

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, NOVEMBER 8, 1999

SESSION OF 1999

183D OF THE GENERAL ASSEMBLY

No. 53

HOUSE OF REPRESENTATIVES

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

THE SPEAKER PRO TEMPORE (J. SCOT CHADWICK) PRESIDING

PRAYER

REV. NANCY DAHLBERG, Chaplain of the House of Representatives and pastor of Chapel Hill United Church of Christ, Camp Hill, Pennsylvania, offered the following prayer:

Good afternoon.

Let us pray:

God of all creation, we offer our prayer today with a passionate hope. Enable us to be a caring people, for we are persons who struggle with complex issues. We want to be people who seek Your holy will, persons who sense the need to be good stewards of the resources which we have been given, and persons who risk much and dare to share deeply. Unite us now so that we might truly seek for peace, for justice, for understanding and unity, for that, above all, is our highest calling.

We pray in the name of our most loving and almighty God. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Tuesday, October 26, 1999, will be postponed until printed. The Chair hears no objection.

COMMUNICATION FROM SPEAKER

SPEAKER PRO TEMPORE APPOINTED

The SPEAKER pro tempore. Communication from the Speaker of the House, which the clerk will read.

The following communication was read:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

November 8, 1999

To the Honorable House of Representatives:

Pursuant to House Rule 1, this is to advise that I have appointed the Honorable J. Scot Chadwick to serve as Speaker pro tempore for the week of November 8, 1999.

Very truly yours,
Matthew J. Ryan
The Speaker

HOUSE BILLS INTRODUCED AND REFERRED

No. 2009 By Representatives GODSHALL, ADOLPH, BARD, BARRAR, BEBKO-JONES, BELFANTI, BENNINGHOFF, CLARK, COSTA, FARGO, FEESE, FICHTER, FLEAGLE, FREEMAN, GORDNER, GRUCELA, HALUSKA, HENNESSEY, HERMAN, LAUGHLIN, LYNCH, MANN, MASLAND, McCALL, McILHINNEY, METCALFE, NAILOR, NICKOL, PHILLIPS, SANTONI, S. H. SMITH, SOLOBAY, STABACK, STERN, STEVENSON, STRITTMATTER, STURLA, E. Z. TAYLOR, TIGUE, TRUE, WALKO, WOJNAROSKI, YOUNGBLOOD, ZIMMERMAN, SCHRODER and VAN HORNE

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

Referred to Committee on TRANSPORTATION, October 27, 1999.

No. 2010 By Representatives GODSHALL, BATTISTO, CARN, CORRIGAN, DeLUCA, FREEMAN, NAILOR, SANTONI, TIGUE and WILT

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, providing for the surrender of a license for benefit of the licensee.

Referred to Committee on LIQUOR CONTROL, October 27, 1999.

No. 2011 By Representative GODSHALL

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, further providing for limitations on rates of specific taxes; and providing for special limitation on rates of taxes for certain amusements.

Referred to Committee on TOURISM AND RECREATIONAL DEVELOPMENT, October 27, 1999.

No. 2012 By Representatives DeLUCA, GIGLIOTTI, FRANKEL, COSTA, CAWLEY, M. COHEN, DALEY, HORSEY, JAMES, MELIO, PRESTON, YOUNGBLOOD, RUFFING, WALKO, TRELLO, DERMODY, READSHAW, WOJNAROSKI, VAN HORNE, PETRONE, BATTISTO, WATERS, ROEBUCK and LUCYK

An Act regulating auto body repair facilities; establishing and conferring powers and duties on the Auto Body Repair Board; providing for and establishing fees for the licensing of auto body repair facilities; providing for enforcement; and establishing penalties for violations.

Referred to Committee on PROFESSIONAL LICENSURE, October 27, 1999.

No. 2013 By Representatives BISHOP, CARN, L. I. COHEN, CORRIGAN, EVANS, FREEMAN, JOSEPHS, ROONEY, SOLOBAY and YOUNGBLOOD

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for sale or transfer of firearms.

Referred to Committee on JUDICIARY, October 27, 1999.

No. 2014 By Representatives HASAY, ARGALL, YUDICHAK, BAKER, BELFANTI, BROWNE, CAWLEY, L. I. COHEN, DeLUCA, FARGO, FEESE, FICHTER, GEORGE, HERMAN, HERSHEY, JOSEPHS, KENNEY, LAUGHLIN, LYNCH, MASLAND, McNAUGHTON, MUNDY, NAILOR, PIPPY, PRESTON, READSHAW, ROSS, RUBLEY, SATHER, SCRIMENTI, SEMMEL, SEYFERT, B. SMITH, SOLOBAY, STABACK, STEVENSON, E. Z. TAYLOR, THOMAS, TIGUE, TRAVAGLIO, TRELLO, WOJNAROSKI, YEWIC and YOUNGBLOOD

An Act providing for reimbursements to municipalities for expenses incurred in assisting State correctional personnel in attempting to ensure the safety of residents of areas surrounding the prison and to recapture escaped prisoners.

Referred to Committee on JUDICIARY, October 27, 1999.

No. 2015 By Representatives LaGROTTA, COLAFELLA, BELARDI, M. COHEN, GANNON, SURRA, STABACK, CORRIGAN, GRUCELA, MELIO, YOUNGBLOOD, HARHAI, DALEY, COSTA, SOLOBAY, WALKO, LAUGHLIN, VAN HORNE, J. TAYLOR, YUDICHAK, MICHLOVIC, STETLER, PRESTON, MARKOSEK and ROBINSON

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 athletics, publications and organizations; establishing the Pennsylvania Interscholastic Athletic Advisory Board; providing for powers and duties of the Department of Education; and making an appropriation.

Referred to Committee on EDUCATION, October 27, 1999.

No. 2016 By Representatives MARKOSEK, BARRAR, WATERS, LAUGHLIN, GEIST, WOJNAROSKI, THOMAS, PESCI, SAINATO, RAMOS, WILLIAMS, JOSEPHS, PLATTS, WASHINGTON, FREEMAN, YOUNGBLOOD, SCRIMENTI, L. I. COHEN, M. COHEN and PISTELLA

An Act amending the act of May 17, 1921 (P.L.682, No.284), known as The Insurance Company Law of 1921, providing for insurance coverage for infertility treatment services.

Referred to Committee on INSURANCE, October 27, 1999.

No. 2017 By Representatives MARKOSEK, DeWEESE, CAWLEY, BARRAR, BELARDI, STEVENSON, COY, ARGALL, LAUGHLIN, READSHAW, YEWIC, SEYFERT, SHANER, PESCI, SAINATO, LEVDANSKY, SOLOBAY, TRAVAGLIO, TRELLO, ROONEY, McILHINNEY, WALKO, WASHINGTON, McCALL, PETRARCA, VAN HORNE, STERN, YOUNGBLOOD, BASTIAN, SCRIMENTI, HANNA and PIPPY

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing a limited income tax credit for certain sewer improvements.

Referred to Committee on FINANCE, October 27, 1999.

No. 2018 By Representatives MARKOSEK, DeWEESE, CAWLEY, BARRAR, BELARDI, STEVENSON, COY, ARGALL, READSHAW, FAIRCHILD, EVANS, PESCI, SAINATO, SOLOBAY, WILT, TRELLO, ROONEY, SCHRODER, TRAVAGLIO, WALKO, WASHINGTON, McCALL, STABACK, PETRARCA, VAN HORNE, STERN, YOUNGBLOOD, BASTIAN, TIGUE, M. COHEN, BROWNE, DALEY, PISTELLA, PIPPY and RUFFING

An Act amending the act of March 1, 1988 (P.L.82, No.16), known as the Pennsylvania Infrastructure Investment Authority Act, further providing for legislative intent, for definitions and for financial assistance.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, October 27, 1999.

No. 2019 By Representatives KENNEY, ADOLPH, O'BRIEN, OLIVER, ALLEN, ARMSTRONG, BAKER, BASTIAN, BATTISTO, BEBKO-JONES, BELARDI, BELFANTI, BIRMELIN, BISHOP, BLAUM, BOYES, BROWNE, BUNT, BUXTON, CALTAGIRONE, CAPPABIANCA, CARN, CAWLEY, CHADWICK, CIVERA, CLARK, CLYMER, L. I. COHEN, M. COHEN, CORNELL, COY, CURRY, DALEY, DeLUCA, DEMPSEY, DERMODY, DeWEESE, DiGIROLAMO, EVANS, FEESE, FICHTER, FORCIER, FRANKEL, FREEMAN, GEIST, GEORGE, GLADECK, GODSHALL, GRUCELA, HALUSKA, HENNESSEY, HERMAN, HORSEY, JAMES, JOSEPHS,

KIRKLAND, LaGROTTA, LAUGHLIN, LAWLESS, LESCOVITZ, LEVDANSKY, MAITLAND, MANDERINO, MANN, MARKOSEK, MARSICO, MASLAND, McCALL, McGEEHAN, McNAUGHTON, MELIO, MICHLOVIC, S. MILLER, MUNDY, MYERS, NAILOR, NICKOL, ORIE, PETRONE, PHILLIPS, PISTELLA, PRESTON, RAMOS, RAYMOND, ROBINSON, ROEBUCK, ROONEY, ROSS, RUBLEY, SANTONI, SATHER, SAYLOR, SCHRODER, SHANER, B. SMITH, STABACK, STEELMAN, STERN, STETLER, STRITTMATTER, STURLA, SURRA, TANGRETTI, J. TAYLOR, THOMAS, TIGUE, TRAVAGLIO, TRELLO, TRICH, TRUE, TULLI, VAN HORNE, VEON, WALKO, WASHINGTON, WILLIAMS, WOGAN, WOJNAROSKI, YEWIC and YOUNGBLOOD

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for duties of the Bureau of Drug and Alcohol Programs; and making repeals.

Referred to Committee on HEALTH AND HUMAN SERVICES, October 27, 1999.

No. 2020 By Representatives BUNT, CAPPABIANCA, STERN, MAITLAND and MAJOR

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for aquacultural development applicability.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, October 27, 1999.

No. 2021 By Representatives JAMES, WATERS, RAMOS, WASHINGTON, CURRY, ROONEY, JOSEPHS, YOUNGBLOOD, THOMAS, STABACK, M. COHEN, DeWEESE, STURLA, KENNEY, TRELLO, ROEBUCK, MYERS, CARN, HORSEY and STEELMAN

An Act providing for compensation to Vincent A. Moto for his more than ten years of wrongful imprisonment by the Commonwealth.

Referred to Committee on JUDICIARY, November 1, 1999.

No. 2022 By Representatives JAMES, WATERS, RAMOS, WASHINGTON, CURRY, ROONEY, JOSEPHS, YOUNGBLOOD, THOMAS, STABACK, M. COHEN, DeWEESE, STURLA, KENNEY, TRELLO, ROEBUCK, MYERS, CARN and HORSEY

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for exceptions to sovereign immunity and for limitations on damages.

Referred to Committee on JUDICIARY, November 1, 1999.

No. 2023 By Representatives DALLY, SNYDER, BAKER, FARGO, WASHINGTON, HALUSKA, WOJNAROSKI, ROBERTS, HARHAI, YEWIC, McILHINNEY, WILT, RUBLEY, E. Z. TAYLOR, J. TAYLOR, DEMPSEY, HENNESSEY, FREEMAN, R. MILLER, COSTA, EGOLF and MUNDY

An Act amending the act of June 24, 1968 (P.L.237, No.111), referred to as the Policemen and Firemen Collective Bargaining Act, further providing for compensation of arbitrators.

Referred to Committee on LOCAL GOVERNMENT, November 3, 1999.

No. 2024 By Representatives O'BRIEN, THOMAS, ADOLPH, BAKER, BARD, BARRAR, BASTIAN, BEBKO-JONES, BENNINGHOFF, BROWNE, BUXTON, CAWLEY, CHADWICK, CLYMER, CORRIGAN, COY, EGOLF, FICHTER, FLICK, GEIST, GEORGE, GODSHALL, GRUCELA, HANNA, HARHAI, HASAY, HERMAN, HERSHEY, HESS, HORSEY, HUTCHINSON, JADLOWIEC, KENNEY, LAUGHLIN, LUCYK, LYNCH, MANN, MARSICO, MASLAND, McCALL, McGEEHAN, MELIO, METCALFE, PETRARCA, PHILLIPS, PIPPY, READSHAW, ROBERTS, ROSS, RUBLEY, RUFFING, SATHER, SAYLOR, SEYFERT, SHANER, SOLOBAY, STABACK, STEIL, STERN, STEVENSON, STRITTMATTER, E. Z. TAYLOR, TRELLO, TRUE, WALKO, WILT, WOGAN, WOJNAROSKI, YEWIC, YOUNGBLOOD, ZUG and COSTA

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, repealing provisions relating to inheritance tax.

Referred to Committee on FINANCE, November 3, 1999.

No. 2025 By Representatives WOGAN, McCALL, DeLUCA, FLICK, GEORGE, HARHAI, LaGROTTA, MELIO, PETRARCA, SAINATO, SHANER, STABACK, STEVENSON, TANGRETTI, TRAVAGLIO, TRELLO, WALKO and WOJNAROSKI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, repealing provisions relating to imposition of tax on liquid fuels and fuels.

Referred to Committee on TRANSPORTATION, November 3, 1999.

No. 2026 By Representatives FLICK, WOGAN, HENNESSEY, PETRARCA, DeLUCA, FARGO, GODSHALL, HALUSKA, McGILL, McILHINNEY, MELIO, RUBLEY, SATHER, SAYLOR, SEYFERT, STABACK, STEVENSON, TIGUE, TRELLO, WILT and WOJNAROSKI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for duration of suspension for restricted operating privileges.

Referred to Committee on JUDICIARY, November 3, 1999.

No. 2027 By Representatives ORIE, HERMAN, WOGAN, CORRIGAN, BELARDI, HENNESSEY, PIPPY, LEDERER, KAISER, READSHAW, SOLOBAY, STERN, WILT, B. SMITH, CLARK, PISTELLA, VAN HORNE, HORSEY, LUCYK, WOJNAROSKI, TRELLO, ADOLPH, J. TAYLOR, EGOLF, GEIST, MELIO, WASHINGTON, YOUNGBLOOD, RAMOS, COSTA, BARRAR, McILHATTAN, E. Z. TAYLOR, DALLY, WILLIAMS, THOMAS, M. COHEN and STEELMAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving under the influence of alcohol or controlled substance and for license revocation or suspension; and making conforming amendments to Title 42.

Referred to Committee on JUDICIARY, November 8, 1999.

No. 2028 By Representatives ORIE, FRANKEL, ROSS, BAKER, HENNESSEY, PIPPY, DAILEY, FAIRCHILD, BASTIAN, DeLUCA, FARGO, RUBLEY, THOMAS, LAUGHLIN, WILT, WOJNAROSKI, VAN HORNE, TIGUE, YEWIC, HORSEY, TRELLO, LUCYK, EGOLF, J. TAYLOR, GEIST, RAMOS, YOUNGBLOOD, MYERS, SEMMEL, ROHRER, E. Z. TAYLOR, HALUSKA, S. MILLER, WILLIAMS, L. I. COHEN and STEELMAN

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for hearings, for petition for involuntary termination, for notice of hearing and for attendance at hearing in adoption proceedings; providing for standing of foster parents in adoption proceedings; and further providing for award of custody, partial custody or visitation.

Referred to Committee on JUDICIARY, November 8, 1999.

No. 2029 By Representatives ORIE, STEVENSON, READSHAW, FICHTER, FRANKEL, HENNESSEY, BELARDI, MASLAND, GIGLIOTTI, WOJNAROSKI, LAUGHLIN, SAINATO, HARHAI, SAYLOR, S. MILLER, SEYFERT, E. Z. TAYLOR, THOMAS, GEIST, J. TAYLOR, VAN HORNE, BARD, TRELLO, BROWNE, MARSICO and PISTELLA

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, imposing fines; and establishing the Drug Enforcement and Demand Reduction Fund.

Referred to Committee on JUDICIARY, November 8, 1999.

No. 2030 By Representatives SEYFERT, FAIRCHILD, LAUGHLIN, DALLY, BENNINGHOFF, RAMOS, MICOZZIE, BELFANTI and STEELMAN

An Act amending the act of October 4, 1978 (P.L.864, No.167), known as the Storm Water Management Act, further providing for municipal and public participation in watershed planning, for failure to adopt certain ordinances, for duty of land developers and for grants to counties; and making an editorial change.

Referred to Committee on ENVIRONMENTAL RESOURCES AND ENERGY, November 8, 1999.

No. 2031 By Representatives SEYFERT, S. H. SMITH, GODSHALL, EGOLF, FLICK, BARRAR, SAYLOR and ROSS

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

Referred to Committee on EDUCATION, November 8, 1999.

No. 2032 By Representatives TRELLO, SOLOBAY, WOJNAROSKI, WALKO, LAUGHLIN, PRESTON, STABACK, GIGLIOTTI, E. Z. TAYLOR, NAILOR, HARHAI, RAMOS,

YOUNGBLOOD, DeWEESE, SERAFINI, HERSHEY, BELARDI and MELIO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for safety requirements for towed vehicles.

Referred to Committee on TRANSPORTATION, November 8, 1999.

No. 2033 By Representatives TRELLO, SOLOBAY, WOJNAROSKI, WALKO, LAUGHLIN, PRESTON, GIGLIOTTI, E. Z. TAYLOR, HARHAI, RAMOS, YOUNGBLOOD, DeWEESE, HERSHEY and GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining the term "abandoned vehicle"; and providing for the removal of vehicles abandoned on the Pennsylvania Turnpike System.

Referred to Committee on TRANSPORTATION, November 8, 1999.

No. 2034 By Representatives WOGAN, McGEEHAN, KENNEY, O'BRIEN, J. TAYLOR, LEDERER, PETRONE, READSHAW, ADOLPH, ALLEN, ARGALL, BENNINGHOFF, BUNT, CIVERA, CLYMER, L. I. COHEN, DEMPSEY, FICHTER, GEIST, HALUSKA, HARHAI, PIPPY, RUBLEY, SATHER, SEYFERT, STEELMAN, STERN, STEVENSON, E. Z. TAYLOR, WOJNAROSKI and SAYLOR

An Act amending the act of May 28, 1937 (P.L.955, No.265), known as the Housing Authorities Law, providing for authority to deny admission and to evict, for a private cause action, for tenant eviction and for landlord debarment.

Referred to Committee on URBAN AFFAIRS, November 8, 1999.

No. 2035 By Representative FLICK

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, making editorial changes.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, November 8, 1999.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 299 By Representatives COLAFELLA, TRELLO, PIPPY, VEON, DeWEESE, BATTISTO, BELFANTI, BLAUM, CALTAGIRONE, CAPPABIANCA, CARN, CASORIO, L. I. COHEN, M. COHEN, CORRIGAN, COSTA, COY, DALEY, DeLUCA, DERMODY, EACHUS, EVANS, FRANKEL, FREEMAN, GEORGE, GIGLIOTTI, GRUCELA, GRUITZA, HALUSKA, HARHAI, HERSHEY, JOSEPHS, KAISER, LaGROTTA, LAUGHLIN, LEDERER, LESCOVITZ, LUCYK, MAJOR, MANDERINO, MANN, MARKOSEK, MAYERNIK, McCALL, MELIO, MICHLOVIC, MUNDY, OLIVER, ORIE, PESCI, PETRARCA, PETRONE, PISTELLA, PRESTON, RAYMOND, READSHAW, ROBERTS,

ROBINSON, ROONEY, RUFFING, SAINATO, SANTONI, SCRIMENTI, SHANER, SOLOBAY, STAIRS, STEELMAN, STEVENSON, STURLA, SURRA, TANGRETTI, TIGUE, TRAVAGLIO, TRICH, VAN HORNE, WALKO, WILLIAMS, WOJNAROSKI and YOUNGBLOOD

A Resolution requesting the Governor to release \$100,000,000 of capital budget funding for the US Airways maintenance facility improvements at the Pittsburgh International Airport and to devote all other necessary financial resources of the Commonwealth to ensure that this significant economic development project is successful.

Referred to Committee on RULES, October 27, 1999.

No. 305 By Representatives GEORGE, VEON, DeLUCA, McCALL, BELARDI, M. COHEN, CAWLEY, FREEMAN, MARKOSEK, STABACK, CAPPABIANCA, MICHLOVIC, BELFANTI, GIGLIOTTI, TRELLO, CARN, VAN HORNE, PETRARCA, LaGROTTA, PISTELLA, RAMOS, SOLOBAY, SURRA, MYERS, COSTA, MANDERINO, MANN, GRUCELA, WILLIAMS, HANNA, TRAVAGLIO, FICHTER, DALEY, RUBLEY, THOMAS, WOJNAROSKI, LAUGHLIN, FAIRCHILD, STURLA, CURRY, MELIO, READSHAW, LEDERER, CORRIGAN, DEMPSEY, PESCI, SATHER, YEWIC, YOUNGBLOOD, SHANER, JOSEPHS, ORIE and BROWNE

A Resolution memorializing the Federal Communications Commission to devise a new method to limit carrier line charges.

Referred to Committee on INTERGOVERNMENTAL AFFAIRS, November 3, 1999.

SENATE BILLS FOR CONCURRENCE

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

SB 555, PN 1443

Referred to Committee on COMMERCE AND ECONOMIC DEVELOPMENT, November 3, 1999.

SB 1011, PN 1267

Referred to Committee on TRANSPORTATION, October 27, 1999.

SB 1135, PN 1448

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, October 27, 1999.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 97, PN 1451

Referred to Committee on RULES, October 27, 1999.

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that the following bills be removed from the table and placed on the active calendar:

HB 2;
HB 1436;
HB 1559;
HB 1560;
HB 1561;
HB 1562;
HB 1565;
HB 1566;
HB 1567;
HB 1670;
HB 1717; and
SB 179.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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 2, PN 2545; HB 1436, PN 1690; HB 1559, PN 1877; HB 1560, PN 1878; HB 1561, PN 1879; HB 1562, PN 1880; HB 1565, PN 1883; HB 1566, PN 1884; HB 1567, PN 1885; HB 1670, PN 2544; HB 1717, PN 2103; and SB 179, PN 173.

BILLS RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that the following bills be recommitted to the Committee on Appropriations:

HB 2;
HB 1436;
HB 1559;
HB 1560;
HB 1561;
HB 1562;
HB 1565;
HB 1566;
HB 1567;
HB 1670;
HB 1717; and
SB 179.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that HB 1072, PN 1218, be removed from the table and placed on the active calendar.

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

BILL TABLED

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

Mr. PERZEL. Mr. Speaker, I move that HB 1072, PN 1218, be placed on the table.

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

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that SB 384, PN 1403, be removed from the table and placed on the active calendar.

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

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that SB 384, PN 1403, be recommitted to the Committee on Aging and Youth.

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

**BILL SIGNED BY
SPEAKER PRO TEMPORE**

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:

SB 392, PN 1417

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

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

LEAVES OF ABSENCE

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Snyder, who requests that the gentleman from Delaware County, Mr. RYAN, be placed on leave for the week. The gentleman, Mr. WILT, requests leave for the week. The gentleman, Mr. SERAFINI, requests a leave of absence for today's session. The gentleman from Lancaster County, Mr. ZIMMERMAN, requests a leave of absence for today's session. Without objection, the leaves will be granted. The Chair hears no objection, and the leaves are granted.

The Chair now recognizes the gentleman, Mr. Veon, who requests a leave of absence for the week for the gentleman from Allegheny County, Mr. PISTELLA; for the week for the gentleman from Mercer County, Mr. GRUITZA; for the day for the lady from Luzerne County, Representative MUNDY; and for the day for the gentleman from York County, Mr. STETLER. Without objection, the leaves will be granted. The Chair hears no objection. The leaves are granted.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—195

Adolph	Eachus	Maher	Samuelson
Allen	Egolf	Maitland	Santoni
Argall	Evans	Major	Sather
Armstrong	Fairchild	Manderino	Saylor
Baker	Fargo	Mann	Schroder
Bard	Feese	Markosek	Schuler
Barley	Fichter	Marsico	Scrimenti
Barrar	Fleagle	Masland	Semmel
Bastian	Flick	Mayernik	Seyfert
Battisto	Forcier	McCall	Shaner
Bebko-Jones	Frankel	McGeehan	Smith, B.
Belardi	Freeman	McGill	Smith, S. H.
Belfanti	Gannon	McIlhattan	Snyder
Benninghoff	Geist	McIlhinney	Solobay
Birmelin	George	McNaughton	Staback
Bishop	Gigliotti	Melio	Stairs
Blaum	Gladeck	Metcalfe	Steelman
Boyes	Godshall	Michlovic	Steil
Browne	Gordner	Micozzie	Stern
Bunt	Grucela	Miller, R.	Stevenson
Butkovitz	Habay	Miller, S.	Strittmatter
Buxton	Haluska	Myers	Sturla
Caltagirone	Hanna	Nailor	Surra
Cappabianca	Harhai	Nickol	Tangretti
Carn	Harhart	O'Brien	Taylor, E. Z.
Casorio	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Orie	Thomas
Chadwick	Herman	Perzel	Tigue
Civera	Hershey	Pesci	Travaglio
Clark	Hess	Petrarca	Trelio
Clymer	Horsey	Petrone	Trich
Cohen, L. I.	Hutchinson	Phillips	True
Cohen, M.	Jadlowiec	Pippy	Tulli
Colafella	James	Platts	Vance
Cornell	Josephs	Preston	Van Home
Corrigan	Kaiser	Ramos	Veon
Costa	Keller	Raymond	Vitali
Coy	Kenney	Readshaw	Waiko
Curry	Kirkland	Reinard	Washington
Dailey	Krebs	Rieger	Waters
Daley	LaGrotta	Roberts	Williams
Dally	Laughlin	Robinson	Wogan

DeLuca	Lawless	Roebuck	Wojnaroski
Dempsey	Lederer	Rohrer	Wright
Dermody	Leh	Rooney	Yewcic
DeWeese	Lescovitz	Ross	Youngblood
DiGirolamo	Levdansky	Rubley	Yudichak
Donatucci	Lucyk	Ruffing	Zug
Druce	Lynch	Sainato	

ADDITIONS—0

NOT VOTING—0

EXCUSED—8

Gruitza	Pistella	Stetler	Zimmerman
Mundy	Serafini	Wilt	Ryan, Speaker

LEAVES CANCELED—2

Mundy	Stetler
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GUESTS INTRODUCED

The SPEAKER pro tempore. The gentleman from Delaware County, Mr. Barrar, has a number of guests here with him today. They are retired oil workers from the B.P. company in Delaware County, and they are seated in the gallery. Would they please rise. Welcome to the hall of the House.

The gentleman, Mr. Geist, has a guest today. She is J. Anne Chettle, the director of communications for the High Speed Ground Transportation Association in Washington, D.C. She is seated to the left of the Speaker. Would she please rise. Welcome to the hall of the House.

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

HB 1625, PN 2599 (Amended) By Rep. SCHULER

An Act providing for surveillance, research and services relating to the prevention of birth defects, for powers and duties of the Department of Health, for a statewide registry, for reporting requirements and for confidentiality of information; imposing penalties; and making an appropriation.

AGING AND YOUTH.

COMMUNICATION FROM GOVERNOR

APPROVAL OF HOUSE BILL

The Speaker pro tempore laid before the House a communication in writing from the office of His Excellency, the Governor of the Commonwealth, advising that the following House bill had been approved and signed by the Governor:

HB 148.

ACTUARIAL NOTES

The SPEAKER pro tempore. The Chair acknowledges receipt of the following actuarial notes: an actuarial note for HB 1448, PN 1712; an actuarial note for HB 1639, PN 2004; an actuarial note for HB 845, PN 903; and an actuarial note for HB 1426, PN 1680.

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

GUESTS INTRODUCED

The SPEAKER pro tempore. The gentleman from Philadelphia County, Mr. Oliver, has two special guests with him today. They are Gail Harrity, the chief operating officer, and Cheryl McClenney-Brooker, the director of external affairs, from the world-renowned Philadelphia Museum of Art. They are up in the gallery. Would they please rise. Welcome to the hall of the House.

SUPPLEMENTAL CALENDAR A

RESOLUTION PURSUANT TO RULE 35

Mr. WATERS called up **HR 304, PN 2584**, entitled:

A Resolution honoring Dr. William F. Burke, assistant principal of Bartram High School, Philadelphia, for his heroism, bravery and concern for the welfare and lives of students.

On the question,
Will the House adopt the resolution?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Philadelphia County, Mr. Waters.

Mr. WATERS. Thank you, Mr. Speaker.

Mr. Speaker, in the months I have been in this chamber, I have heard several times lively debate regarding public schools, the Philadelphia public schools, and the educators in general. However one feels about those issues, there is one point that all can certainly agree on, that in our presence today, from the School District of Philadelphia, we have one educator who is a hero. On October 4, Dr. William Burke, assistant principal of Bartram High School, put his own life in peril to protect the safety and welfare of his students and teachers.

On learning that a student in a classroom was carrying a pistol, Dr. Burke went immediately to the classroom and removed the student from the class. After confronting the student in the hall, a shuffle ensued as Dr. Burke attempted to take possession of the weapon. In the process, Dr. Burke was shot in the leg. Fortunately, the wound was not serious.

**DR. AND MRS. WILLIAM F. BURKE
INTRODUCED**

Mr. WATERS. As evidence of that fact, allow me the honor of introducing in the chamber today Dr. William F. Burke and his wife, Antje. Dr. Burke and Mrs. Burke, please stand.

It seems as though we all can agree on the fact that he has done something heroic.

Mr. Speaker, I ask for the adoption of HR 304 as a gesture of our appreciation for his brave action to protect the children and his commitment to the high standards of his profession. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—195

Adolph	Eachus	Maher	Samuelson
Allen	Egolf	Maitland	Santoni
Argall	Evans	Major	Sather
Armstrong	Fairchild	Manderino	Saylor
Baker	Fargo	Mann	Schroder
Bard	Feese	Markosek	Schuler
Barley	Fichter	Marsico	Scrimenti
Barrar	Fleagle	Masland	Semmel
Bastian	Flick	Mayernik	Seyfert
Battisto	Forcier	McCall	Shaner
Bebko-Jones	Frankel	McGeehan	Smith, B.
Belardi	Freeman	McGill	Smith, S. H.
Belfanti	Gannon	McIlhattan	Snyder
Benninghoff	Geist	McIlhinney	Solobay
Birmelin	George	McNaughton	Staback
Bishop	Gigliotti	Melio	Stairs
Blaum	Gladeck	Metcalfe	Steelman
Boyes	Godshall	Michlovic	Steil
Browne	Gordner	Micozzie	Stern
Bunt	Grucela	Miller, R.	Stevenson
Butkovitz	Habay	Miller, S.	Strittmatter
Buxton	Haluska	Myers	Sturla
Caltagirone	Hanna	Nailor	Surra
Cappabianca	Harhai	Nickol	Tangretti
Carn	Harhart	O'Brien	Taylor, E. Z.
Casorio	Hasay	Oliver	Taylor, J.
Cawley	Hennessey	Orie	Thomas
Chadwick	Herman	Perzel	Tigue
Civera	Hershey	Pesci	Travaglio
Clark	Hess	Petrarca	Trello
Clymer	Horsey	Petrone	Trich
Cohen, L. I.	Hutchinson	Phillips	True
Cohen, M.	Jadlowiec	Pippy	Tulli
Colafella	James	Platts	Vance
Cornell	Josephs	Preston	Van Home
Corrigan	Kaiser	Ramos	Veon
Costa	Keller	Raymond	Vitali
Coy	Kenney	Readshaw	Walko
Curry	Kirkland	Reinard	Washington
Dailey	Krebs	Rieger	Waters
Daley	LaGrotta	Roberts	Williams
Dally	Laughlin	Robinson	Wogan
DeLuca	Lawless	Roebuck	Wojnaroski
Dempsey	Lederer	Rohrer	Wright
Dermody	Leh	Rooney	Yewcic
DeWeese	Lescovitz	Ross	Youngblood
DiGirolamo	Levdansky	Rublely	Yudichak
Donatucci	Lucyk	Ruffing	Zug
Druce	Lynch	Sainato	

NAYS—0

NOT VOTING—0

EXCUSED—8

Gruitza	Pistella	Stetler	Zimmerman
Mundy	Serafini	Wilt	Ryan, Speaker

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

RULES COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the majority leader, who calls for an immediate meeting of the Rules Committee at the majority leader's desk.

**BILLS ON CONCURRENCE
REPORTED FROM COMMITTEE**

HB 394, PN 2485 By Rep. PERZEL

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for election of the township secretary.

RULES.

SB 1100, PN 1408 By Rep. PERZEL

An Act designating a portion of U.S. Route 322 in Mifflin County and Centre County as the J. Doyle Corman Highway.

RULES.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 251, PN 2348 By Rep. PERZEL

A Resolution calling for a cost and services study of the county adult probation system by the Legislative Budget and Finance Committee.

RULES.

**INTERGOVERNMENTAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Flick, for the purpose of announcing a committee meeting.

Mr. FLICK. Thank you, Mr. Speaker.

At the recess I would like to call a meeting of the Intergovernmental Affairs Committee in the rear of the hall of the House for the purposes of considering a resolution and a bill.

The SPEAKER pro tempore. The Chair thanks the gentleman.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER pro tempore. The Chair recognizes the gentleman from Lancaster County, Mr. Barley, for the purpose of announcing a committee meeting.

Mr. BARLEY. Thank you, Mr. Speaker.

I would like to call for a meeting of the House Appropriations Committee in the majority House Appropriations Committee conference room. We will be prepared to have the meeting at 2:50. In consultation with the caucus chairman, he indicated that he would be returning to the floor at 3 o'clock, and we need some

additional time to prepare some amendments. We are going to be voting the bridge bill out of committee, and the Democrats have an amendment that is not ready, so we are going to be meeting at 2:50, 10 minutes of 3, in the majority Appropriations Committee meeting room.

REPUBLICAN CAUCUS

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Fargo, for a caucus announcement.

Mr. FARGO. Thank you, Mr. Speaker.

The Republican members will caucus immediately upon the call of the recess. We plan on coming back for further votes then, as the Appropriations chairman indicated, at 3 o'clock. So we will caucus immediately upon recess and come back at 3 o'clock for further votes. Thank you.

DEMOCRATIC CAUCUS

The SPEAKER pro tempore. Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, immediately upon recess there will be a Democratic caucus. We have numerous amendments to gun legislation that should be coming up this week. In addition, we will have our first of the many candidates running for the Democratic nomination for U.S. Senate who will be here to address us.

RECESS

The SPEAKER pro tempore. Without objection, the House will stand in recess until 3 p.m.

RECESS EXTENDED

The time of recess was extended until 3:30 p.m.; further extended until 3:45 p.m.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (PATRICIA H. VANCE) PRESIDING

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that HB 1439 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

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:

HB 1439, PN 2499.

BILL RECOMMITTED

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

Mr. PERZEL. Madam Speaker, I move that HB 1439 be recommitted to Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 2035, PN 2598

By Rep. FLICK

An Act amending the act of December 3, 1959 (P.L.1688, No.621), known as the Housing Finance Agency Law, making editorial changes.

INTERGOVERNMENTAL AFFAIRS.

SB 1050, PN 1385

By Rep. BARLEY

An Act making an appropriation to the American Battle Monuments Commission as a grant for use in the construction of the National World War II Memorial in the District of Columbia.

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEE

HB 461, PN 481

By Rep. BARLEY

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, providing for notice of arrest for school or child-care service employees.

APPROPRIATIONS.

HB 1087, PN 2529

By Rep. BARLEY

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, further providing for bows and arrows or crossbow in vehicles and for the time periods of permits.

APPROPRIATIONS.

HB 1152, PN 2498

By Rep. BARLEY

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

membership and powers and duties of the Community College Coordinating Board; and further providing for payments to community colleges.

APPROPRIATIONS.

HB 1393, PN 1635 By Rep. BARLEY

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, limiting the prohibition on the use of turkey blinds.

APPROPRIATIONS.

HB 1826, PN 2487 By Rep. BARLEY

An Act establishing the Victims of Domestic Violence Employment Leave Act.

APPROPRIATIONS.

HB 1970, PN 2457 By Rep. BARLEY

An Act amending the act of February 14, 1990 (P.L.62, No.11), known as the Noncontrolled Substances Reporting and Registration Act, further providing for chemicals subject to registration and for penalties.

APPROPRIATIONS.

HB 1971, PN 2458 By Rep. BARLEY

An Act amending the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act, further defining "designer drug"; further providing for prohibited acts; and making an editorial change.

APPROPRIATIONS.

HB 1981, PN 2490 By Rep. BARLEY

An Act amending the act of June 3, 1937 (P.L.1333, No.320), known as the Pennsylvania Election Code, further providing for the date of the general primary election in the year 2000.

APPROPRIATIONS.

SB 504, PN 1471 (Amended) By Rep. BARLEY

A Supplement to the act of December 8, 1982 (P.L.848, No.235), entitled Highway-Railroad and Highway Bridge Capital Budget Supplemental Act for 1999-2000, itemizing additional local and State bridge projects.

APPROPRIATIONS.

SB 798, PN 1415 By Rep. BARLEY

An Act amending the act of April 14, 1972 (P.L.233, No.64), entitled The Controlled Substance, Drug, Device and Cosmetic Act, further providing for schedules of controlled substances; and providing for penalties.

APPROPRIATIONS.

SB 983, PN 1430

By Rep. BARLEY

An Act authorizing the Department of General Services, with the approval of the Governor, to grant and convey to Mercer County certain lands situate in Coolspring Township, Mercer County; and authorizing the Department of General Services, with the approval of the Governor, to grant and convey to the Capital Region Economic Development Corporation, a Pennsylvania nonprofit corporation, certain lands situate in the City of Harrisburg, Dauphin County.

APPROPRIATIONS.

**RESOLUTION REPORTED
FROM COMMITTEE**

HR 225, PN 2612 (Amended) By Rep. FLICK

A Resolution urging the Department of Transportation to abandon its policy of designing and constructing highway projects in metric units.

INTERGOVERNMENTAL AFFAIRS.

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 1087, PN 2529; HB 1152, PN 2498; HB 1393, PN 1635; HB 1826, PN 2487; HB 1970, PN 2457; HB 1971, PN 2458; SB 504, PN 1471; and SB 798, PN 1415.

LEAVE OF ABSENCE CANCELED

The SPEAKER pro tempore. The Chair returns to leaves of absence and recognizes the minority leader, who asks that the gentleman, Mr. Stetler, be removed from the leave list.

BILLS REMOVED FROM TABLE

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

Mr. PERZEL. Madam Speaker, I move that HB 2035 and SB 1050 be removed from the table.

On the question,

Will the House agree to the motion?

Motion was agreed to.

FILMING PERMISSION

The SPEAKER pro tempore. The Chair wishes to inform the members that Chris Knight of the Erie Times-News has permission to take still photographs on the floor of the House.

REPORT SUBMITTED

The SPEAKER pro tempore. The Chair acknowledges receipt of the report submitted by the Local Government Commission pursuant to HR 167 of 1997.

(Copy of report is on file with the Chief Clerk.)

**COMMUNICATION FROM
TEMPLE UNIVERSITY**

The SPEAKER pro tempore. The Chair acknowledges receipt of the audited financial statements of Temple University submitted pursuant to Act 28A of 1999.

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

**COMMUNICATION FROM
UNIVERSITY OF PITTSBURGH**

The SPEAKER pro tempore. The Chair acknowledges receipt of the University of Pittsburgh's annual financial report for the year ended June 30, 1999.

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

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 48 By Representatives O'BRIEN, ARMSTRONG, BAKER, BARRAR, BATTISTO, BEBKO-JONES, BROWNE, BUNT, L. I. COHEN, COLAFELLA, COY, DeLUCA, FAIRCHILD, GODSHALL, GORDNER, HERMAN, KENNEY, LAUGHLIN, LEVDANSKY, McNAUGHTON, OLIVER, ORIE, PIPPY, PLATTS, SATHER, SAYLOR, SCHULER, SEMMEL, SHANER, B. SMITH, STEELMAN, STURLA, SURRA, E. Z. TAYLOR, J. TAYLOR, THOMAS, TIGUE, WILLIAMS and WILT

An Act providing for the establishment of a tobacco settlement recovery fund; designating the tobacco litigation master settlement agreement funds to be utilized for health-related purposes; establishing an advisory board; providing for tobacco litigation master settlement agreement funds to be utilized for medical research, study and investigation which seeks to manage and ultimately cure tobacco-related illnesses and diseases, and toward the funding, creation and promulgation of programs which seek to aid individuals in the cessation of smoking or attempt to prevent individuals from ever beginning to use tobacco products; and improving the delivery of health care services and containment of costs.

Referred to Committee on HEALTH AND HUMAN SERVICES, November 8, 1999.

No. 2036 By Representatives ROBINSON, DeLUCA, GEORGE, CARN, GRUCELA, CAPPABIANCA, CASORIO, TANGRETTI, THOMAS, FORCIER, STEELMAN, DALEY and LAUGHLIN

An Act amending the act of May 24, 1945 (P.L.991, No.385), known as the Urban Redevelopment Law, defining "blighted area"; further defining "redevelopment area"; and further providing for powers of authority and for adoption of redevelopment proposal.

Referred to Committee on URBAN AFFAIRS, November 8, 1999.

No. 2037 By Representatives SEMMEL, EGOLF, BASTIAN, FORCIER, HUTCHINSON, MARSICO, R. MILLER, NAILOR and ZUG

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing for unemployment compensation benefits.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, November 8, 1999.

No. 2038 By Representatives COLAFELLA, STAIRS, SNYDER, DeWEESE, VEON, M. COHEN, BELARDI, EVANS, CURRY, GRUCELA, McILHATTAN, MUNDY, NAILOR, ROBINSON, ROEBUCK, STEELMAN, STEVENSON, WILLIAMS, YEWIC, ARGALL, BARRAR, BATTISTO, BEBKO-JONES, BELFANTI, BISHOP, BOYES, CALTAGIRONE, CLYMER, L. I. COHEN, COSTA, FRANKEL, FREEMAN, GODSHALL, HALUSKA, HARHAI, HORSEY, JOSEPHS, LAUGHLIN, MAHER, MANDERINO, MANN, MAYERNIK, McCALL, MELIO, MICHLOVIC, MICOZZIE, MYERS, ORIE, PISTELLA, RAMOS, READSHAW, ROONEY, SAINATO, SANTONI, SEMMEL, SHANER, SOLOBAY, TANGRETTI, E. Z. TAYLOR, THOMAS, TIGUE, TRAVAGLIO, TULLI, VAN HORNE, WALKO, WATERS, WOJNAROSKI, YOUNGBLOOD, YUDICHAK, DALEY, DALLY and DeLUCA

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 reimbursements or payments by the Commonwealth to community colleges.

Referred to Committee on EDUCATION, November 8, 1999.

No. 2039 By Representative WILT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "school bus" to exclude certain vehicles used for religious purposes.

Referred to Committee on TRANSPORTATION, November 8, 1999.

No. 2040 By Representatives ROBERTS, CAWLEY, GRUCELA, KIRKLAND, LEDERER, LUCYK, MICHLOVIC, READSHAW, ROONEY, J. TAYLOR, YOUNGBLOOD and YUDICHAK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for veterans' preferences for spouses.

Referred to Committee on VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS, November 8, 1999.

No. 2041 By Representatives DEMPSEY, BARD, BENNINGHOFF, FAIRCHILD, GEIST, HARHAI, HERMAN, HERSHEY, LEDERER, MASLAND, NAILOR, RAYMOND, RUBLEY, SATHER, B. SMITH, STERN, J. TAYLOR, TULLI, WILLIAMS and WILT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for driving while operating privilege is suspended or revoked.

Referred to Committee on JUDICIARY, November 8, 1999.

No. 2042 By Representatives MAITLAND, DALEY, WALKO, BATTISTO, CLARK, DeWEESE, FRANKEL, GEIST, JOSEPHS, LYNCH, MANDERINO, MASLAND, READSHAW, ROSS, SAYLOR, THOMAS, TRELLO and PLATTS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for sentence of partial confinement and for sentence of total confinement.

Referred to Committee on JUDICIARY, November 8, 1999.

No. 2043 By Representatives KREBS, MANDERINO, MARSICO, LEVDANSKY, FEESE, NICKOL, ORIE, B. SMITH, GEIST, TRELLO, M. COHEN, S. H. SMITH, CARN, MASLAND, LAUGHLIN, SEYFERT, ROBINSON, WILT, THOMAS, McCALL, MAITLAND, STEELMAN, STERN and DALEY

An Act amending Titles 26 (Eminent Domain), 42 (Judiciary and Judicial Procedure) and 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, adding provisions relating to eminent domain; and making repeals.

Referred to Committee on JUDICIARY, November 8, 1999.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 306 By Representatives FLICK, FLEAGLE, HERMAN, ARGALL, NAILOR, ARMSTRONG, BARRAR, BEBKO-JONES, BOYES, DEMPSEY, GEIST, GEORGE, HERSHEY, LAUGHLIN, MAJOR, MARSICO, MASLAND, RUBLEY, STEELMAN, VANCE, WILT and WOJNAROSKI

A Resolution directing the Standing Committees on Education and Intergovernmental Affairs of the House of Representatives to jointly undertake a study of the Commonwealth's current system of vocational-technical education; and providing for a report to the House of Representatives, State Board of Education and the Secretary of Education.

Referred to Committee on RULES, November 8, 1999.

No. 308 By Representative THOMAS

A Resolution directing the Committee on Health and Human Services to conduct an investigation relating to the scope of the suspected hepatitis C outbreak among firefighters in this Commonwealth.

Referred to Committee on RULES, November 8, 1999.

LEAVE OF ABSENCE CANCELED

Mr. COY. Madam Speaker?

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

Mr. COY. If we could return to the order of business of leaves of absence and request that the gentlelady, Ms. Mundy, be added to the master roll.

The SPEAKER pro tempore. The Chair thanks the gentleman.

CALENDAR

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 602, PN 1191**, entitled:

An Act amending the act of December 14, 1992 (P.L. 1116, No. 145), entitled Wholesale Prescription Drug Distributors License Act, further defining "wholesale distribution of prescription drugs."

On the question,

Will the House agree to the bill on third consideration?

Mr. VEON offered the following amendment No. **A3899**:

Amend Sec. 1 (Sec. 3), page 2, line 2, by striking out the bracket before "but"

Amend Sec. 1 (Sec. 3), page 2, lines 2 through 7, by striking out "] and distribution by a" in line 2 and all of lines 3 through 6, and "foregoing the phrase" in line 7

Amend Sec. 1 (Sec. 3), page 3, line 2, by inserting brackets before and after the period and inserting immediately thereafter: however, the State Board of Pharmacy and the Pennsylvania Drug, Device and Cosmetic Board shall jointly promulgate regulations authorizing the distribution of prepackaged dialysis supplies and solutions directly to a self-administering dialysis patient under the care of a physician and pharmacist at the patient's residence.

On the question,

Will the House agree to the amendment?

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

Mr. VEON. Thank you, Madam Speaker.

Madam Speaker, I know this issue has been around for the last few months and a number of associations and interests on both sides of the issue have worked very hard to put their point of view across, and frankly, Madam Speaker, I think that both sides have a very good case to make. At the end of the day, however, I have come down clearly on the side that would be opposed to SB 602 passing in the form that it was put on the House floor today, and therefore, Madam Speaker, I would like to offer this amendment.

I would best characterize this amendment, Madam Speaker, as an effort to maintain a relationship that pharmacists have with their clients in Pennsylvania. I think most of us are aware and have seen over the years a variety of polls, a variety of lists that ask average people in Pennsylvania and in the country to list the occupation that they really have the most trust and faith in, and we all know that at times our own profession does not end up on that list as high as we think it should, but pharmacist on every occasion, in list

after list, in poll after poll, always tops the list of those professions that average people have the most faith and the most trust in.

My concern with SB 602 is it is just one more occasion where this legislature is being asked to bypass a pharmacist and essentially allow manufacturers, wholesalers, manufacturers of drugs to provide mail-order drugs to patients and clients in the State of Pennsylvania, and in my judgment, it is one additional chipping away at the profession of pharmacist in the State of Pennsylvania.

I have trust in those pharmacists. I happen to think they do a good job. They are under attack in so many ways in the health-care field, in the health-care industry today that I think it would be a mistake to one more time, with SB 602 without this amendment, allow manufacturers to send the drugs directly to their patients.

My amendment would make it very clear that that drug in the State of Pennsylvania would have to be provided by a licensed pharmacist. We license them. We put them in business. We create the industry of pharmacy in Pennsylvania. We allow them to set up shop in this State. I think it would be a mistake to just simply bypass them and allow the manufacturer to sell directly to the patient and the client. My amendment would prohibit that and would in fact require pharmacists, a licensed pharmacist, to write that prescription under our State law, and I would therefore ask for an affirmative vote. Thank you, Madam Speaker.

The SPEAKER pro tempore. On the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. O'Brien.

Mr. O'BRIEN. Thank you, Madam Speaker.

Madam Speaker, I would like everybody in this House to know that if the Veon amendment passes, it will gut the bill that is very important to 1,200 Pennsylvanians.

The appropriate time — although I have great respect for Mr. Veon — the appropriate time to make this argument would have been 25 years ago, because there has been no pharmacist intervention for the last 25 years.

What we are doing is memorializing a practice that has been in place in this Commonwealth for 25 years and has worked very well. The only reason that we are doing this is because the State Board of Pharmacy says that we should clarify this issue legislatively. What we are talking about are prepackaged dialysis supplies directly from the manufacturer to self-administering patients. There are 9,000 dialysis patients in Pennsylvania; 1,200 have chosen to do the home dialysis option. These materials are delivered directly to their homes.

As I have said, the practice has been in place for 25 years. The existing policies and procedures were developed with the encouragement and the oversight of HCFA (Health Care Financing Administration) and the Medicare system. There are extensive and repeated accuracy checks that are performed by the manufacturers, the delivery system, the trained and certified patient, and the interdisciplinary health-care team involved in the patient's care. Let me also point out that Medicare pays the renal center directly a flat rate. Out of that flat rate, the renal center pays the doctor, the nurse, the dietician, and the manufacturer. This is not a cost-effective way of dealing with this issue.

And let me also point out a very important issue. Every time that someone suffers a medical malady, that is a very personal issue. We do not have the right to intrude this legislative body or the State or any other body into the privacy of that malady. These people are asking for this service to continue without our intrusion, and I respect those 1,200 Pennsylvanians. Thank you.

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

Mr. HASAY. Thank you, Madam Speaker.

I rise to support the amendment, 3899.

I think it is important that the pharmacist should be involved with his knowledge in health care and the drugs that he administers. I think it is important as far as the health of the individual that receives this health advice as well as the drug from the pharmacist.

So, Madam Speaker, I think this is an important bill, because what is happening now is illegal, what we are trying to make legal.

So I support the amendment and would hope you would vote in the affirmative. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Bradford County, Mr. Chadwick.

Mr. CHADWICK. Thank you, Madam Speaker.

As I was trying to come up with the words to use in this debate, it occurred to me that I could not do nearly as good a job as the words of a dialysis patient who had written a letter that many of us have received, and I would just like to read a couple of excerpts from that letter from a dialysis patient: "Don't you think that it cost enough for the supplies, without any more cost. Let our nephrologist make the decision on ordering our supplies. Who knows better in what we need to do dialysis. What does a pharmacist know about what supplies we need. He or she knows nothing about us. We don't need any middle man going through our supplies to see what we are getting or if we are getting something we shouldn't. All that would mean is costing more money. I am a dialysis patient. I say just leave well enough alone. You got a good set up. Leave it go at that. Don't mess with a good thing. Like they say, if it is not broke don't fix it. Don't disturb something that has worked out good for twenty five years.... Let it remain that way."

I could go on, but I think that dialysis patient has made a telling case for why we should not support this amendment. This system has worked well for 25 years, and we owe it to those patients who are trying to live a semblance of a normal life to let that system continue to operate. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Franklin County, Mr. Coy.

Mr. COY. Thank you, Madam Speaker.

Madam Speaker, I rise respectfully to oppose the amendment, and I do so for many of the items that have been mentioned already, and I think one of the most important things that was said was that we are simply placing in legislation today or attempting to place in legislation today that which is already the practice on the part of these patients in the State.

I respect the fact that Representative Chadwick just read a letter from a person who is in need of this type of care. There are 1,300 of these patients statewide, Madam Speaker, and what they are asking is for us to encapsulate in law now that which has been the practice for some time.

These dialysis supplies consist predominantly of the solutions which are prepared and prepackaged as a dextrose solution that is contained in sterile bags with plastic tubing that can be attached to the patient's catheter. They are not intravenously administered, and the bags contain 2 to 2 1/2 liters of solution on average. It is something that the patient, himself or herself, does regularly by themselves. It is not a medical procedure as we would think of it. It is not a procedure that is unlike a person who administers insulin

to himself or herself. It is a procedure which is commonplace to that patient, and having these supplies delivered into their homes as they are today has been a practice which is effective, which has worked, and is probably the best procedure costwise to the patient.

Now, what makes the dialysis solutions unique? The most significant aspect is that HCFA and Medicare treat all aspects of dialysis as a carve-out for Medicare. They are aware of the practices and processes associated with dialysis. Through the Medicare program, the government pays 80 percent of the bill for dialysis patients of all ages, and included in that is all of the supplies, equipment, and routine lab tests and services which are part of the administration of the program.

So, Madam Speaker, what SB 602 does — and I know I am straying from the amendment, but the amendment would simply, as Representative O'Brien said, gut the bill — and what SB 602 does is simply place into law a practice which 1,300 of our constituents statewide have been using to self-administer a dialysis program which is necessary for them continuing a quality of life which they have enjoyed over the past years. The amendment guts it.

I think we ought to vote against the amendment and pass the bill. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Philadelphia, Mr. Thomas. The gentleman waives off.

The Chair recognizes the gentleman from Washington County, Mr. Trich.

Mr. TRICH. Thank you, Madam Speaker.

Madam Speaker, I reluctantly stand to oppose my good friend and colleague, Representative Veon, on this amendment. I do so with some hesitancy in one instance, and that is that if in fact we were debating the issue of whether or not pharmacists should have more control or pharmacists should have more oversight on the medications they sell to our constituents and to our loved ones, then I would probably be with Representative Veon on this matter.

However, in this particular case, we are talking about a system that has been working very, very well for more than 2 1/2 decades, and I will not bother going into the same issues that many of the other people have already brought before us today on the House floor. I would merely indicate, however, that I was made aware of three individuals, three of those 1,200 that we are talking about throughout the entire Commonwealth, 1,200 who use this type of system. The three that I spoke to in my legislative district indicated very clearly that what has been working for them now will certainly work for them the best if we would continue it in the same manner that we do. It comes directly from the manufacturer; that is correct, but we are not asking to extend that to other medications, to other drugs. We are talking about something very, very narrow, very, very specific for very few people but who count on this in the most critical of arenas.

So I would certainly ask my colleagues to take a look at this amendment and realize that it does gut the bill, if you will. It will create some hardship for those 1,200 folks who really depend upon this type of solution for their life-sustaining treatments.

So again, I would ask my colleagues to understand this is not an issue against pharmacists. It is an issue, however, for something that is practical, for something that is working, and for something that has been going on now for more than 20 years.

I would ask that we oppose this amendment and support the Senate bill without any amendments. Thank you.

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

Mr. TAYLOR. Thank you, Madam Speaker.

Madam Speaker, I would ask that the members oppose this amendment as well.

I think the other speakers did a fine job of really defining the bill and talking about how the amendment would completely gut the bill, but for those who are concerned about the plight of the pharmacists in the Commonwealth, I just want to assure you that the language of the particular bill we have in front of us is very specific. It deals only with those few dialysis patients around the Commonwealth, and if you look at the language, you see we are not opening the door for other problems for pharmacists. I am sure that when they contacted you, they were concerned really not about this particular legislation but other problems they are having.

I would just try to keep in mind the hardship that these patients are already going through when they are self-administering these solutions for hours upon hours. We have a triangle that exists between the physician, the distributor, and the patient, and by passing this amendment, we will disrupt that triangle and that relationship, and I would ask you to defeat the amendment and vote affirmatively on the bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Centre County, Mr. Benninghoff.

Mr. BENNINGHOFF. Thank you, Madam Speaker.

I think it is important, obviously, to stand and oppose this amendment, with all due respect to my colleague on the other side of the aisle, but there are a couple points I would like to point out. Number one, this is an issue of patient choice. Those of you who have not been around it may not know, but people who choose peritoneal dialysis do it so they can be in their home. They are not hooked up to a machine that is being fed in through the veins and which requires them to go into a hospital three and four times a week. That is a big difference for a lot of people. Oftentimes they do not have the support services to get them there. Patient choice is very important.

In addition, I think we need to highlight that these renal centers are reimbursed at a flat rate. If anything, we are going to cause our pharmacists probably to incur costs. The pharmacists are going to have to start to deliver this stuff because a lot of these patients have subsidiary problems, be it blindness or ambulatory problems, that they cannot go and physically pick this stuff up. Some of them are up there in years and are not able to get out to get it as well. Some of the pharmacists I spoke to and talked and shared this information with said, I did not know that; that will end up costing me more money and more manpower on my staff to be delivering these services.

Another issue, Madam Speaker, if I could have the attention, I think that we need to really remember is these companies that distribute this are not Kmart. These are centers that have strong pharmaceutical backgrounds, strong quality assurance issues and standards within their company, and more importantly, these companies will service the patient's machine. Will our pharmacists be able to do that? I think not. Will they have other machines on backup if they break down on Friday, Saturday, Sunday, or the holidays? I think not. For the sake of our patients, I think we should not be stealing away the security that they have.

I am a strong supporter of the pharmacist. I have many friends that are pharmacists. When we sit down to discuss the real meaning behind this amendment, they agree with me that the

patient should have a choice of where their care is to be and at what cost. This amendment will do nothing but gut the bill and drive up health-care costs, which indirectly affects all of us.

Please think about what you are doing, think about what is best for our patients, but most of all, think about whether you want government to intrude on a procedure that has worked efficiently, effectively, and cost efficiently for all Pennsylvanians for 25 years.

Thank you, Madam Speaker.

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

Mr. GANNON. Thank you, Madam Speaker.

After listening to the long list of proponents of this amendment, I believe they made a very good case as to why we should vote for this amendment.

Now, they first said this is a practice that has been going on for 25 years without any problem, and all of a sudden, after 25 years of a practice which does not have any problem, all of a sudden we need a law that protects the manufacturer from some type of a problem that does not exist by their own words.

What this bill does is it takes the pharmacist out of the loop, the Pennsylvania pharmacist who next to the doctor and the nurse is probably the most important component to the health care of the people of this Commonwealth. And it does not take them out as a matter of practice. They have already said for the past 25 years that is what has been going on and there has not been any problem, but all of a sudden the manufacturers want to take the pharmacist out as a matter of law, take that patient-pharmacist relationship and break it as a matter of law.

And they have even said, well, what has been going on for the past 25 years has not been a hardship on the patients. Then why do we need a law? No hardship; no problem; practice going on for 25 years, but all of a sudden let us break that relationship between the pharmacist and the patient, and when that patient now has a problem, he does not go to his neighborhood pharmacist and say, I have got a problem; can you help me? He has got to dial 1-800-who-knows-what.

We have also been told by the opponents, those who oppose the amendment, that this is a matter of choice. The patient has that choice today. There is nothing in the law that prohibits that choice.

Now, let us make it clear what this bill does. It takes the direct delivery of this medicine to the patient and puts it into wholesale distribution; takes it out of the hands of the pharmacist, breaks that relationship, and does away with any type of regulatory protection that a patient now has, a Pennsylvania patient.

For those reasons alone, this amendment is critical to this bill. If this is what they want to do, that is fine. They came here and asked this General Assembly to make a change, to change the law when, by their own words, there has not been a problem for 25 years. Well, all right. We will give them that right to sell directly to that patient; that is what they want to do, but let us not break the relationship as a matter of law between the patient and the pharmacist. And do not forget, the patient has the right to go to any pharmacist he wants to in Pennsylvania as long as he is licensed. We require minimum standards for our pharmacists; minimum standards — education, qualifications, experience, testing — and we think of our neighborhood pharmacist as a friend.

And somebody even said, well, this is a very personal matter. On something this personal, you are going to dial 1-800 if you have a problem? I know I would rather go down to my corner pharmacist who happens to be a neighbor and a friend of mine if

I have a problem with my medication or if I have a question about it, because he knows more about me than somebody in Idaho or Arkansas or wherever about my medical problems and what my medication needs are. Because that is what is going to happen here. If you have a problem, it is going to be call 1-800. That will be right on the package that the postman delivers. Right inside will be a little slip. It will say, well, if you have a question or a problem, call 1-800 and ask for operator 237; we will be glad to help you. So now instead of dealing with your neighborhood pharmacist, you are going to be dealing with the postman because he is delivering your drugs now. That is wrong. That is why we need this amendment.

This amendment is important to the bill. It does not gut the bill. It does not do what the manufacturers want, which will add unbridled access to these 1,300 patients — unbridled, total, liberated, unregulated, whatever they want to do. What it says is, you know, we are going to keep a little safety, safety mechanism on this, a little safety catch here. We are going to have the pharmacist involved. We did not ask for this law. They did. They said there was no problem.

I ask for a "yes" vote on the amendment. Thank you.

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

Mr. TAYLOR. Thank you, Madam Speaker.

I do not want to elongate this debate, but I think when some facts are stated that are just absolutely false, they need to be corrected. Madam Speaker, the last speaker mentioned that we are taking the pharmacist out of the process, and that could not be further from the truth because right now the pharmacist is not in this process.

A little over a year ago my mother passed away, and prior to that she was on dialysis for many months, and if any of you have had family members who have gone through that, you know how burdensome that is, not only on the patient but on the entire family. The process of getting a patient ready, getting someone dressed and trying to — We needed paratransit and wheelchairs just to get to the center. Well, Madam Speaker, there was no pharmacist at that center, and what we are doing is denying the ability of people who are self-administering this process at home to continue to do it the way they did it for 25 years.

If we can remove this debate for a second away from insurance companies and pharmacists and things and think about the patient, if you ever had an opportunity to talk with a patient who was on dialysis, they will tell you that this situation is working. We should continue the way it is, and to do that we want to vote "no" on this amendment and "yes" on the bill.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Franklin County, Mr. Coy, for the second time.

Mr. COY. Thank you, Madam Speaker.

I, like Representative Taylor, do not care to really elongate the debate, but I have to correct the record also.

If you look at the amendment, the amendment says in the first statement of the explanation of the amendment that the State Board of Pharmacy shall jointly with the Pennsylvania Drug, Device and Cosmetic Board promulgate regulations administering and authorizing the administration of this program.

Now, if you think that they are going to promulgate regulations that are going to leave this present program intact, I think you are mistaken. I do not think they will. I think they will exercise their

powers to regulate it and prohibit the current situation from continuing.

So if you are interested in helping put in place in law a program which does work, which helps people under this condition of needing home care for dialysis, you have to vote against the amendment. Thank you, Madam Speaker.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Beaver County, Mr. Veon, for the second time.

Mr. VEON. Thank you, Madam Speaker.

Madam Speaker, like my colleague from Philadelphia, I will try to be brief as we close this debate.

Madam Speaker, quite frankly, I wish we could have resolved this issue before bringing it to the House floor, because this is a very challenging issue for everybody here. On issues like this, it requires the wisdom of Solomon to try to pick between two right ways of serving patients in the State of Pennsylvania.

One gentleman from the Republican side, I thought, did a good job of articulating the comments of one of the patients, and I think that is very moving testimony, and quite frankly, there is a strong case to be made on either side of this issue. I simply have come down on the side of trying to maintain the integrity of the position of the pharmacists in the State of Pennsylvania. We license them. We require them to abide by the law. We require physicians to write prescriptions that are filled by pharmacists. We do not allow physicians, we do not allow nephrologists, to simply deal directly with the patient and have the drugs delivered directly to their house for whatever ailment they may have. We have a pharmacist for a reason, and I have already indicated that the people of Pennsylvania have a tremendous amount of trust in that profession.

We should not break with the integrity of the system we have in place today for pharmacists. That is where I have come down on this issue, and therefore, I would ask for an affirmative vote on my amendment.

Thank you for your time, Madam Speaker.

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

The following roll call was recorded:

YEAS—48

Allen	Donatucci	Levdansky	Schroder
Argall	Fleagle	Lucyk	Scrimenti
Baker	Forcier	Mann	Semmel
Bebko-Jones	Gannon	Markosek	Staback
Belardi	Gordner	Mayernik	Steelman
Butkovitz	Haluska	McIlhattan	Surra
Cappabianca	Harhart	Oliver	Thomas
Casorio	Hasay	Pesci	Tigue
Cawley	Hutchinson	Ramos	Veon
Cohen, M.	Jadlowiec	Rieger	Washington
Corrigan	Laughlin	Roberts	Waters
Curry	Leh	Robinson	Yudichak

NAYS—148

Adolph	Evans	Manderino	Samuelson
Armstrong	Fairchild	Marsico	Santoni
Bard	Fargo	Masland	Sather
Barley	Feese	McCall	Saylor
Barrar	Fichter	McGeehan	Schuler
Bastian	Flick	McGill	Seyfert
Battisto	Frankel	McIlhinney	Shaner
Belfanti	Freeman	McNaughton	Smith, B.

Benninghoff	Geist	Melio	Smith, S. H.
Birmeitn	George	Metcalfe	Snyder
Blaum	Gigliotti	Michlovic	Solobay
Boyes	Gladeck	Micozzie	Stairs
Browne	Godshall	Miller, R.	Steil
Bunt	Grucela	Miller, S.	Stern
Buxton	Habay	Mundy	Stetler
Caltagirone	Hanna	Myers	Stevenson
Carn	Harhai	Nailor	Strittmatter
Chadwick	Hennessey	Nickol	Sturla
Civera	Herman	O'Brien	Tangretti
Clark	Hershey	Orie	Taylor, E. Z.
Clymer	Hess	Perzel	Taylor, J.
Cohen, L. I.	Horsey	Petrarca	Travaglio
Colafella	James	Petrone	Trello
Cornell	Josephs	Phillips	Trich
Costa	Kaiser	Pippy	True
Coy	Keller	Platts	Tulli
Dailey	Kenney	Preston	Vance
Daley	Kirkland	Raymond	Van Horne
Dally	Krebs	Readshaw	Vitali
DeLuca	LaGrotta	Reinard	Walko
Dempsey	Lawless	Roebuck	Williams
Dermody	Lederer	Rohrer	Wogan
DeWeese	Lescovitz	Rooney	Wojnaroski
DiGirolamo	Lynch	Ross	Wright
Druce	Maher	Rubley	Yewcic
Eachus	Maitland	Ruffing	Youngblood
Egolf	Major	Sainato	Zug

NOT VOTING—1

Bishop

EXCUSED—6

Gruitza	Serafini	Zimmerman	Ryan,
Pistella	Wilt		Speaker

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendment was not agreed to.

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

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

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

The following roll call was recorded:

YEAS—183

Adolph	Egolf	Manderino	Santoni
Armstrong	Evans	Mann	Sather
Baker	Fairchild	Markosek	Saylor
Bard	Fargo	Marsico	Schroder
Barley	Feese	Masland	Schuler
Barrar	Fichter	Mayermik	Scrimenti
Bastian	Flick	McCall	Semmel
Battisto	Frankel	McGeehan	Seyfert
Bebko-Jones	Freeman	McGill	Shaner
Belardi	Gannon	McIlhinney	Smith, B.
Belfanti	Geist	McNaughton	Smith, S. H.
Benninghoff	George	Melio	Snyder

Birmelin	Gigliotti	Metcalfe	Solobay
Bishop	Gladeck	Michlovic	Staback
Blaum	Godshall	Micozzie	Steil
Boyes	Gordner	Miller, R.	Stern
Browne	Grucela	Miller, S.	Stetler
Bunt	Habay	Mundy	Stevenson
Butkovitz	Haluska	Myers	Strittmatter
Buxton	Hanna	Nailor	Sturla
Caltagirone	Harhai	Nickol	Surra
Cappabianca	Hasay	O'Brien	Tangretti
Casorio	Hennessey	Oliver	Taylor, E. Z.
Cawley	Herman	Orie	Taylor, J.
Chadwick	Hershey	Perzel	Thomas
Civera	Horsey	Petrarca	Tigue
Clark	Jadlowiec	Petrone	Travaglio
Clymer	James	Phillips	Trello
Cohen, L. I.	Josephs	Pippy	Trich
Cohen, M.	Kaiser	Platts	True
Colafella	Keller	Preston	Tulli
Cornell	Kenney	Ramos	Vance
Corrigan	Kirkland	Raymond	Van Horne
Costa	Krebs	Readshaw	Veon
Coy	LaGrotta	Reinard	Vitali
Dailey	Laughlin	Rieger	Walko
Daley	Lawless	Roberts	Washington
Dally	Lederer	Robinson	Waters
DeLuca	Leh	Roebuck	Williams
Dempsey	Lescovitz	Rohrer	Wogan
Dermody	Levdansky	Rooney	Wojnaroski
DeWeese	Lucyk	Ross	Wright
DiGirolamo	Lynch	Rubley	Yewcic
Donatucci	Maher	Ruffing	Youngblood
Druce	Maitland	Sainato	Zug
Eachus	Major	Samuelson	

NAYS—13

Allen	Forcier	Hutchinson	Stairs
Argall	Harhart	McIlhattan	Steeiman
Curry	Hess	Pesci	Yudichak

NOT VOTING—1

Carn

EXCUSED—6

Gruitza	Serafini	Zimmerman	Ryan,
Pistella	Wilt		Speaker

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

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

SUPPLEMENTAL CALENDAR B

BILL ON CONCURRENCE
IN SENATE AMENDMENTS

The House proceeded to consideration of concurrence in Senate amendments to **HB 394, PN 2485**, entitled:

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for election of the township secretary.

On the question,
Will the House concur in Senate amendments?
The SPEAKER pro tempore. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

The following roll call was recorded:

YEAS—193

Adolph	Evans	Maitland	Sainato
Allen	Fairchild	Major	Samuelson
Argall	Fargo	Manderino	Santoni
Armstrong	Feese	Mann	Sather
Baker	Fichter	Markosek	Saylor
Bard	Fieagle	Marsico	Schroder
Barley	Flick	Masland	Schuler
Barrar	Forcier	Mayernik	Semmel
Bastian	Frankel	McCall	Seyfert
Battisto	Freeman	McGeehan	Shaner
Bebko-Jones	Gannon	McGill	Smith, B.
Belardi	Geist	McIlhattan	Smith, S. H.
Belfanti	George	McIlhinney	Snyder
Benninghoff	Gigliotti	McNaughton	Solobay
Birmelin	Gladeck	Melio	Staback
Bishop	Godshall	Metcalfe	Steeiman
Blaum	Gordner	Michlovic	Steil
Boyes	Grucela	Micozzie	Stern
Browne	Habay	Miller, R.	Stetler
Bunt	Haluska	Miller, S.	Stevenson
Butkovitz	Hanna	Mundy	Strittmatter
Buxton	Harhai	Myers	Sturla
Caltagirone	Harhart	Nailor	Surra
Cappabianca	Hasay	Nickol	Tangretti
Cawley	Hennessey	O'Brien	Taylor, E. Z.
Chadwick	Herman	Oliver	Taylor, J.
Civera	Hershey	Orie	Thomas
Clark	Hess	Perzel	Tigue
Clymer	Horsey	Pesci	Travaglio
Cohen, L. I.	Hutchinson	Petrarca	Trello
Cohen, M.	Jadlowiec	Petrone	Trich
Colafella	James	Phillips	True
Cornell	Josephs	Pippy	Tulli
Corrigan	Kaiser	Platts	Vance
Costa	Keller	Preston	Van Horne
Coy	Kenney	Ramos	Veon
Curry	Kirkland	Raymond	Vitali
Dailey	Krebs	Readshaw	Walko
Daley	LaGrotta	Reinard	Washington
Dally	Laughlin	Rieger	Waters
DeLuca	Lawless	Roberts	Williams
Dempsey	Lederer	Robinson	Wogan
Dermody	Leh	Roebuck	Wojnaroski
DeWeese	Lescovitz	Rohrer	Wright
DiGirolamo	Levdansky	Rooney	Yewcic
Donatucci	Lucyk	Ross	Youngblood
Druce	Lynch	Rubley	Yudichak
Eachus	Maher	Ruffing	Zug
Egolf			

NAYS—2

Casorio	Scrimenti
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NOT VOTING—2

Carn	Stairs
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EXCUSED—6

Gruitza	Serafini	Zimmerman	Ryan,
Pistella	Wilt		Speaker

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.

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The House proceeded to consideration of concurrence in Senate amendments to House amendments to **SB 1100, PN 1408**, entitled:

An Act designating a portion of U.S. Route 322 in Mifflin County and Centre County as the J. Doyle Corman Highway.

On the question,

Will the House concur in Senate amendments to House amendments?

The SPEAKER pro tempore. On that question, the Chair recognizes the gentleman from Erie, Mr. Scrimenti.

Mr. SCRIMENTI. Madam Speaker, I respectfully ask the members of this body to nonconcur in SB 1100. I ask members to nonconcur because the Senate has once again stripped my amendment that would designate a section of Route 17 in Erie County as the Forest W. Hopkins Memorial Highway.

Madam Speaker, could I have some order in here, please?

Mr. DeWEESE. Yes, Madam Speaker. I was going to ask for order. Thank you.

The SPEAKER pro tempore. The gentleman, Mr. Scrimenti, has the floor and is correct in asking for order. The gentleman is entitled to be heard. I would hope that you would extend that courtesy to him.

Mr. SCRIMENTI. Thank you, Madam Speaker.

Forest Hopkins served in this chamber from 1967 until his untimely death in 1978 in the seat I now hold, the 4th Legislative District of Erie County.

I believe that this official designation would be a fitting and lasting tribute to a gentleman who served the State and the people of his district with honor and distinction. Three times, Madam Speaker—let me repeat that—three times the members of this distinguished body voted in a bipartisan spirit to honor our former colleague, and three times the Senate has ruined our efforts. I am angered and dismayed by the Senate's continuing efforts to undermine the passage of this amendment. It does a great dishonor to our former member and is a great disservice to his family and his friends, who are anxiously awaiting its approval.

We need to send a message to the Senate, and our message is that we will no longer sit back and allow them to dishonor a former member of this chamber.

Madam Speaker, if the gentleman from Delaware County, the 168th District, were at the dais today, I believe he would be outraged to think that a member of his caucus whom he served with in this chamber is being dishonored in this fashion.

Again, I am urging the members of this chamber to nonconcur in SB 1100. Thank you.

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

Mr. DeWEESE. Thank you, Madam Speaker.

I would also ask for a vote for nonconcurrence.

The gentleman from Erie County, Mr. Scrimenti, is a Democrat. He is carrying the banner for a fallen colleague that many of us served with who was a Republican. Three times, as the gentleman said, we tried to name a road in Erie County after our fallen Republican colleague, Forry Hopkins; three times. The Senate has ripped that language from the bill again. It makes no sense.

I would like to impart to the members that all of us have only a limited amount of time here. Benny Dombrowski from Erie County recently had a small snippet of road named in his honor. Our illustrious Speaker was recently given a distinguished honor here in this Capitol Complex.

Forry Hopkins has been deceased for all of two decades. Forry Hopkins, from the same county as our Governor; Forry Hopkins, the same seat that Democrat Tom Scrimenti now holds. Forry Hopkins' memory is being besmirched by this unnecessary delay. Again and again and again on three occasions the Commonwealth Senate has besmirched the memory of Forry Hopkins. It makes no sense. The Republican Senate; the Republican Governor; Forry Hopkins Highway.

We need to nonconcur in this bill and send the State Senate a very undiluted message that we are baffled by their actions, and Forry Hopkins' name needs to be venerated and it needs to be venerated by a nonconcurrence vote.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Warren County, Mr. Lynch.

Mr. LYNCH. Thank you, Madam Speaker.

I had never met the gentleman in question that the Representative from Erie County has offered his name up for a road, but this makes absolutely no sense at all. Why one member from one chamber of the General Assembly can go through here with his name being put on a road and another cannot be from this chamber of the General Assembly absolutely is nonsensical, and I am going to vote to nonconcur on this and send the Senate a message.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

The following roll call was recorded:

YEAS—19

Bard	Druce	Herman	Snyder
Barley	Fargo	Hess	Stem
Benninghoff	Feese	Perzel	Strittmatter
Clark	Geist	Sather	Zug
Dempsey	Habay	Smith, S. H.	

NAYS—178

Adolph	Evans	Mann	Sainato
Allen	Fairchild	Markosek	Samuelson
Argall	Fichter	Marsico	Santoni
Armstrong	Fleagle	Masland	Saylor
Baker	Flick	Mayernik	Schroder
Barrar	Forcier	McCall	Schuler
Bastian	Frankel	McGeehan	Scrimenti
Batisto	Freeman	McGill	Semmel

Bebko-Jones	Gannon	McIlhattan	Seyfert
Belardi	George	McIlhinney	Shaner
Belfanti	Gigliotti	McNaughton	Smith, B.
Birmelin	Gladeck	Melio	Solobay
Bishop	Godshall	Metcalfe	Staback
Blaum	Gordner	Michlovic	Stairs
Boyes	Grucela	Micozzie	Steelman
Browne	Haluska	Miller, R.	Steil
Bunt	Hanna	Miller, S.	Stetter
Butkovitz	Harhai	Mundy	Stevenson
Buxton	Harhart	Myers	Sturla
Caltagirone	Hasay	Nailor	Surra
Cappabianca	Hennessey	Nickol	Tangretti
Cam	Hershey	O'Brien	Taylor, E. Z.
Casorio	Horsey	Oliver	Taylor, J.
Cawley	Hutchinson	Orie	Thomas
Chadwick	Jadlowiec	Pesci	Tigue
Civera	James	Petrarca	Travaglio
Clymer	Josephs	Petrone	Trello
Cohen, L. I.	Kaiser	Phillips	Trich
Cohen, M.	Keller	Pippy	True
Colafella	Kenney	Platts	Tulli
Cornell	Kirkland	Preston	Vance
Corrigan	Krebs	Ramos	Van Home
Costa	LaGrotta	Raymond	Veon
Coy	Laughlin	Readshaw	Vitali
Curry	Lawless	Reinard	Walko
Dailey	Lederer	Rieger	Washington
Daley	Leh	Roberts	Waters
Dalby	Lescovitz	Robinson	Williams
DeLuca	Levdansky	Roebuck	Wogan
Dermody	Lucyk	Rohrer	Wojnaroski
DeWeese	Lynch	Rooney	Wright
DiGirolamo	Maher	Ross	Yewwic
Donatucci	Maitland	Rublely	Youngblood
Eachus	Major	Ruffing	Yudichak
Egolf	Manderino		

NOT VOTING—0

EXCUSED—6

Gruitza	Serafini	Zimmerman	Ryan.
Pistella	Wilt		Speaker

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

Ordered, That the clerk inform the Senate accordingly.

**AGRICULTURE AND RURAL AFFAIRS
COMMITTEE MEETING**

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Bunt, for the purpose of an announcement.

Mr. BUNT. Thank you, Madam Speaker.

Madam Speaker, at the end of today's session, I would like to call a meeting of the House Ag Committee in the rear of the House.

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

HB 1370, PN 1603

By Rep. MICOZZIE

An Act amending the act of July 1, 1937 (P.L.2532, No.470), known as the Workers' Compensation Security Fund Act, further providing for contributions, for regulations and for custody and management of fund.

INSURANCE.

The SPEAKER pro tempore. For the information of the members, there will be no further votes today.

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

**BILL SIGNED BY
SPEAKER PRO TEMPORE**

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 394, PN 2485

An Act amending the act of June 24, 1931 (P.L.1206, No.331), known as The First Class Township Code, further providing for election of the township secretary.

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

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

HB 2020, PN 2581

By Rep. BUNT

An Act amending Title 3 (Agriculture) of the Pennsylvania Consolidated Statutes, providing for aquacultural development applicability.

AGRICULTURE AND RURAL AFFAIRS.

SB 1135, PN 1472 (Amended)

By Rep. BUNT

An Act providing for emergency drought relief as a result of weather conditions in 1999, for loans and grants to victims of small disasters, for powers and duties of the Pennsylvania Emergency Management Agency and other State agencies and for reservation of surplus revenue; establishing the Agricultural Drought Emergency Oversight Board; and making appropriations.

AGRICULTURE AND RURAL AFFAIRS.

BILL REMOVED FROM TABLE

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

Mr. PERZEL. Mr. Speaker, I move that SB 1135 be removed from the table and placed on the active calendar.

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

BILL RECOMMITTED

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

Mr. PERZEL. Mr. Speaker, I move that SB 1135 be recommitted to the Committee on Appropriations.

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

BILLS AND RESOLUTIONS PASSED OVER

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

ADJOURNMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Northampton County, Mr. Samuelson.

Mr. SAMUELSON. Mr. Speaker, I move that this House do now adjourn until Tuesday, November 9, 1999, at 11 a.m., e.s.t., unless sooner recalled by the Speaker pro tem.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 4:55 p.m., e.s.t., the House adjourned.