BARLEY

An Act making an appropriation to the University of the Arts, Philadelphia.

APPROPRIATIONS.

**SB 1321, PN 1894 (Amended)**

By Rep. BARLEY

An Act making appropriations to the Trustees of the Berean Training and Industrial School at Philadelphia.

APPROPRIATIONS.

**SB 1322, PN 1695**

By Rep. BARLEY

An Act making an appropriation to the Johnson Technical Institute of Scranton.

APPROPRIATIONS.

**SB 1323, PN 1696**

By Rep. BARLEY

An Act making an appropriation to the Williamson Free School of Mechanical Trades in Delaware County.

APPROPRIATIONS.

**SB 1324, PN 1697**

By Rep. BARLEY

An Act making an appropriation to the Pennsylvania College of Optometry, Philadelphia.

APPROPRIATIONS.

**SB 1337, PN 1710**

By Rep. BARLEY

An Act making an appropriation to the Arsenal Family and Children's Center.

APPROPRIATIONS.

**SB 1338, PN 1711**

By Rep. BARLEY

An Act making an appropriation to the Beacon Lodge Camp.

## APPROPRIATIONS.

**SB 1339, PN 1895 (Amended)**

By Rep. BARLEY

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum.

## APPROPRIATIONS.

**SB 1340, PN 1896 (Amended)**

By Rep. BARLEY

An Act making appropriations to The Carnegie for the Carnegie Museum of Natural History and the Carnegie Science Center.

## APPROPRIATIONS.

**SB 1341, PN 1897 (Amended)**

By Rep. BARLEY

An Act making an appropriation to the Franklin Institute Science Museum.

## APPROPRIATIONS.

**SB 1342, PN 1898 (Amended)**

By Rep. BARLEY

An Act making an appropriation to the Academy of Natural Sciences.

## APPROPRIATIONS.

**SB 1343, PN 1899 (Amended)**

By Rep. BARLEY

An Act making an appropriation to the Afro-American Historical and Cultural Museum for operating expenses.

## APPROPRIATIONS.

**SB 1344, PN 1900 (Amended)**

By Rep. BARLEY

An Act making an appropriation to the Mercer Museum in Doylestown, Pennsylvania.

## APPROPRIATIONS.

**SB 1345, PN 1901 (Amended)**

By Rep. BARLEY

An Act making an appropriation to the Everhart Museum in Scranton.

## APPROPRIATIONS.

**SB 1346, PN 1902 (Amended)**

By Rep. BARLEY

An Act making an appropriation to the Museum of Scientific Discovery in Harrisburg, Pennsylvania.

## 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 1228, PN 3259; HB 1472, PN 1764; HB 2400, PN 3314; SB 5, PN 1890; SB 506, PN 533; SB 509, PN 536; SB 512, PN 541; and SB 981, PN 1615.**

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader. Mr. PERZEL. Mr. Speaker, I move that the following bills be removed the table:

SB 1315;  
SB 1316;  
SB 1317;  
SB 1318;  
SB 1319;  
SB 1320;  
SB 1321;  
SB 1322;  
SB 1323;  
SB 1324;  
SB 1337;  
SB 1338;  
SB 1339;  
SB 1340;  
SB 1341;  
SB 1342;  
SB 1343;  
SB 1344;  
SB 1345; and  
SB 1346.

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

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Chair returns to leaves of absence and notes the presence on the floor of the House of the gentleman, Mr. Scrimenti, and asks that he be added to the master roll call.

**RULES COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the majority leader, who asks that there be an immediate meeting of the Rules Committee at the majority leader's desk.

**ANNOUNCEMENT BY MR. ARMSTRONG**

The SPEAKER. The Chair recognizes the gentleman, Mr. Armstrong, who asks unanimous consent to address the House.

The House will come to order; the House will come to order, please. The conferences on the floor—

Mr. Armstrong.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

Mr. Speaker, this year I have had the privilege of cochairing, along with Sam Hayes, cochairing the 1998 Commonwealth Prayer Breakfast. This year we have Meadowlark Lemon coming to speak and the music provided by the Scott White Singers.

I am standing here today to let members know that at this point it is kind of an unfortunate set of circumstances. If you still plan on coming, you might want to call immediately, but at this point we are faced with a waiting list. We have booked the place and we are pretty full, but there still may be a couple slots available. So I just wanted to let the members know about that so that they are not disappointed if they show up at the last minute thinking they are going to get a seat. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**BILLS ON CONCURRENCE  
REPORTED FROM COMMITTEE**

**HB 1633, PN 3263**

By Rep. PERZEL

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, changing the short title of Title 51; providing for the powers and duties of the Deputy Adjutant General for Veterans Affairs; and making a repeal.

RULES.

**HB 1766, PN 3386 (Amended)**

By Rep. PERZEL

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for definitions, for imposition, for exclusions and for refunds; further providing, in personal income tax, for definitions, for an exclusion on a sale of a principal residence and for expanded poverty provisions; further providing for corporate net income tax definitions and for an extension of net operating loss; further providing, in capital stock and franchise tax, for definitions and reports and for a reduction in rate; providing, in capital stock and franchise tax, for family farm corporation exemptions; further providing for utilities gross receipts tax imposition, for realty transfer tax definitions, for the neighborhood assistance tax credit, for malt beverage tax reports and for evidence of payment of inheritance tax; providing for restatement of tax liability under treaties; and making repeals.

RULES.

**HB 2281, PN 3301**

By Rep. PERZEL

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1998, to June 30, 1999, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1998; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the

Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Ben Franklin/IRC Partnership Fund, the Tuition Payment Fund, the Banking Department Fund and the Firearm Ownership Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations from the Motor License Fund for the fiscal year July 1, 1998, to June 30, 1999, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 1998, to June 30, 1999, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 1998; and to provide for the additional appropriation of Federal and State funds for the Executive Department of the Commonwealth for the fiscal year July 1, 1997, to June 30, 1998, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1997.

RULES.

**HB 2355, PN 3387 (Amended)**

By Rep. PERZEL

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

RULES.

**HB 2356, PN 3390 (Amended)**

By Rep. PERZEL

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

RULES.

**LEAVE OF ABSENCE CANCELED**

The SPEAKER. The Chair returns to leaves of absence and recognizes the presence of the gentleman, Mr. Cowell, on the floor of the House and asks that his name be added to the master roll call. The Chair hears no objections.

**CALENDAR****RESOLUTIONS PURSUANT TO RULE 35**

Mrs. RUBLEY called up **HR 406, PN 3328**, entitled:

A Resolution designating the week of May 3 through 9, 1998, as "Drinking Water Week" in Pennsylvania.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—196

Adolph	Egolf	Maitland	Sather
Allen	Evans	Major	Saylor
Argall	Fairchild	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Feese	Marsico	Scriment

Bard	Fichter	Masland	Semmel
Barley	Fleagle	Mayernik	Seyfert
Barrar	Flick	McCall	Shaner
Battisto	Forcier	McGeehan	Smith, B.
Belardi	Gannon	McGill	Smith, S. H.
Belfanti	Geist	McIlhattan	Snyder, D. W.
Benninghoff	George	McIlhinney	Staback
Birmelin	Gigliotti	McNaughton	Stairs
Blaum	Gladeck	Melio	Steelman
Boscola	Godshall	Michlovic	Steil
Boyes	Gordner	Micozzie	Stern
Browne	Gruitza	Miller	Stetler
Bunt	Gruppo	Mundy	Stevenson
Butkovitz	Habay	Myers	Strittmatter
Buxton	Haluska	Nailor	Sturla
Caltagirone	Hanna	Nickol	Surra
Cappabianca	Harhai	O'Brien	Taylor, E. Z.
Carn	Harhart	Olasz	Taylor, J.
Carone	Hasay	Oliver	Thomas
Casorio	Hennessey	Orie	Tigue
Cawley	Herman	Perzel	Travaglio
Chadwick	Hershey	Pesci	Trello
Civera	Hess	Petrarca	Trich
Clark	Horsey	Petrone	True
Clymer	Hutchinson	Phillips	Vance
Cohen, L. I.	Itkin	Pippy	Van Horne
Cohen, M.	Jadlowiec	Pistella	Veon
Colafrella	James	Platts	Vitali
Colaizzo	Jarolin	Preston	Walko
Cornell	Josephs	Ramos	Washington
Corpora	Kaiser	Raymond	Waugh
Corrigan	Keller	Readshaw	Williams, A. H.
Cowell	Kenney	Reber	Williams, C.
Coy	Kirkland	Reinard	Wilt
Curry	Krebs	Rieger	Wogan
Dally	Laughlin	Roberts	Wojnaroski
DeLuca	Lawless	Robinson	Wright, M. N.
Dempsey	Lederer	Roebuck	Yewcic
Dent	Leh	Rohrer	Youngblood
Dermody	Lescovitz	Rooney	Zimmerman
DeWeese	Levdansky	Ross	Zug
DiGirolamo	Lloyd	Rubley	
Donatucci	Lucyk	Sainato	Ryan,
Druce	Lynch	Santoni	Speaker
Eachus	Maher		

NAYS-0

NOT VOTING-1

Bishop

EXCUSED-6

Bebko-Jones	LaGrotta	Tangretti	Tulli
Daley	Serafini		

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

\* \* \*

Mrs. RUBLEY called up HR 407, PN 3329, entitled:

A Resolution designating the month of May 1998 as "Stroke Prevention Month" in Pennsylvania.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-196

Adolph	Egolf	Maitland	Sather
Allen	Evans	Major	Saylor
Argall	Fairchild	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Feese	Marsico	Scrimenti
Bard	Fichter	Masland	Semmel
Barley	Fleagle	Mayernik	Seyfert
Barrar	Flick	McCall	Shaner
Battisto	Forcier	McGeehan	Smith, B.
Belardi	Gannon	McGill	Smith, S. H.
Belfanti	Geist	McIlhattan	Snyder, D. W.
Benninghoff	George	McIlhinney	Staback
Birmelin	Gigliotti	McNaughton	Stairs
Blaum	Gladeck	Melio	Steelman
Boscola	Godshall	Michlovic	Steil
Boyes	Gordner	Micozzie	Stern
Browne	Gruitza	Miller	Stetler
Bunt	Gruppo	Mundy	Stevenson
Butkovitz	Habay	Myers	Strittmatter
Buxton	Haluska	Nailor	Sturla
Caltagirone	Hanna	Nickol	Surra
Cappabianca	Harhai	O'Brien	Taylor, E. Z.
Carn	Harhart	Olasz	Taylor, J.
Carone	Hasay	Oliver	Thomas
Casorio	Hennessey	Orie	Tigue
Cawley	Herman	Perzel	Travaglio
Chadwick	Hershey	Pesci	Trello
Civera	Hess	Petrarca	Trich
Clark	Horsey	Petrone	True
Clymer	Hutchinson	Phillips	Vance
Cohen, L. I.	Itkin	Pippy	Van Horne
Cohen, M.	Jadlowiec	Pistella	Veon
Colafrella	James	Platts	Vitali
Colaizzo	Jarolin	Preston	Walko
Cornell	Josephs	Ramos	Washington
Corpora	Kaiser	Raymond	Waugh
Corrigan	Keller	Readshaw	Williams, A. H.
Cowell	Kenney	Reber	Williams, C.
Coy	Kirkland	Reinard	Wilt
Curry	Krebs	Rieger	Wogan
Dally	Laughlin	Roberts	Wojnaroski
DeLuca	Lawless	Robinson	Wright, M. N.
Dempsey	Lederer	Roebuck	Yewcic
Dent	Leh	Rohrer	Youngblood
Dermody	Lescovitz	Rooney	Zimmerman
DeWeese	Levdansky	Ross	Zug
DiGirolamo	Lloyd	Rubley	
Donatucci	Lucyk	Sainato	Ryan,
Druce	Lynch	Santoni	Speaker
Eachus	Maher		

NAYS-0

NOT VOTING-1

Bishop

EXCUSED-6

Bebko-Jones	LaGrotta	Tangretti	Tulli
Daley	Serafini		

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

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Mrs. RUBLEY called up HR 408, PN 3330, entitled:

A Resolution declaring the month of May 1998, as "Lyme Disease Awareness Month" in this Commonwealth.

On the question,  
Will the House adopt the resolution ?

The following roll call was recorded:

YEAS-196

Adolph	Eachus	Maitland	Sather
Allen	Egolf	Major	Saylor
Argall	Evans	Manderino	Schroder
Armstrong	Fairchild	Markosek	Schuler
Baker	Fargo	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Seyfert
Barrar	Fleagle	McCall	Shaner
Battisto	Flick	McGeehan	Smith, B.
Belardi	Forcier	McGill	Smith, S. H.
Belfanti	Gannon	McLhattan	Snyder, D. W.
Benninghoff	Geist	McIlhinney	Staback
Birmelin	George	McNaughton	Stairs
Bishop	Gigliotti	Melio	Steelman
Blaum	Gladeck	Michlovic	Steil
Boscola	Godshall	Micozzie	Stern
Boyes	Gordner	Miller	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Gruppo	Myers	Strittmatter
Butkovitz	Habay	Nailor	Sturla
Buxton	Haluska	Nickol	Surra
Caltagirone	Hanna	O'Brien	Taylor, E. Z.
Cappabianca	Harhai	Olasz	Taylor, J.
Cam	Harhart	Oliver	Thomas
Carone	Hasay	Orie	Tigue
Casorio	Hennessey	Perzel	Travaglio
Cawley	Herman	Pesci	Trello
Chadwick	Hershey	Petrarca	Trich
Civera	Hess	Petrone	True
Clark	Horsely	Phillips	Vance
Clymer	Hutchinson	Pippy	Van Horne
Cohen, L. I.	Itkin	Pistella	Veon
Cohen, M.	Jadlowiec	Platts	Vitali
Colaafella	James	Preston	Walko
Colaizzo	Jarolin	Ramos	Washington
Cornell	Josephs	Raymond	Waugh
Corpora	Kaiser	Readshaw	Williams, A. H.
Corrigan	Keller	Reber	Williams, C.
Cowell	Kenney	Reinard	Wilt
Coy	Kirkland	Rieger	Wogan
Curry	Krebs	Roberts	Wojnaroski
Dally	Laughlin	Robinson	Wright, M. N.
DeLuca	Lawless	Roebuck	Yewcic
Dempsey	Lederer	Rohrer	Youngblood
Dent	Leh	Rooney	Zimmerman
Dermody	Lescovitz	Ross	Zug
DeWeese	Levdansky	Rubley	
DiGirolamo	Lloyd	Sainato	Ryan,
Donatucci	Lucyk	Santoni	Speaker
Druce	Maher		

NAYS-0

NOT VOTING-1

Lynch

EXCUSED-6

Bebko-Jones	LaGrotta	Tangretti	Tulli
Daley	Serafini		

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

LEAVE OF ABSENCE

The SPEAKER. The Chair returns to leaves of absence and recognizes the Democratic whip, who requests the gentleman, Mr. LUCYK, be added to the leave of absence list for the balance of today's session. The Chair hears no objection. The leave is granted.

BILL REREPORTED FROM COMMITTEE

SB 494, PN 1817 By Rep. BARLEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), entitled Public School Code of 1949, authorizing school districts to impose dress codes and to require students to wear standard dress or uniforms; and making an appropriation.

APPROPRIATIONS.

BILL ON SECOND CONSIDERATION

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

SB 494, PN 1817.

SUPPLEMENTAL CALENDAR A

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to HB 1633, PN 3263, entitled:

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, changing the short title of Title 51; providing for the powers and duties of the Deputy Adjutant General for Veterans Affairs; and making a repeal.

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

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

YEAS-195

Adolph	Eachus	Maitland	Sather
Allen	Egolf	Major	Saylor
Argall	Evans	Manderino	Schroder
Armstrong	Fairchild	Markosek	Schuler
Baker	Fargo	Marsico	Scrimenti
Bard	Feese	Masland	Semmel



Barley	Fichter	Mayernik	Seyfert
Barrar	Fleagle	McCall	Shaner
Battisto	Flick	McGeehan	Smith, B.
Belardi	Forcier	McGill	Smith, S. H.
Belfanti	Gannon	McIlhattan	Snyder, D. W.
Benninghoff	Geist	McIlhinney	Staback
Birmelin	George	McNaughton	Stairs
Bishop	Gigliotti	Melio	Steelman
Blaum	Gladeck	Michlovic	Steil
Boscola	Godshall	Micozzie	Stern
Boyes	Gordner	Miller	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Gruppo	Myers	Strittmatter
Butkovitz	Habay	Nailor	Sturla
Buxton	Haluska	Nickol	Surra
Caltagirone	Hanna	O'Brien	Taylor, E. Z.
Cappabianca	Harhai	Olasz	Taylor, J.
Carn	Harhart	Oliver	Thomas
Carone	Hasay	Orie	Tigue
Casorio	Hennessey	Perzel	Travaglio
Cawley	Herman	Pesci	Trello
Chadwick	Hershey	Petrarca	Trich
Civiera	Hess	Petrone	True
Clark	Horsley	Phillips	Vance
Clymer	Hutchinson	Pippy	Van Horne
Cohen, L. I.	Itkin	Pistella	Veon
Cohen, M.	Jadlowiec	Platts	Vitali
Colafrèlla	James	Preston	Walko
Colaizzo	Jarolin	Ramos	Washington
Cornell	Josephs	Raymond	Waugh
Corpora	Kaiser	Readshaw	Williams, A. H.
Corrigan	Keller	Reber	Williams, C.
Cowell	Kenney	Reinard	Wilt
Coy	Kirkland	Rieger	Wogan
Curry	Krebs	Roberts	Wojnaroski
Dally	Laughlin	Robinson	Wright, M. N.
DeLuca	Lawless	Roebuck	Yewcic
Dempsey	Lederer	Rohrer	Youngblood
Dent	Leh	Rooney	Zimmerman
Dermody	Lescovitz	Ross	Zug
DeWeese	Levdansky	Rubley	
DiGirolamo	Lloyd	Sainato	Ryan,
Donatucci	Maher	Santoni	Speaker

NAYS-0

NOT VOTING-1

Lynch

EXCUSED-7

Bebko-Jones	LaGrotta	Serafini	Tulli
Daley	Lucyk	Tangretti	

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

Ordered, That the clerk inform the Senate accordingly.

RULES SUSPENDED

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

Mr. BARLEY. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of the concurrence in Senate amendments to HB 2281.

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

The following roll call was recorded:

YEAS-189

Adolph	Druce	Maher	Santoni
Allen	Eachus	Maitland	Sather
Argall	Egolf	Major	Saylor
Armstrong	Evans	Manderino	Schroder
Baker	Fairchild	Markosek	Schuler
Bard	Fargo	Marsico	Scrimenti
Barley	Feese	Masland	Semmel
Barrar	Fichter	Mayernik	Seyfert
Battisto	Fleagle	McCall	Shaner
Belardi	Flick	McGeehan	Smith, B.
Belfanti	Forcier	McGill	Smith, S. H.
Benninghoff	Gannon	McIlhattan	Snyder, D. W.
Birmelin	Geist	McIlhinney	Staback
Bishop	George	McNaughton	Stairs
Blaum	Gigliotti	Melio	Stern
Boscola	Gladeck	Michlovic	Stetler
Boyes	Godshall	Micozzie	Stevenson
Browne	Gordner	Miller	Strittmatter
Bunt	Gruitza	Mundy	Sturla
Butkovitz	Gruppo	Myers	Surra
Buxton	Habay	Nailor	Taylor, E. Z.
Caltagirone	Haluska	Nickol	Taylor, J.
Cappabianca	Harhai	O'Brien	Thomas
Carn	Harhart	Olasz	Tigue
Casorio	Hasay	Oliver	Travaglio
Cawley	Hennessey	Orie	Trello
Chadwick	Herman	Perzel	Trich
Civiera	Hershey	Pesci	True
Clark	Hess	Petrarca	Vance
Clymer	Horsley	Petrone	Van Horne
Cohen, L. I.	Hutchinson	Phillips	Veon
Cohen, M.	Itkin	Pippy	Walko
Colafrèlla	Jadlowiec	Pistella	Washington
Colaizzo	James	Platts	Waugh
Cornell	Jarolin	Preston	Williams, A. H.
Corpora	Josephs	Ramos	Williams, C.
Corrigan	Kaiser	Raymond	Wilt
Cowell	Keller	Readshaw	Wogan
Coy	Kenney	Reber	Wojnaroski
Curry	Kirkland	Reinard	Wright, M. N.
Dally	Laughlin	Rieger	Yewcic
DeLuca	Lawless	Roberts	Youngblood
Dempsey	Lederer	Robinson	Zimmerman
Dent	Leh	Roebuck	Zug
Dermody	Lescovitz	Rooney	
DeWeese	Levdansky	Ross	Ryan,
DiGirolamo	Lloyd	Rubley	Speaker
Donatucci	Lynch	Sainato	

NAYS-6

Carone	Krebs	Steil	Vitali
Hanna	Steelman		

NOT VOTING-1

Rohrer

EXCUSED-7

Bebko-Jones	LaGrotta	Serafini	Tulli
Daley	Lucyk	Tangretti	

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to **HB 2281, PN 3301**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1998, to June 30, 1999, for certain institutions and organizations, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1998; to provide appropriations from the State Lottery Fund, the Energy Conservation and Assistance Fund, the Hazardous Material Response Fund, The State Stores Fund, the Milk Marketing Fund, the Home Investment Trust Fund, the Emergency Medical Services Operating Fund, the Ben Franklin/IRC Partnership Fund, the Tuition Payment Fund, the Banking Department Fund and the Firearm Ownership Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide appropriations from the Motor License Fund for the fiscal year July 1, 1998, to June 30, 1999, for the proper operation of the several departments of the Commonwealth and the Pennsylvania State Police authorized to spend Motor License Fund moneys; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipt accounts for the fiscal year July 1, 1998, to June 30, 1999, and for the payment of bills remaining unpaid at the close of the fiscal year ending June 30, 1998.

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

Mr. Speaker, I recommend that we nonconcur and reject the changes made by the Senate.

The SPEAKER. The Chair thanks the gentleman.

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

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

**YEAS-5**

Belfanti	Donatucci	Petrarca	Rieger
Corrigan			

**NAYS-190**

Adolph	Egolf	Maitland	Saylor
Allen	Evans	Major	Schroder
Argall	Fairchild	Manderino	Schuler
Armstrong	Fargo	Markosek	Scrimenti
Baker	Feese	Marsico	Semmel
Bard	Fichter	Masland	Seyfert
Barley	Fleagle	Mayernik	Shaner
Barrar	Flick	McCall	Smith, B.
Battisto	Forcier	McGeehan	Smith, S. H.
Belardi	Gannon	McGill	Snyder, D. W.
Benninghoff	Geist	McIlhattan	Staback
Birmelin	George	McIlhinney	Stairs

Bishop	Gigliotti	McNaughton	Steelman
Blaum	Gladeck	Melio	Steil
Boscola	Godshall	Michlovic	Stern
Boyes	Gordner	Micozzie	Stetter
Browne	Gruitza	Miller	Stevenson
Bunt	Gruppo	Mundy	Strittmatter
Butkovitz	Habay	Myers	Sturla
Buxton	Haluska	Nailor	Surra
Caltagirone	Hanna	Nickol	Taylor, E. Z.
Cappabianca	Harhai	O'Brien	Taylor, J.
Carn	Harhart	Olasz	Thomas
Carone	Hasay	Oliver	Tigue
Casorio	Hennessey	Orie	Travaglio
Cawley	Herman	Perzel	Trello
Chadwick	Hershey	Pesci	Trich
Civera	Hess	Petrone	True
Clark	Horsey	Phillips	Vance
Clymer	Hutchinson	Pippy	Van Horne
Cohen, L. I.	Itkin	Pistella	Veon
Cohen, M.	Jadlowiec	Platts	Vitali
Colaella	James	Preston	Walko
Colaizzo	Jarolin	Ramos	Washington
Cornell	Josephs	Raymond	Waugh
Corpora	Kaiser	Readshaw	Williams, A. H.
Cowell	Keller	Reber	Williams, C.
Coy	Kenney	Reinard	Wilt
Curry	Kirkland	Roberts	Wogan
Dally	Krebs	Robinson	Wojnaroski
DeLuca	Laughlin	Roebuck	Wright, M. N.
Dempsey	Lawless	Rohrer	Yewcic
Dent	Lederer	Rooney	Youngblood
Dermody	Leh	Ross	Zimmerman
DeWeese	Lescovitz	Rubley	Zug
DiGirolamo	Levdansky	Sainato	
Druce	Lloyd	Santoni	Ryan,
Eachus	Maher	Sather	Speaker

**NOT VOTING-1**

Lynch

**EXCUSED-7**

Bebko-Jones	LaGrotta	Serafini	Tulli
Daley	Lucyk	Tangretti	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

**RULES SUSPENDED**

The SPEAKER. The Chair turns to House calendar supplemental B, bill on concurrence in Senate amendments as amended.

The Chair recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HB 2355 on concurrence in Senate amendments as amended.

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

The following roll call was recorded:

## YEAS—189

Adolph	Eachus	Maitland	Santoni
Allen	Egolf	Major	Sather
Argall	Evans	Manderino	Saylor
Armstrong	Fairchild	Markosek	Schroder
Baker	Fargo	Marsico	Schuler
Bard	Feese	Masland	Scrimenti
Barley	Fichter	Mayernik	Semmel
Barrar	Fleagle	McCall	Seyfert
Battisto	Flick	McGeehan	Shaner
Belardi	Forcier	McGill	Smith, B.
Belfanti	Gannon	McIlhattan	Smith, S. H.
Benninghoff	Geist	McIlhinney	Snyder, D. W.
Birmelin	George	McNaughton	Staback
Bishop	Gigliotti	Melio	Stairs
Blaum	Gladeck	Michlovic	Stern
Boscola	Godshall	Micozzie	Stetler
Boyes	Gordner	Miller	Stevenson
Browne	Gruitza	Mundy	Strittmatter
Bunt	Gruppo	Myers	Sturla
Butkovitz	Habay	Nailor	Surra
Buxton	Haluska	Nickol	Taylor, E. Z.
Caltagirone	Harhai	O'Brien	Taylor, J.
Cappabianca	Harhart	Olasz	Thomas
Carn	Hasay	Oliver	Tigue
Casorio	Hennessey	Orie	Travaglio
Cawley	Herman	Perzel	Trello
Chadwick	Hershey	Pesci	Trich
Civera	Hess	Petrarca	True
Clark	Horsey	Petrone	Vance
Clymer	Hutchinson	Phillips	Van Horne
Cohen, L. I.	Itkin	Pippy	Vitali
Cohen, M.	Jadlowiec	Pistella	Walko
Colafrella	James	Platts	Washington
Colaizzo	Jarolin	Preston	Waugh
Cornell	Josephs	Ramos	Williams, A. H.
Corpora	Kaiser	Raymond	Williams, C.
Corrigan	Keller	Readshaw	Wilt
Cowell	Kenney	Reber	Wogan
Coy	Kirkland	Reinard	Wojnaroski
Curry	Laughlin	Rieger	Wright, M. N.
Dally	Lawless	Roberts	Yewcic
DeLuca	Lederer	Robinson	Youngblood
Dempsey	Leh	Roebuck	Zimmerman
Dent	Lescovitz	Rohrer	Zug
Dermody	Levdansky	Rooney	
DeWeese	Lloyd	Ross	Ryan,
DiGirolamo	Lynch	Ruble	Speaker
Druce	Maher	Sainato	

## NAYS—5

Carone	Krebs	Steelman	Steil
Hanna			

## NOT VOTING—2

Donatucci	Veon
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## EXCUSED—7

Bebko-Jones	LaGrotta	Serafini	Tulli
Daley	Lucyk	Tangretti	

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

## SUPPLEMENTAL CALENDAR B

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS  
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following HB 2355, PN 3387, as further amended by the House Rules Committee:

An Act making an appropriation from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Mr. Speaker, I recommend that we do concur on the amendments.

The SPEAKER. On the question, the gentleman, Mr. Lloyd, is recognized on the question of concurrence.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the chairman of the Appropriations Committee.

The SPEAKER. The gentleman, Mr. Barley, indicates he will stand for interrogation.

Will the gentleman yield for a moment.

The conferences on the floor, please break up. The gentleman, Mr. Lloyd, is interrogating the gentleman, Mr. Barley. The conference in the vicinity of the gentleman, Mr. Lloyd, please break up.

Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, is the only change which the Senate made to what passed the House the deletion of \$600,000 for consumer education expenses? Is everything else in the bill which passed the Senate the same as what we had originally passed in the House?

Mr. BARLEY. That is correct as it relates to what the Senate did; yes.

Mr. LLOYD. And what the Rules Committee did was to put back into this bill \$200,000 of the \$600,000 which the Senate had taken out.

Mr. BARLEY. That is correct. We put an additional \$200,000 back in for purposes of education on the dereg issue and so on. So we now have a budget that is \$200,000 higher than it was when it came to the floor originally.

Mr. LLOYD. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

YEAS-195

Adolph	Egolf	Maitland	Sather
Allen	Evans	Major	Saylor
Argall	Fairchild	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Feese	Marsico	Scrimenti
Bard	Fichter	Masland	Semmel
Barley	Fleagle	Mayernik	Seyfert
Barrar	Flick	McCall	Shaner
Battisto	Forcier	McGeehan	Smith, B.
Belardi	Gannon	McGill	Smith, S. H.
Belfanti	Geist	McIlhattan	Snyder, D. W.
Benninghoff	George	McIlhinney	Staback
Birmelin	Gigliotti	McNaughton	Stairs
Bishop	Gladeck	Melio	Steelman
Boscola	Godshall	Michlovic	Steil
Boyes	Gordner	Micozzie	Stern
Browne	Gruitza	Miller	Stetler
Bunt	Gruppo	Mundy	Stevenson
Butkovitz	Habay	Myers	Strittmatter
Buxton	Haluska	Nailor	Sturla
Caltagirone	Hanna	Nickol	Surra
Cappabianca	Harhai	O'Brien	Taylor, E. Z.
Carn	Harhart	Olasz	Taylor, J.
Carone	Hasay	Oliver	Thomas
Casorio	Hennessey	Orie	Tigue
Cawley	Herman	Perzel	Travaglio
Chadwick	Hershey	Pesci	Trello
Civera	Hess	Petrarca	Trich
Clark	Horsey	Petrone	True
Clymer	Hutchinson	Phillips	Vance
Cohen, L. I.	Itkin	Pippy	Van Horne
Cohen, M.	Jadlowiec	Pistella	Veon
Colafrilla	James	Platts	Vitali
Colaizzo	Jarolin	Preston	Walko
Cornell	Josephs	Ramos	Washington
Corpora	Kaiser	Raymond	Waugh
Corrigan	Keller	Readshaw	Williams, A. H.
Cowell	Kenney	Reber	Williams, C.
Coy	Kirkland	Reinard	Wilt
Curry	Krebs	Rieger	Wogan
Dally	Laughlin	Roberts	Wojnaroski
DeLuca	Lawless	Robinson	Wright, M. N.
Dempsey	Lederer	Roebuck	Yewcic
Dent	Leh	Rohrer	Youngblood
Dermody	Lescovitz	Rooney	Zimmerman
DeWeese	Levdansky	Ross	Zug
DiGirolamo	Lloyd	Rubley	
Donatucci	Lynch	Sainato	Ryan,
Druce	Maher	Santoni	Speaker
Eachus			

NAYS-1

Blaum

NOT VOTING-0

EXCUSED-7

Bebko-Jones	LaGrotta	Serafini	Tulli
Daley	Lucy	Tangretti	

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

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

RULES SUSPENDED

The SPEAKER. The Chair turns to House calendar supplemental C and recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HB 2356.

On the question,

Will the House agree to the motion ?

The following roll call was recorded:

YEAS-186

Adolph	Eachus	Maitland	Sainato
Allen	Egolf	Major	Santoni
Argall	Evans	Manderino	Saylor
Armstrong	Fairchild	Markosek	Schroder
Baker	Fargo	Marsico	Schuler
Bard	Feese	Masland	Scrimenti
Barley	Fichter	Mayernik	Semmel
Battisto	Fleagle	McCall	Shaner
Belardi	Flick	McGeehan	Smith, B.
Belfanti	Forcier	McGill	Smith, S. H.
Benninghoff	Gannon	McIlhattan	Snyder, D. W.
Birmelin	Geist	McIlhinney	Staback
Bishop	George	McNaughton	Stairs
Blaum	Gigliotti	Melio	Stern
Boscola	Gladeck	Michlovic	Stetler
Boyes	Godshall	Micozzie	Stevenson
Browne	Gordner	Miller	Strittmatter
Butkovitz	Gruitza	Mundy	Sturla
Buxton	Gruppo	Myers	Surra
Caltagirone	Habay	Nailor	Taylor, E. Z.
Cappabianca	Haluska	Nickol	Taylor, J.
Carn	Harhai	O'Brien	Thomas
Casorio	Harhart	Olasz	Tigue
Cawley	Hasay	Oliver	Travaglio
Chadwick	Hennessey	Orie	Trello
Civera	Herman	Perzel	Trich
Clark	Hershey	Pesci	True
Clymer	Hess	Petrarca	Vance
Cohen, L. I.	Horsey	Petrone	Van Horne
Cohen, M.	Hutchinson	Phillips	Veon
Colafrilla	Itkin	Pippy	Walko
Colaizzo	Jadlowiec	Pistella	Washington
Cornell	James	Platts	Waugh
Corpora	Jarolin	Preston	Williams, A. H.
Corrigan	Josephs	Ramos	Williams, C.
Cowell	Kaiser	Raymond	Wilt
Coy	Keller	Readshaw	Wogan
Curry	Kenney	Reber	Wojnaroski
Dally	Kirkland	Reinard	Wright, M. N.
DeLuca	Laughlin	Rieger	Yewcic
Dempsey	Lawless	Roberts	Youngblood
Dent	Lederer	Robinson	Zimmerman
Dermody	Leh	Roebuck	Zug
DeWeese	Lescovitz	Rohrer	
DiGirolamo	Levdansky	Rooney	Ryan,
Donatucci	Lloyd	Ross	Speaker
Druce	Maher	Rubley	

NAYS-6

Carone	Krebs	Steil	Vitali
Hanna	Steelman		

NOT VOTING-4

Barrar	Bunt	Lynch	Seyfert
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EXCUSED-7

Bebko-Jones LaGrotta Serafini Tulli  
Daley Lucyk Tangretti

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

SUPPLEMENTAL CALENDAR C

BILL ON CONCURRENCE  
IN SENATE AMENDMENTS  
AS AMENDED

The House proceeded to consideration of concurrence in Senate amendments to the following **HB 2356, PN 3390**, as further amended by the House Rules Committee:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate in the Office of Attorney General.

On the question,

Will the House concur in Senate amendments as amended by the Rules Committee ?

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

Mr. Speaker, I recommend that we concur to this bill with the changes that were made in the Senate.

The Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I would like to interrogate the chairman of the Appropriations Committee.

The SPEAKER. The gentleman, Mr. Barley, will stand for interrogation. You may begin.

Mr. LLOYD. Mr. Speaker, I am at a disadvantage because I do not have in front of me the Governor's original number, and I do not recall. I think we had increased the Governor's number in the bill which originally passed the House. The Senate took \$500,000 out; we are putting \$250,000 of that back in. How does the number, which is \$4,365,000, compare to what the Governor had asked for ?

Mr. BARLEY. Mr. Speaker, what we did in the Rules Committee today, we restored \$250,000 of the \$500,000 that the Senate removed. That reflects \$250,000 above the Governor's recommendation.

Mr. LLOYD. So in other words, the Governor's number and the Senate number were the same.

Mr. BARLEY. That is correct. We are now \$250,000 above that number.

Mr. LLOYD. And we were given, on our side of the aisle, an analysis which suggests that this additional money is to be spent for consumer education, but I do not see anything in the bill. Am I correct that that is just an error, that this \$250,000 additional is for the general operation of the Office of Consumer Advocate ?

Mr. BARLEY. Yes. It could be, technically, it could be used for the general operation. We would hope, and by way of you and I having this conversation, would maybe be advising them to use it for consumer education, but you are correct; it is not spelled out that way.

Mr. LLOYD. So that if the Consumer Advocate needs to hire expert witnesses that would require the use of some of that money in order to intervene in all of these electric cases, that would be legally permissible ?

Mr. BARLEY. Again, Mr. Speaker, that is not— That was not our original intent; that was not our original intent, but there is nothing, however, to prevent him from doing that.

Mr. LLOYD. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee ?

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

YEAS-196

Adolph	Eachus	Maitland	Sather
Allen	Egolf	Major	Saylor
Argall	Evans	Manderino	Schroder
Armstrong	Fairchild	Markosek	Schuler
Baker	Fargo	Marsico	Scrimenti
Bard	Feese	Masland	Semmel
Barley	Fichter	Mayernik	Seyfert
Barrar	Fleagle	McCall	Shaner
Battisto	Flick	McGeehan	Smith, B.
Belardi	Forcier	McGill	Smith, S. H.
Belfanti	Gannon	McIlhattan	Snyder, D. W.
Benninghoff	Geist	McIlhinney	Staback
Birmelin	George	McNaughton	Stairs
Bishop	Gigliotti	Melio	Steelman
Blaum	Gladeck	Michlovic	Steil
Boscola	Godshall	Micozzie	Stern
Boyes	Gordner	Miller	Stetler
Browne	Gruitza	Mundy	Stevenson
Bunt	Gruppo	Myers	Strittmatter
Butkovitz	Habay	Nailor	Sturla
Buxton	Haluska	Nickol	Surra
Caltagirone	Hanna	O'Brien	Taylor, E. Z.
Cappabianca	Harhai	Olasz	Taylor, J.
Cam	Harhart	Oliver	Thomas
Carone	Hasay	Orie	Tigave
Casorio	Hennessey	Perzel	Travaglio
Cawley	Herman	Pesci	Trelio
Chadwick	Hershey	Petrarca	Trich
Civera	Hess	Petronc	True
Clark	Horsey	Phillips	Vance
Clymer	Hutchinson	Pippy	Van Horne
Cohen, L. I.	Itkin	Pistella	Veon
Cohen, M.	Jadlowiec	Platts	Vitali
Colaella	James	Preston	Walko
Colaizzo	Jarolin	Ramos	Washington
Cornell	Josephs	Raymond	Waugh
Corpora	Kaiser	Readshaw	Williams, A. H.
Corrigan	Keller	Reber	Williams, C.
Cowell	Kenney	Reinard	Wilt
Coy	Kirkland	Rieger	Wogan
Curry	Krebs	Roberts	Wojnaroski
Dally	Laughlin	Robinson	Wright, M. N.
DeLuca	Lawless	Roebuck	Yewcic
Dempsey	Lederer	Rohrer	Youngblood
Dent	Leh	Rooney	Zimmerman
Dermody	Lescovitz	Ross	Zug
DeWeese	Levdansky	Rubley	

DiGirolamo	Lloyd	Sainato	Ryan,
Donatucci	Lynch	Santoni	Speaker
Druce	Maier		

NAYS—0

NOT VOTING—0

EXCUSED—7

Bebko-Jones	LaGrotta	Serafini	Tulli
Daley	Lucyk	Tangretti	

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

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

**RULES SUSPENDED**

The SPEAKER. The Chair turns to House calendar supplemental D and recognizes the gentleman, Mr. Barley.

Mr. BARLEY. Mr. Speaker, I move that the rules of the House be suspended to permit the immediate consideration of HB 1766.

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

The following roll call was recorded:

YEAS—184

Adolph	Druce	Maitland	Sainato
Allen	Eachus	Major	Santoni
Argall	Egolf	Markosek	Sather
Armstrong	Evans	Marsico	Saylor
Baker	Fairchild	Masland	Schroder
Bard	Fargo	Mayernik	Schuler
Barley	Feese	McCall	Scrimenti
Barrar	Fichter	McGeehan	Semmel
Battisto	Fleagle	McGill	Seyfert
Belardi	Flick	McLhattan	Shaner
Belfanti	Forcier	Mclhinney	Smith, B.
Benninghoff	Gannon	McNaughton	Smith, S. H.
Birmelin	Geist	Melio	Snyder, D. W.
Bishop	George	Michlovic	Staback
Blaum	Gigliotti	Micozzie	Stairs
Boscola	Gladeck	Miller	Stern
Boyes	Godshall	Mundy	Stetler
Browne	Gordner	Myers	Stevenson
Bunt	Gruitza	Nailor	Strittmatter
Butkovitz	Gruppo	Nickol	Surra
Buxton	Habay	O'Brien	Taylor, E. Z.
Caltagirone	Haluska	Olasz	Taylor, J.
Cappabianca	Harhai	Oliver	Thomas
Carn	Harhart	Orie	Travaglio
Casorio	Hasay	Perzel	Trello
Cawley	Hennessey	Pesci	Trich
Chadwick	Herman	Petrarca	True
Civera	Hershey	Petrone	Vance
Clark	Hess	Phillips	Van Horne
Clymer	Horsey	Pippy	Veon
Cohen, L. I.	Hutchinson	Pistella	Vitali
Cohen, M.	Itkin	Platts	Walko
Colafella	Jadlowiec	Preston	Washington
Colaizzo	James	Ramos	Waugh

Cornell	Jarolin	Raymond	Williams, A. H.
Corpora	Josephs	Readshaw	Williams, C.
Corrigan	Kaiser	Reber	Wilt
Cowell	Keller	Reinard	Wogan
Coy	Kenney	Rieger	Wojnaroski
Curry	Kirkland	Roberts	Wright, M. N.
Dally	Laughlin	Robinson	Youngblood
DeLuca	Lawless	Roebuck	Zimmerman
Dempsey	Lederer	Rohrer	Zug
Dent	Leh	Rooney	
Dermody	Lescovitz	Ross	Ryan,
DeWeese	Lynch	Rubley	Speaker
DiGirolamo	Maier		

NAYS—11

Carone	Levdansky	Steelman	Tigue
Hanna	Lloyd	Steil	Yewcic
Krebs	Manderino	Sturla	

NOT VOTING—1

Donatucci

EXCUSED—7

Bebko-Jones	LaGrotta	Serafini	Tulli
Daley	Lucyk	Tangretti	

A majority of the members required by the rules having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**SUPPLEMENTAL CALENDAR D**

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS  
AS AMENDED**

The House proceeded to consideration of concurrence in Senate amendments to the following HB 1766, PN 3386, as further amended by the House Rules Committee:

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, further providing, in sales and use tax, for definitions, for imposition, for exclusions and for refunds; further providing, in personal income tax, for definitions, for an exclusion on a sale of a principal residence and for expanded poverty provisions; further providing for corporate net income tax definitions and for an extension of net operating loss; further providing, in capital stock and franchise tax, for definitions and reports and for a reduction in rate; providing, in capital stock and franchise tax, for family farm corporation exemptions; further providing for utilities gross receipts tax imposition, for realty transfer tax definitions, for the neighborhood assistance tax credit, for malt beverage tax reports and for evidence of payment of inheritance tax; providing for restatement of tax liability under treaties; and making repeals.

On the question,  
Will the House concur in Senate amendments as amended by the Rules Committee ?

The SPEAKER. The gentleman, Mr. Stetler, on the question of concurrence ?

Mr. STETLER. Yes, sir, Mr. Speaker.

The SPEAKER. Will the gentleman yield.

Conferences on the floor, please break up; conferences on the floor— Members will please take their seats.

Mr. Stetler.

Mr. STETLER. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of HB 1766 as it currently is drafted. However – and I think the actions being taken in this bill are very proper – however, I have a concern that I think needs to be addressed today as part of this bill or we will be doing a disservice to many of our constituents.

Many of us today are familiar with the issue of the new Roth IRAs (individual retirement accounts), but, as you know, many of our constituents already have made a decision to move to roll over their savings currently in IRAs across the Commonwealth and are moving them towards the Roth IRAs.

Under current law we follow Federal provisions in terms of how we tax income from dividends and earnings from IRAs. As you will recall, under the Roth provisions, when a taxpayer today or a constituent today moves their money, their savings, from one IRA to a Roth, federally they will tax the earnings that have occurred up to this date in an IRA, which could be substantial. Many of our younger constituents will make this move because their accumulation is not as great as maybe people my age or older.

However, the problem is that if Pennsylvania follows that rule, which we are by law and regulation required to do, we will also be taxing earnings from IRAs that are being moved to the new Roth IRAs, and this kind of flows against the tradition in Pennsylvania regarding IRAs and retirement. As most of you are familiar, we do not tax the income and earnings from retirements.

**MOTION TO SUSPEND RULES**

Mr. STETLER. What I would propose, Mr. Speaker, is that we suspend the rules and offer amendment A2068 that would correct this minor issue and would reward all of our people who are saving for retirements.

The SPEAKER. The gentleman moves that the rules of the House be suspended to permit him to offer amendment – may I please have a number for that? – to offer amendment 2068 to HB 1766.

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

The SPEAKER. On the question of suspension of the rules, this is debatable only by the two floor leaders or their appointees.

Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

I would advise and request that the members would vote “no” on this request to suspend the rules.

May I, for a brief moment, justify my reason for asking for a “no” vote. It is not that I am in disagreement with the gentleman on the issue. We looked at the Roth IRA as it relates to Pennsylvania tax law and would have – and continue to look at that – we would like to have been able to incorporate it in this particular bill. The Department of Revenue advised that there is a uniformity problem. We all know that unlike IRS (Internal Revenue Service), Pennsylvania has a uniformity clause. This would violate, and we are advised by the tax attorneys in Revenue

and others, that it violates our uniformity clause; hence, it is unconstitutional. Not everyone is in agreement with that, and we are continuing to work that out, and if in fact we could resolve that, we would be supportive of this, of your initiative. But at the present time we are taking the advice of the attorneys and believe that it is sound advice. It violates the uniformity clause.

Therefore, I oppose the motion to suspend the rules at this time.

The SPEAKER. The gentleman, Mr. Stetler, on the question.

Mr. STETLER. Thank you, Mr. Speaker.

Mr. Speaker, I guess my response to the chairman of Appropriations is twofold. One, I do not know if we can afford to wait. People have already made these transfers and their investments need to be protected.

And secondly, transfers today are not taxable from one IRA to another. Why has that not been challenged as not being constitutional?

I would respectfully request that we suspend the rules and just put this small amendment in this bill and protect the taxpayers and constituents of Pennsylvania. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

**YEAS-98**

Battisto	DeWeese	Markosek	Sainato
Belardi	Eachus	Mayernik	Santoni
Belfanti	Evans	McCall	Scrimenti
Bishop	George	McGeehan	Shaner
Blaum	Gigliotti	Melio	Staback
Boscola	Gordner	Michlovic	Stelman
Browne	Gruitza	Mundy	Stetler
Butkovitz	Haluska	Myers	Sturla
Buxton	Hanna	Olasz	Surra
Caltagirone	Harhai	Oliver	Thomas
Cappabianca	Harhart	Pesci	Tigue
Carn	Horsey	Petrarca	Travaglio
Casorio	Itkin	Petrone	Trello
Cawley	James	Pippy	Trich
Cohen, M.	Jarolin	Pistella	Van Home
Colafiglia	Josephs	Preston	Veon
Colaizzo	Kaiser	Ramos	Vitali
Corpora	Keller	Readshaw	Walko
Corrigan	Kirkland	Reinard	Washington
Cowell	Laughlin	Rieger	Williams, A. H.
Coy	Lederer	Roberts	Williams, C.
Curry	Lescovitz	Robinson	Wojnaroski
DeLuca	Levdansky	Roebuck	Yewcic
Dent	Lloyd	Rooney	Youngblood
Dermody	Manderino		

**NAYS-97**

Adolph	Fargo	Maitland	Schuler
Allen	Feese	Major	Semmel
Argall	Fichter	Marsico	Seyfert
Armstrong	Fleagle	Masland	Smith, B.
Baker	Flick	McGill	Smith, S. H.
Bard	Forcier	McIlhattan	Snyder, D. W.
Barley	Gannon	McIlhinney	Stairs
Barrar	Geist	McNaughton	Steil
Benninghoff	Gladeck	Micozzie	Stern
Birmelin	Godshall	Miller	Stevenson
Boyes	Gruppo	Nailor	Strittmatter
Bunt	Habay	Nickol	Taylor, E. Z.
Carone	Hasay	O'Brien	Taylor, J.

Chadwick	Hennessey	Orie	True
Civera	Herman	Perzel	Vance
Clark	Hershey	Phillips	Waugh
Clymer	Hess	Platts	Wilt
Cohen, L. I.	Hutchinson	Raymond	Wogan
Cornell	Jadlowiec	Reber	Wright, M. N.
Dally	Kenney	Rohrer	Zimmerman
Dempsey	Krebs	Ross	Zug
DiGirolamo	Lawless	Rubley	
Druce	Leh	Sather	Ryan,
Egolf	Lynch	Saylor	Speaker
Fairchild	Maher	Schroder	

NOT VOTING--1

Donatucci

EXCUSED--7

Bebko-Jones	LaGrotta	Serafini	Tulli
Daley	Lucyk	Tangretti	

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,  
Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. On that question, does the gentleman, Mr. Veon, desire recognition on the question of concurrence? The gentleman is recognized on concurrence.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, the contents of HB 1766 that we are being asked to concur with here today, I think that the contents of that bill, by and large, are supported by most of the members in this legislature, certainly in this House.

The SPEAKER. Will the gentleman yield.

There is entirely too much noise on the floor of the House. Members will please take their seats.

Mr. Veon.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, as I was saying, the content of this bill, HB 1766 on concurrence, is undoubtedly supported by the vast majority of the members in this legislature and certainly in this House.

Mr. Speaker, my problem with HB 1766 and the contents of this bill is that like so many of the bills that we have passed during this administration of this Governor, Tom Ridge, by and large the tax cuts that we have passed in this legislature during this Governor's term have been extremely helpful to the business community in this State. And, Mr. Speaker, when you add up the numbers in HB 1766 and you take that in connection with the other business tax cuts that this legislature has provided in the years of the Tom Ridge administration, Mr. Speaker, you reach well over \$3.5 billion, \$3.5 billion in tax cuts to the business community in Pennsylvania.

And, Mr. Speaker, my problem with HB 1766 — and not necessarily the tax cuts that are included in here, which would add to that list of taxes that we have cut for the business community — my problem is what is not in HB 1766. We have provided literally no tax relief to middle-income, middle-class working

Pennsylvanians during the whole tenure of the Ridge administration, Mr. Speaker. This bill, HB 1766, does very little to add, very little, to add to the pocketbook of hardworking, middle-income, middle-class Pennsylvanians. When are we going to provide the tax cuts for them? Mr. Speaker, this bill does not do it.

**MOTION TO SUSPEND RULES**

Mr. VEON. And for that reason I would like to move to suspend the rules to offer an amendment to provide real tax relief for Pennsylvanians in the form of property tax cuts and would ask for an affirmative vote.

The SPEAKER. The gentleman, Mr. Veon, moves that the rules of the House be suspended to permit the offering of — Mr. Veon, may I please have an amendment number?

Mr. VEON. 2071.

The SPEAKER. To permit him to offer amendment 2071 to HB 1766.

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

The SPEAKER. On that question, the gentleman, Mr. DeWeese.

Mr. DeWEESE. Thank you, Mr. Speaker.

The primal impulse for our caucus this spring, this summer, this year, has been to reduce property taxes by 50 percent over the next 4 or 5 years and use our titanic surplus to do it. Every Governor, Mr. Speaker, in the United States, I believe, has a surplus this year. All we want to do, as the loyal opposition, is suspend the rules to allow this tax shifting to cease.

What you folks have done, you loyal soldiers of the Republican Party, as my colleague from Beaver has declared, what you have done is you have reduced business taxes by over \$3 billion but you have raised, you have raised property taxes across the State, in Dauphin County—

The SPEAKER. Will the gentleman yield.

Mr. DeWEESE. —in Cumberland County—

The SPEAKER. The gentleman is familiar with the rules of the House. A brief description of the amendment is all that is permitted and then a discussion or a debate, as the case may be, on the question of suspension, please.

Mr. DeWEESE. With all due respect, Mr. Speaker, when I was Speaker of the House, I never interceded upon your dilations; never, never.

The SPEAKER. Yes you did.

Mr. DeWEESE. I would challenge the gentleman, with all due respect, to search the file, and I am sure he will look at the Journal. I do not think that is the case.

However, to suspend the rules to allow for this General Assembly to quit shifting the tax burden away from business on to property tax payers. School property tax payers are the people that the gentleman from Beaver is trying to help. School property taxes have gone up in Erie, Pennsylvania, down in Waynesboro, Pennsylvania, down in Delaware County. They have been going up and up and up and up and up and business taxes have been going down and down and down and down and down. The gentleman wants a chance to make an amendment. Our



circumstances are inherently shackled under this system. Here on the floor today, this is one of our opportunities to do something for school property tax payers. With your help, we can do it.

Help us suspend the rules. In your heart you know we are right.

The SPEAKER. You are too young to remember that, Mr. DeWeese.

The Chair recognizes the gentleman, Mr. Barley, or the gentleman, Mr. Perzel?

Mr. Barley.

Mr. BARLEY. Thank you, Mr. Speaker.

Mr. Speaker, I believe I heard a number of \$3.5 billion of taxes that have been reduced since the present administration, the Ridge administration, has taken office. That would be just slightly more in tax reductions than were thrust upon the taxpayers of Pennsylvania in 1991. So as the Ridge administration and under Republican leadership, we have been gradually rolling back these taxes.

I think it would be a mistake to suspend the rules and to interrupt this kind of success that we have all enjoyed over the last 3½ years, now into the fourth budget year. It is obvious to me that it is working. There are more families, more people working today than at any other time in the history of the Commonwealth of Pennsylvania.

As it relates to—

The SPEAKER. The question, Mr. Barley, is restricted to suspension of the rules.

Mr. BARLEY. As it relates to the suspension of the rules and particularly the issues raised by the gentleman in order to incorporate greater personal income tax cuts or to incorporate initiatives that would provide and drive more money out to school districts, again I think it would be a mistake to suspend the rules and interrupt the process that is in play that will drive out to our local school districts, in the education bill that will be accompanying this package, a 7-percent increase in direct revenue and savings to our local school districts. That, in itself, will provide a significant amount of money for our local school boards, our friends and neighbors who manage our schools in the communities; it will provide them the opportunity to hold the line—

The SPEAKER. Mr. Barley.

Mr. BARLEY. —on real estate taxes.

The SPEAKER. You know I would love to let you keep going because I know that commercial and it is a good one, but the rules will not permit it.

Mr. BARLEY. Mr. Speaker, I conclude by saying it would be a mistake to suspend the rules and interrupt what you have described a wonderful process in play, a work in progress, if you will. It would be a mistake to interrupt that, and I recommend we vote against suspension of the rules.

The SPEAKER. The question before the House is suspension of the rules. Those in favor of suspension of the rules will vote "aye"; opposed, "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

## YEAS—92

Battisto	Eachus	Markosek	Santoni
Belardi	Evans	Mayernik	Scrimenti
Belfanti	George	McCall	Shaner
Bishop	Gigliotti	McGeehan	Staback
Blaum	Gordner	Melio	Steelman
Boscola	Gruitza	Michlovic	Stetler
Butkowitz	Haluska	Mundy	Sturla
Buxton	Hanna	Myers	Surra
Caltagirone	Harhai	Olasz	Thomas
Cappabianca	Horsley	Oliver	Tigue
Carn	Itkin	Pesci	Travaglio
Casorio	James	Petrarca	Trello
Cawley	Jarolin	Petrone	Trich
Cohen, M.	Josephs	Pistella	Van Horne
Colaella	Kaiser	Preston	Veon
Colaizzo	Keller	Ramos	Vitali
Corpora	Kirkland	Readshaw	Walko
Cowell	Laughlin	Rieger	Washington
Coy	Lederer	Roberts	Williams, A. H.
Curry	Lescovitz	Robinson	Williams, C.
DeLuca	Levdansky	Roebuck	Wojnaroski
Dermody	Lloyd	Rooney	Yewcic
DeWeese	Manderino	Sainato	Youngblood

## NAYS—101

Adolph	Fairchild	Maher	Saylor
Allen	Fargo	Maitland	Schroder
Argall	Feese	Major	Schuler
Armstrong	Fichter	Marsico	Semmel
Baker	Fleagle	Masland	Seyfert
Bard	Flick	McGill	Smith, B.
Barley	Forcier	McIlhattan	Smith, S. H.
Barrar	Gannon	McIlhinney	Snyder, D. W.
Benninghoff	Geist	McNaughton	Stairs
Birmelin	Gladeck	Micozzie	Steil
Boyes	Godshall	Miller	Stern
Browne	Gruppo	Nailor	Stevenson
Bunt	Habay	Nickol	Strittmatter
Carone	Harhart	O'Brien	Taylor, E. Z.
Chadwick	Hasay	Orie	Taylor, J.
Civera	Hennessey	Perzel	True
Clark	Herman	Phillips	Vance
Clymer	Hershey	Pippy	Waugh
Cohen, L. I.	Hess	Platts	Wilt
Cornell	Hutchinson	Raymond	Wright, M. N.
Dally	Jadlowiec	Reber	Zimmerman
Dempsey	Kenney	Reinard	Zug
Dent	Krebs	Rohrer	
DiGirolamo	Lawless	Ross	Ryan,
Druce	Leh	Rubley	Speaker
Egolf	Lynch	Sather	

## NOT VOTING—3

Corrigan	Donatucci	Wogan
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## EXCUSED—7

Bebko-Jones	LaGrotta	Serafini	Tulli
Daley	Lucyk	Tangretti	

Less than a majority of the members required by the rules having voted in the affirmative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

The SPEAKER. On that question, the gentleman, Mr. Itkin, is recognized.

Mr. ITKIN. Thank you, Mr. Speaker.

The SPEAKER. Will the gentleman yield.

Please, Mr. Itkin has the floor. Conferences on the floor, please cease.

Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I am going to rhetorically respond to the gentleman from Lancaster, the majority chairman of the Appropriations Committee, and, yes, there have been \$3½ billion in tax cuts, but for whom, Mr. Speaker? How much has your personal income tax been cut in that \$3½ billion? How much of your sales tax has been cut in that \$3½ billion, and how much have your property taxes been reduced in that \$3½ billion? And that is the issue that we should be debating on the floor of this House — who is getting the tax cuts and who is not. It is quite obvious to me and to the members of my caucus that the people of Pennsylvania are not getting the benefits of tax cuts.

You know, everyone advocates tax fairness, but when you continually restrict tax cuts only to corporate Pennsylvania and to the business community, you are not being fair to the people of Pennsylvania, the people who toil every day and pay the—

The SPEAKER. Will the gentleman yield.

We have before us the question of concurrence in amendments. The only thing before us is that question of the changes that were made by the Senate, the changes that were made by the various amendments, not a general discussion of the bill.

Mr. ITKIN. Yes, Mr. Speaker.

The SPEAKER. Restrict yourself, please, restrict yourself to the changes that were made in the Senate by amendment.

Mr. ITKIN. Yeah, well, I take exception that the Senate has failed to go far enough.

The SPEAKER. That may be, but that is not what is before us.

Mr. ITKIN. Yes—

The SPEAKER. What is before us is the amendments.

Mr. ITKIN. And that is what I would like to address, Mr. Speaker, that the amendments do not go far enough, and therefore, it should be considered as to whether we should concur in those amendments or not.

You know, Mr. Speaker, when people hand over money, they expect something in return — a new car, a ticket to a baseball game, a profit on investments — and when they hand over their money to their government, they expect stewardship.

Government is not in the business to make a profit, and we are supposed to anticipate our needs, based on the services that citizens expect, and then calculate the tax rates that allow us to function. But this year is backwards. The money is rolling in far beyond our needs but we are not — and I will emphasize — we are not giving it back. If we were a corporation, we would be investigated for mismanagement of investors' funds.

You know, right at this moment we are sitting on a \$341-million surplus and April's receipts are not even counted. Three of the biggest revenue months to go in the fiscal year before the final surplus is known, and the average taxpayer will barely, barely feel a dent in his or her wallet.

This bill represents \$218 million in tax cuts, but, Mr. Speaker, only \$87 million of that is reserved for taxpayers, and that stingy amount goes only to a few homeowners and lower-income working families. Just like last year and the year before that and

the year before that, average taxpayers watch the State get fat on their money while they go hungry.

Last year the members of my party, the Democratic Party, predicted that Governor Ridge was hoarding the surplus, even to the point of forcing a gas tax increase, so he could introduce an election-year tax cut this year, and Mr. Speaker—

The SPEAKER. Mr.—

Mr. ITKIN. —we were right.

The SPEAKER. Mr. Itkin, understanding your circumstances, I do not mind being somewhat lenient, but you cannot rehash last year's tax bills or we are going to get into 1991 taxes. Now, please deal with the concurrence issue.

Mr. ITKIN. Mr. Speaker—

The SPEAKER. Please, Mr. Itkin, leave your script. If it is in there and it is wrong, you are going to have to leave it.

Mr. ITKIN. I will speak prospectively, and let me say today, in view of this measure and this year's surplus and the tax cuts provided in this bill, that there will be additional moneys used for further corporate tax cuts that will dwarf anything we have seen so far, Mr. Speaker, and that is a prediction.

Tax cuts are a good thing, but this bill does not go far enough, and I actually protest the imbalance and unfairness that this House is perpetuating. Our constituents, the average taxpayers of Pennsylvania, deserve a greater share of the tax cuts that we are so generously distributing.

Mr. Speaker, I will vote for this bill today, but I am waiting for the people's tax cuts to follow.

Thank you, Mr. Speaker.

The SPEAKER. Mr. Cohen. The gentleman is recognized, conditioned on his following the rules of the House, which deal with the question of concurrence.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, I also am waiting for the people's tax cuts.

I would like to go down the list of tax cuts in this bill, and there are tax cuts, and some Pennsylvanians here and there will get tax cuts. People who are fortunate enough to be selling their home at a profit will get tax cuts, but people who are selling their homes for basically what they paid for them, which is a lot of people who have bought homes in the past 10 years in which property values throughout most of Pennsylvania and most of this country have been stagnant, they will not get tax cuts.

For the small number of people who meet the narrow criterion of poverty forgiveness, they will get tax cuts, but for the vast number of low-income Pennsylvanians who are struggling to make ends meet, they will not get tax cuts.

For people who have odd personal situations, such as they are using an employer's owned or leased property and are now paying taxes as a result, they will now get tax cuts. For ordinary people who do not have an employer's owned or leased property producing any income for them, they will not get tax cuts.

For a business that lost money at the start but is a big long-term success, they will get tax cuts, as the net-operating-loss deduction now extends from 3 years to adjust the loss to 10 years, but for somebody who took a gamble and made an investment which did not pan out and they are now out of business, they are not going to get a tax cut, because they are not successful.

If you are a restaurant and you are paying FICA (Federal Insurance Contributions Act) taxes, you will get a tax cut. If you are another employer, you will not get a tax cut for the FICA taxes.

If you are in the coffee-roasting business and you are cleaning and roasting green coffee beans, you are lucky; you win the lottery; you get a tax cut. But if you have an ordinary business and you are cleaning something else other than coffee beans, you do not get a tax cut under this bill.

If you have a family farm and you lease to relatives, you get a tax cut. If you have a family farm and lease to somebody who is not a relative, you do not get a tax cut.

If you are on the Internet and you are getting gross receipts from the Internet, Pennsylvania has not been taxing you before, but under our tax law, theoretically you might be eligible. So we are saying if you are making money off the Internet, we are getting rid of all ambiguities; we are going to guarantee you that you are not going to pay taxes, but if you are like 99 percent of all businesses in Pennsylvania and your income does not come from the Internet, this tax cut does not help you.

We are going to repeal the 8-mill gross receipts tax on trucking firms, but other people pay the 8-mill gross receipts tax and we are not repealing that.

We exclude installation costs of home chair lifts for people who need home chair lifts, but there are plenty of other purchases made by handicapped people which we are not excluding from taxes.

We broaden the exemptions for food and beverage sales by certain nonprofit organizations, but we do not broaden the exemption for food and beverage sales by other nonprofit organizations or by other profit organizations.

We eliminate certain categories in the neighborhood assistance tax credit program, but we do not eliminate other categories.

Mr. Speaker, we can go on and on looking at this, and every provision of this bill benefits somebody. Somebody in this State can say, gee, I got a benefit, and the problem with these narrow categories is that there are very few people who get any of these benefits. In the whole State of Pennsylvania, there are all of 21 coffee roasters. Now, assuming the 21 coffee roasters are in 21 different legislative districts, which I do not think is the case, 90 percent of all the legislative districts have no coffee roasters.

The SPEAKER. Mr. Cohen.

Mr. COHEN. Mr. Speaker, the question here is—

The SPEAKER. Concurrence is the question. Come on, Mr. Cohen, please. Now, I have given you plenty of leeway; be fair.

Mr. COHEN. Mr. Speaker, I certainly—

The SPEAKER. Please, Mr. Cohen.

Mr. COHEN. —I certainly am discussing the Senate amendments, Mr. Speaker. Everything I have said deals with the Senate amendments, and the question here is, should we concur in these Senate amendments, which pick a person here and a person there and a person 5 miles away and a person 10 miles away and avoid the vast majority of people in Pennsylvania? Should we concur in these amendments which give tax cuts to a very, very small, very well politically connected bunch of people, or should we hold out for tax cuts that benefit the average citizen and that will benefit significant numbers of people?

Mr. Stetler tried to create tax cuts for people who were converting to Roth IRAs; that is a lot of people. Mr. Veon tried to create tax cuts for people who pay property taxes; that is a lot of people. These tax cuts deal with 5 people here, 10 people here,

20 people there. This is not real tax relief. This is just targeted tax relief to a small number of lucky people, a small number of elite people, a small number of politically connected people.

I am sure here and there, there is somebody in my district this year who will benefit from these tax proposals, and I am sure here and there, if you look hard enough, you will find somebody in your district who will benefit from it, too. But it is very, very few people, and the average is that we are talking about a tiny fraction, 1 percent of the people, will benefit from these tax cuts, and I personally, although it is tough to vote against tax cuts, my personal feeling is to vote against this bill.

The SPEAKER. The gentleman, Mr. Perzel.

Mr. PERZEL. Mr. Speaker, I will try to be brief. But just in referencing back the small number of people being helped, 127,000 families a year in Pennsylvania sell their homes, and they will be exempt from the capital stock tax, Mr. Speaker. Two hundred and seventy-five thousand people will be exempt from paying any personal income tax with the \$25,000-or-less exemption, Mr. Speaker. That is an awful lot of people, Mr. Speaker.

And I heard it here said, they were talking about school property taxes. There are two ways we are going to be helping the people of the Commonwealth of Pennsylvania. When we take into account the amount of money that is going to be given back to the school districts in savings and the additional funding, it is somewhere around 7 percent statewide, which is what we will be increasing the amount of money the school districts will be getting, Mr. Speaker, and there will be tax reform voted on in this legislature before we leave here in June.

I wanted to say that I am proud of the fact that we have helped a lot of small businesses, Mr. Speaker. We are proud to have helped the person fixing your shoes; the person that has the deli down the street; my personal favorite, my mother, who works at the diner — we will be able to help them with the FICA exemption — and to be able to keep small businesses here by allowing them to save hundreds of dollars, Mr. Speaker, not to mention the soccer moms who will not have to pay that sales tax when they sell the pizza and the hotdogs and the sodas at the soccer games, Mr. Speaker. That is all included in this bill.

I will end up, Mr. Speaker, with our programs are working. More people are working in Pennsylvania than ever before in our history. Housing starts are way above the national average, and companies are coming into Pennsylvania, not leaving Pennsylvania, Mr. Speaker, and I would ask for a “yes” vote for this.

The SPEAKER. The two of you are such gentlemen, you are pointing at one another. I recognize the gentleman, Mr. DeWeese.

Mr. DeWEESE. Quickly, Mr. Speaker, the gentleman who just spoke has invigorated my enthusiasm to give an accolade to the President of the United States, William Jefferson Clinton, and the wonderful economy that he has been in charge of. It has helped all 50 States, and some of the things that the gentleman from Philadelphia has just enunciated are true. Some of them obviously are the beneficiary of a wonderfully robust national economy.

Having said that, I just want to quickly state that if the gentleman is correct, the gentleman from Philadelphia is correct, and we are going to be doing local tax reform before June, I want the floor leader and the rank and file on both sides to stay around, because at the conclusion of today’s session, I have some

observations on how that process will unfold, especially if we are not in this room.

The SPEAKER. Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, the majority leader has said that 7 percent of the population of Pennsylvania will benefit from this bill. Doing a little arithmetic, that means 93 percent of the population of Pennsylvania will not benefit from this bill. And even that 7-percent figure is somewhat suspect. Not everybody who sells their house sells it at a profit. Anybody who does not sell it at a profit does not benefit from this bill. I am sure there are large numbers of other people who theoretically meet the eligibility of this bill who also do not benefit.

I am impressed that there are more people working in Pennsylvania in the Ridge administration than have ever been before. That is true. There were also more people working in the Casey administration than ever worked before, more people who worked in the Thornburgh administration than ever before, more people in the Shapp administration than before. Every year there are more adults in Pennsylvania than there ever were before. That is why total jobs keep going up in every administration. That is why we can confidently predict that in the next administration, when there are even more adults than there are now, there will be more jobholders in the next administration as well.

This bill, at best, benefits 7 percent of the population of Pennsylvania. That is not good enough.

On the question recurring,

Will the House concur in Senate amendments as amended by the Rules Committee?

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

YEAS-194

Adolph	Egolf	Maitland	Sather
Allen	Evans	Major	Saylor
Argall	Fairchild	Manderino	Schroder
Armstrong	Fargo	Markosek	Schuler
Baker	Feese	Marsico	Scrimenti
Bard	Fichter	Masland	Semmel
Barley	Fleagle	Mayernik	Seyfert
Barrar	Flick	McCall	Shaner
Battisto	Forcier	McGeehan	Smith, B.
Belardi	Gannon	McGill	Smith, S. H.
Belfanti	Geist	McIlhattan	Snyder, D. W.
Benninghoff	George	McIlhinney	Staback
Birmelin	Gigliotti	McNaughton	Stairs
Bishop	Gladeck	Melio	Steelman
Blaum	Godshall	Michlovic	Steil
Boscola	Gordner	Micozzie	Stern
Boyes	Gruitza	Miller	Stetler
Browne	Gruppo	Mundy	Stevenson
Bunt	Habay	Myers	Strittmatter
Butkovitz	Haluska	Nailor	Sturla
Buxton	Hanna	Nickol	Surra
Caltagirone	Harhai	O'Brien	Taylor, E. Z.
Cappabianca	Harhart	Olasz	Taylor, J.
Cam	Hasay	Oliver	Thomas
Carone	Hennessey	Orie	Tigue
Casorio	Herman	Perzel	Travaglio
Cawley	Hershey	Pesci	Trello
Chadwick	Hess	Petrarca	Trich
Civera	Horsy	Petrone	True
Clark	Hutchinson	Phillips	Vance
Clymer	Itkin	Pippy	Van Home
Cohen, L. I.	Jadlowiec	Pistella	Veon

Colafella	James	Platts	Vitali
Colaizzo	Jarolin	Preston	Waiko
Cornell	Josephs	Ramos	Washington
Corpora	Kaiser	Raymond	Waugh
Corrigan	Keller	Readshaw	Williams, A. H.
Cowell	Kenney	Reber	Williams, C.
Coy	Kirkland	Reinard	Wilt
Dally	Krebs	Rieger	Wogan
DeLuca	Laughlin	Roberts	Wojnaroski
Dempsey	Lawless	Robinson	Wright, M. N.
Dent	Lederer	Roebuck	Yewcic
Dermody	Leh	Rohrer	Youngblood
DeWeese	Lescovitz	Rooney	Zimmerman
DiGirolamo	Levdansky	Ross	Zug
Donatucci	Lloyd	Rubley	
Druce	Lynch	Sainato	Ryan,
Eachus	Maher	Santoni	Speaker

NAYS-2

Cohen, M. Curry

NOT VOTING-0

EXCUSED-7

Bebko-Jones LaGrotta Serafini Tulli  
Daley Lucyk Tangretti

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

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

VOTE CORRECTIONS

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

Mr. LYNCH. Mr. Speaker, is it in order now to correct the record?

The SPEAKER. Yes. Go ahead.

Mr. LYNCH. Thank you.

Mr. Speaker, on HB 1633, PN 3263, I was not recorded as voting. I would like to be recorded in the affirmative.

On HB 2281, PN 3301, concurrence, I was not recorded as voting. I would like to be recorded in the negative. Thank you, Mr. Speaker.

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

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS  
NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurrent in by the House of Representatives to **HB 2281, PN 3301**, and has appointed Senators TILGHMAN, LOEPER, and MELLOW a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall

appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

#### MOTION INSISTING UPON NONCONCURRENCE IN SENATE AMENDMENTS

Mr. PERZEL moved that the House insist upon its nonconcurrence in Senate amendments to HB 2281, PN 3301, and that a committee of conference on the part of the House be appointed.

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

#### CONFERENCE COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on HB 2281, PN 3301: Messrs. PERZEL, BARLEY, and EVANS.  
Ordered, That the clerk inform the Senate accordingly.

#### CONFERENCE COMMITTEE MEETING

The SPEAKER. The Chair advises that a committee of conference meeting will take place in the House majority caucus room on HB 2281, PN 3301, at 5:30 p.m.

#### LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman, Mr. Herman, who calls an immediate meeting of the Local Government Committee at the rear of the hall of the House as soon as we break.

There will be no more official votes at this time.  
Mr. DeWEESE. Mr. Speaker?

The SPEAKER. I want to see if there are any announcements, please.

Are there any announcements of committee meetings?

#### STATEMENT BY DEMOCRATIC LEADER

The SPEAKER. The gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, I have an announcement that I think the members on both sides would like to listen to. I cannot guarantee that, of course.

My announcement concerns the letter that we received from the Speaker relative to going downstairs into the legislative equivalent of a tent city and doing business for several weeks.

My first observation is it certainly sunders any kind of official sanction and important position of a group called the Bipartisan Management Committee. The Bipartisan Management Committee of the House of Representatives takes four votes out of five — three majority, two minority — in order to make changes here in the Assembly. In fact, the language says that "The Bi-partisan Management Committee is authorized to prepare and adopt rules

and regulations governing the following matters:..." and one of those matters is "Insuring that proper prior authorization" — proper prior authorization — "has been obtained for all expenditures and expenses of the House...."

Last week I was informed that we are going to be vacating this House chamber for several weeks and being consigned to the bowels of the East Wing in some cafeteria-style setting with folding chairs and tables and really no preparations at this point for microphones and tote boards and the people being with us and the press being with us, and I am told by the Parliamentarian that the reason is— And you wait; you wait. The perplexities, vexations, confusions, and tumult which we will experience down there in the basement will be beyond description. But I said, how long will this process take, Mr. Parliamentarian? He said, about 5 months. And I said, well, put the scaffolding up and take July, August, September; take the scaffolding down. Put it up again next summer — July, August, September. That will give you 6 months. Then those craftsmen can take a more refined, steady approach to this wonderful building. Take 2 months. Or, or, do something that the private sector does. You folks are avatars and spokespersons for the private sector on so many occasions. I said, bring people in here 24 hours a day; let us get this done. Let us not go into the basement. We will never get a real solid effort at reducing people's property taxes by 50 percent over 5 years; we will never get to campaign finance reform; we will never get to the people's business downstairs in the cellar, consigned to the basement.

The Parliamentarian told me that the difference was the putting up of the scaffolding. And that, that is a modest expense, but when you are sitting on a \$500-million surplus and the people's business is not going to be done, there is no one out there, including some of the most senior people in the Republican pit, who can look me in the eye with a straight face and tell me that we are going to have an opportunity to do the people's business in the way that we should be doing. With our duly elected separate branch, we are caving in to the Department of General Services, and we are really going to ruin — ruin — the last 25 percent of this session of the General Assembly. We are not going to get anything of substance done. We are not going to be able to have the exchanges and debates and dialogues and work. We are not going to be able to do the work of the State House.

So both of my suggestions were cashiered: one, that we work 24 hours a day. In fact, the Parliamentarian said we cannot find enough skilled craftsmen around here to work that many shifts. Let this public pronouncement go out to all of our building trades, all of our friends in the building trades in all corners of the State, from Presque Isle to Philadelphia, from Greene County to Monroe and the Poconos. Every building trades person should be aware of the fact that unilaterally, unilaterally, the Speaker, without any involvement of the Bipartisan Management Committee — Bipartisan Management Committee — ensuring that proper authorization has been obtained for all expenditures and expenses of the House, we are given a call and said, this is the way it is going to be. A few days later it is promulgated.

I cannot strenuously enough state my remonstrance for this pitiable approach to governance. If I had been privileged, if I had been privileged to have been in the Speaker's chair when an administration's Department of General Services would have come to me and talked about the sprinklers and the golden chandeliers, and I would have said through my former Parliamentarian, the

gentleman who stands at the dais today, how long will it take, and he said 5 months, we will do 2½ months this year and 2½ months next year and the heck with the cost of the scaffolding up and down, because we are going to pay, in the installation of microphones and all of the logistical morass that will be concocted in the basement, we are going to spend the same amount of money probably that it would take to take that scaffolding up and down one more time next summer.

So as we deliberate and our sessions become stymied and stifled and stultified, remember my polite admonition. The Bipartisan Management Committee should have worked as a team, a quintet — three in the majority, two in the minority. We should have worked this thing out. We should have taken the scaffolding up once and down this summer, once and down next summer. We are not running the railroad the way it should be run, and it is incumbent upon me to make these observations. Thank you.

The SPEAKER. So nice of you to contact me about your problem.

### RECESS

The SPEAKER. The House is in recess to the call of the Chair.

### AFTER RECESS

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

### REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. PERZEL presented the Report of the Committee of Conference on **HB 2281, PN 3395**.

### BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

#### **HB 1633, PN 3263**

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, changing the short title of Title 51; providing for the powers and duties of the Deputy Adjutant General for Veterans Affairs; and making a repeal.

Whereupon, the Speaker, in the presence of the House, signed the same.

### BILL REPORTED AND REREFERRED TO COMMITTEE ON JUDICIARY

#### **HB 2488, PN 3344**

By Rep. HERMAN

An Act amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, further providing for powers and duties of the commission.

### LOCAL GOVERNMENT.

### BILLS AND RESOLUTION PASSED OVER

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

### ADJOURNMENT

The SPEAKER. Does the Republican leader or Democratic leader have any further business? Any announcements? Any corrections to the record?

Hearing none, the Chair recognizes the gentleman from Northampton, Mr. Craig Dally.

Mr. DALLY. Mr. Speaker, I move that this House do now adjourn until Tuesday, April 21, 1998, at 11 a.m., e.d.t., unless sooner recalled by the Chair.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:48 p.m., e.d.t., the House adjourned.