

Legislative Journal

WEDNESDAY, OCTOBER 19, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 85

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

REV. DR. DAVID R. HOOVER, chaplain of the House of Representatives, from McConnellsburg, Pennsylvania, offered the following prayer:

Most merciful and ever-gracious Father, we are grateful for all of the evidences of Thy bounty in the world about us, and we express our thanks to Thee for all of Thy goodness toward us. We humbly pray that we may live our gratitude by deeds that testify to our faith, our dependency, and our trust in Thee.

O God, as dangers threaten and fears annoy, grant to us the serenity and calm which Thy presence brings; as temptations confront us and allurements entice us, fill us with the counsel and guidance of Thy power and strength; and as achievements are attained and goals are accomplished, help us to see that we are Thy workmen and all is to be attained for Thee. In Thy blessed name, we pray. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVED

The SPEAKER. The Journal of Wednesday, September 28, 1983, is in print. Unless there be additions or deletions or objections, the Journal will be approved as printed. The Chair hears no objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Tuesday, October 18, 1983, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1605 By Representatives BROUJOS and MRKONIC

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, prohibiting the retention of military property after notice to return.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, October 19, 1983.

No. 1606 By Representatives GREENWOOD, SEMMEL, McVERRY and KLINGAMAN

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the identification of a driver of a vehicle; and the payment of certain fines.

Referred to Committee on TRANSPORTATION, October 19, 1983.

No. 1607 By Representatives STEIGHNER, COHEN, D. R. WRIGHT, LIVENGOOD and STEWART

An Act amending the "Pennsylvania Labor Relations Act," approved June 1, 1937 (P. L. 1168, No. 294), further defining the term "employee".

Referred to Committee on LABOR RELATIONS, October 19, 1983.

No. 1608 By Representatives COHEN, MANDERINO, PIEVSKY, COWELL, O'DONNELL, DOMBROWSKI, McMONAGLE, JOHNSON, EVANS, OLIVER, WOGAN, PERZEL, SALVATORE, VROON and MERRY

An Act amending the "Milrite Act," approved July 1, 1978 (P. L. 584, No. 109), providing for the establishment, operation and functions of area labor management committees; extending the existence of the council; making appropriations; and making a repeal.

Referred to Committee on LABOR RELATIONS, October 19, 1983.

No. 1609 By Representatives FEE, CAWLEY, PRATT, TIGUE and JAROLIN

An Act providing for a feasibility study by the Pennsylvania Liquor Control Board of its computer system.

Referred to Committee on LIQUOR CONTROL, October 19, 1983.

No. 1610 By Representatives FEE, DUFFY, DAWIDA, PETRONE, SEVENTY, DeLUCA, DALEY, TIGUE, CAWLEY, STEIGHNER and PRATT

An Act authorizing the Liquor Control Board to improve its computer system in accordance with the findings of a feasibility study.

Referred to Committee on LIQUOR CONTROL, October 19, 1983.

No. 1611 By Representatives FEE, DUFFY, PETRONE, SEVENTY, DeLUCA, DALEY, TIGUE, CAWLEY, JAROLIN, KASUNIC and PRATT

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), permitting certain coupons for monetary rebates for certain manufacturers.

Referred to Committee on LIQUOR CONTROL, October 19, 1983.

No. 1612 By Representatives TRELLO, DOMBROWSKI, CESSAR, SALVATORE, RIEGER, DONATUCCI, POTT, O'BRIEN, GANNON, McMONAGLE, BELFANTI and MAYERNIK

An Act amending the "Enforcement Officer Disability Benefits Law," approved June 28, 1935 (P. L. 477, No. 193), extending benefits to Capitol Police officers; and making editorial changes.

Referred to Committee on STATE GOVERNMENT, October 19, 1983.

No. 1613 By Representatives DOMBROWSKI, TRELLO, WILSON, PISTELLA, PETRONE, DeLUCA, SEVENTY, GEIST, PHILLIPS, McMONAGLE, DONATUCCI, RIEGER and COLAFELLA

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding tax on retail sales of insulating materials.

Referred to Committee on FINANCE, October 19, 1983.

No. 1614 By Representatives LEHR, DORR, A. C. FOSTER, JR., B. SMITH, G. M. SNYDER and BROUJOS

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for an additional judge in the nineteenth judicial district.

Referred to Committee on JUDICIARY, October 19, 1983.

No. 1615 By Representatives BARBER, BELOFF, WIGGINS, MANDERINO, CALTAGIRONE, BATTISTO, WARGO, OLIVER, GANNON, MILLER, BURD and McINTYRE

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for certain periods of ineligibility in the medical assistance program.

Referred to Committee on HEALTH AND WELFARE, October 19, 1983.

No. 1616 By Representatives GALLAGHER and FREIND

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217, No. 498), providing for the financing of projects through loans by the Authority and authorizing the use of facsimile signatures.

Referred to Committee on EDUCATION, October 19, 1983.

No. 1617 By Representatives GALLAGHER and FREIND

An Act amending "The Pennsylvania Higher Educational Facilities Authority Act of 1967," approved December 6, 1967 (P. L. 678, No. 318), providing for the financing of projects through loans by the authority.

Referred to Committee on EDUCATION, October 19, 1983.

No. 1618 By Representatives SALOOM, LAUGHLIN, ALDERETTE, SEVENTY, COY, MISCEVICH, FEE, PETRARCA and RAPPAPORT

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for rear bumpers.

Referred to Committee on TRANSPORTATION, October 19, 1983.

ADDITIONS AND DELETION OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I submit the following list of members' names to be either added or deleted from sponsorships of bills:

ADDITIONS:

HB 383, Clark; HB 1301, Lucyk, Baldwin; HB 1341, Sirianni; HB 1387, Freind; HB 1388, Freind; HB 1405, Broujos; HB 1450, Phillips, Rudy; HB 1470, Steighner; HB 1483, Klingaman; HB 1514, Micozzie; HB 1523, Micozzie, Johnson; HB 1555, Battisto, Colafella; HB 1564, Trello, Petrone, Mayernik, A. C. Foster, Wogan, Pistella, DeLuca, Markosek, McVerry, Peterson; HB 1590, Semmel, Van Horne, Lashinger, DeLuca; HR 135, Arty; HR 141, Phillips; HR 143, Hasay.

DELETION:

HB 645, Herman.

BILLS SIGNED BY SPEAKER

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

HB 52, PN 1879

An Act amending the act of December 18, 1980 (P. L. 1252, No. 228), entitled "A supplement to the act of October 6, 1980 (P. L. 784, No. 145), entitled 'An act providing for the capital budget for the fiscal year 1980-1981,' itemizing public improvement and furniture and equipment projects, to be constructed by

the Department of General Services and transportation assistance projects to be acquired or constructed by the Pennsylvania Department of Transportation together with their estimated financial cost; * * * providing for the adoption of capital projects to be financed from current revenues of the Boating Fund and the Fish Fund and making an appropriation," increasing and adding certain projects; and making a repeal.

SB 199, PN 1245

An Act regulating contractors, subcontractors and suppliers in dealings with governmental agencies; making certain activities unlawful; and providing penalties.

SB 421, PN 1114

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," providing for political activities by district justices; and eliminating cross-filing by candidates for the offices of judge, justice of the peace and school directors.

SB 526, PN 1199

An Act authorizing the Adams-Croyle Recreation Authority to convey to the United States of America, by and through the National Park Service, United States Department of the Interior, five tracts of land situated in Cambria County and acquired in part with Project 70 funds.

SB 879, PN 1220

A Supplement to the act of (P. L. , No.), entitled "An act providing for the capital budget for the fiscal year 1983-1984," itemizing furniture and equipment projects to be acquired by the Department of General Services, together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be acquired by the Department of General Services; stating the estimated useful life of the projects; and making an appropriation.

LEAVES OF ABSENCE

The SPEAKER. The Chair now turns to leaves of absence.

The Chair recognizes the majority whip. Are there any leaves?

Mr. O'DONNELL. Mr. Speaker, we have no leaves of absence for today. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip, who indicates there are no requests for leaves of absence.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—198

Afflerbach	Durham	Livengood	Robbins
Alderette	Evans	Lloyd	Rudy
Angstadt	Fargo	Lucyk	Ryan
Armstrong	Fattah	McCall	Rybak
Arty	Fee	McClatchy	Saloom
Baldwin	Flick	McHale	Salvatore
Barber	Foster, W. W.	McIntyre	Saurman
Battisto	Foster, Jr., A.	McMonagle	Scheetz
Belardi	Freeman	McVerry	Schuler

Belfanti	Freind	Mackowski	Semmel
Beloff	Fryer	Maiale	Serafini
Blaum	Gallagher	Manderino	Seventy
Book	Gallen	Manmiller	Showers
Bowser	Gamble	Markosek	Sirianni
Boyes	Gannon	Marmion	Smith, B.
Brandt	Geist	Mayernik	Smith, L. E.
Broujos	George	Merry	Snyder, D. W.
Bunt	Gladeck	Michlovic	Snyder, G. M.
Burd	Godshall	Micozzie	Spencer
Burns	Greenwood	Miller	Spitz
Caltagirone	Grieco	Miscevich	Stairs
Cappabianca	Gruitza	Mochlmann	Steighner
Carn	Gruppo	Morris	Stevens
Cawley	Hagarty	Mowery	Stewart
Cessar	Haluska	Mrkonc	Sweet
Cimini	Harper	Murphy	Swift
Civera	Hasay	Nahill	Taylor, E. Z.
Clark	Hayes	Noye	Taylor, F. E.
Clymer	Herman	O'Brien	Telek
Cohen	Hershey	O'Donnell	Tigue
Colafella	Hoeffel	Olasz	Trello
Cole	Honaman	Oliver	Truman
Cordisco	Hutchinson	Perzel	Van Horne
Cornell	Itkin	Peterson	Vroon
Coslett	Jackson	Petrarca	Wachob
Cowell	Jarolin	Petrone	Wambach
Coy	Johnson	Phillips	Wargo
Deluca	Kasunic	Piccola	Wass
DeVerter	Kennedy	Pievsky	Weston
DeWeese	Klingaman	Pistella	Wiggins
Daley	Kosinski	Pitts	Wilson
Davies	Kowalshyn	Pott	Wogan
Dawida	Lashingier	Pratt	Wozniak
Deal	Laughlin	Preston	Wright, D. R.
Dietz	Lehr	Punt	Wright, J. L.
Dininni	Lescovitz	Rappaport	Wright, R. C.
Dombrowski	Letterman	Reber	Zwilk
Donatucci	Levi	Reinard	
Dorr	Levin	Richardson	Irvis,
Duffy	Linton	Rieger	Speaker

ADDITIONS—0

NOT VOTING—2

Stuban

Williams

EXCUSED—3

Fischer

Kukovich

Madigan

LEAVE ADDED—1

Stuban

WELCOME

The SPEAKER. The Chair at this time is pleased to welcome to the hall of the House the Federal and State Government classes from the Lehigh Area School District in Carbon County. They are here with their supervisors, Ray Coons, Jim Smith, Jim Capora, and Russell Zellner, and they are all here as the guests of Representative Keith McCall of Carbon County.

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of **HB 1565, PN 1936**, entitled:

An Act amending the "Landscape Architects' Registration Law," approved January 24, 1966 (1965 P. L. 1527, No. 535), reestablishing and continuing the State Board of Landscape Architects; increasing per diem reimbursement for board members; providing for removal from the board for nonattendance at meetings; removing the requirement that the board keep a list of all licensed landscape architects; requiring the board to furnish the General Assembly with status reports of pending formal complaints; reducing the experience requirement of applicants; and making editorial changes.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1565, PN 1936, be recommitted to the Committee on Appropriations for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to second consideration of **SB 950, PN 1241**, entitled:

An Act amending the act of December 14, 1982 (P. L. 1227, No. 281), entitled "Architects Licensure Law," providing for the reestablishment and continuation of the Architects Licensure Board; further providing for membership on the board; providing for review of the board; further providing for meetings of the board; and making editorial changes.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 950, PN 1241, be recommitted to the Committee on Appropriations for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to second consideration of **SB 966, PN 1248**, entitled:

An Act amending the act of May 23, 1945 (P. L. 913, No. 367), entitled, as amended, "Professional Engineers Registration Law," reestablishing the State Registration Board for Professional Engineers; and making a repeal.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 966, PN 1248, be recommitted to the Committee on Appropriations for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

* * *

The House proceeded to second consideration of **SB 443, PN 1118**, entitled:

An Act providing compensation for those communities which are affected by public utility electricity generating stations and incur economic loss by virtue of having such facilities sited within their jurisdictions.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 443, PN 1118, be recommitted to the Committee on Appropriations for a fiscal note.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS AGREED TO 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 1445, PN 1999; HB 1446, PN 2000; HB 1448, PN 2001; HB 178, PN 1962; HB 367, PN 417; HB 846, PN 1963; HB 902, PN 1964; and SB 428, PN 468.

* * *

The House proceeded to second consideration of **SB 967, PN 1249**, entitled:

An Act amending the act of January 14, 1952 (1951 P. L. 1898, No. 522), entitled, as amended, "Funeral Director Law," reestablishing the State Board of Funeral Directors; and making repeals.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that SB 967, PN 1249, be recommitted to the Committee on Appropriations for a fiscal note.

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

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

HB 1332, PN 1938.

* * *

The House proceeded to second consideration of **HB 1454, PN 1924**, entitled:

An Act providing for the State Board of Vehicle Manufacturers, Dealers and Salespersons; and providing penalties.

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

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 1454, PN 1924, be recommitted to the Committee on Appropriations for a fiscal note.

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

BILLS AGREED TO ON SECOND CONSIDERATION CONTINUED

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

HB 1469, PN 1939; HB 1517, PN 1940; and SB 11, PN 1351.

REPORT PURSUANT TO HR 121

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, pursuant to the requirements of HR 121, which requires me, as chairman of the Rules Committee, to make a report to the House every 90 days on the status and cost of litigation authorized by that resolution, I want to make a report to the House that the special counsel to the Rules Committee has submitted a draft legal brief, which has been distributed to the Rules Committee. No invoice has been submitted by counsel at this time. No action has yet been taken by the Rules Committee. That will be on the agenda of the Rules Committee in the near future. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

WELCOME

The SPEAKER. Representative Kasunic has here as his guest a gentleman from Fayette County Civil Defense, Mr. Lance Winterhalter. You are welcome here.

LEAVE OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip, who asks that the gentleman from Columbia, Mr. STUBAN, be granted leave of absence for today's session. Without objection, leave is granted. The Chair hears no objection.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1208, PN 1413**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for excluding certain transfer from the realty transfer tax.

On the question,
Will the House agree to the bill on third consideration?
Mr. REBER offered the following amendments No. A2906:

Amend Sec. 1 (Sec. 1101-C), page 2, line 10, by striking out "or from"

Amend Sec. 1 (Sec. 1101-C), page 2, line 15, by inserting after "opportunities,"

any transfer of residential property located within a ten-mile radius of a commercial nuclear electric power generating plant,

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

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Reber.

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

This amendment is to the real estate transfer tax provisions. It only impacts upon the State; it does not impact upon any local municipality. As the members may recall, this amendment was attempted to be offered on a bill earlier this session, and the bill was ultimately withdrawn or rereferred to committee.

The basics of the amendment are very simply that any transfer of residential property located within a 10-mile radius of a commercial nuclear electric power generating station will be exempt from any real estate transfer tax. There has been a fiscal note prepared with a possible revenue loss of \$3 million. That is the fiscal impact of this as projected by the Appropriations Committee.

I think this piece of legislation is something that we should all consider. There has been a tremendous amount of concern by the consumer, by the property owners, in the Commonwealth of Pennsylvania regarding properties that are located near nuclear powerplants. There has been a tremendous amount of concern about the loss of market value. Many, many individuals are concerned about the stigmatization of property that is located near powerplants. I think there has

been an outcry for some form of relief to be given to property owners who have to be saddled with something of this nature close to their property.

There is something that I would want to point out to the membership that is rather unique about this situation as opposed to many members who I know are concerned about landfills, dumps, things of that nature, that are located close to certain residential properties. There is an extreme distinction, I think, that you have to draw here, and that is simply the fact that a nuclear powerplant can be virtually forced upon us. There are no zoning laws; there is nothing that you can do from a local State level to regulate the location of that particular facility. Unlike various other things that may come into your backyard that you do not necessarily like, you do have some regulatory control through local zoning ordinances and in many instances through State law. The preemption that you have to deal with, with the NRC (Nuclear Regulatory Commission) coming into this particular situation, is something rather historic in and of itself. I think that this provides to the consumer, to the property owner, and most importantly to the real estate taxpayer in the Commonwealth of Pennsylvania, some form of relief if and when he does attempt to sell that residential property.

There have been many concerns that this does not really have any impact upon commercial property, because, in essence, people are not living there on an hour-by-hour, 24-hour-a-day, 7-day-a-week basis. That is the reason the amendment has been drawn, impacting only upon residential property.

I would certainly hope that the members could support this. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Mercer, Mr. Gruitza, on the amendment.

Mr. GRUITZA. Thank you, Mr. Speaker.

Mr. Speaker, I have to rise to oppose this amendment, and I would ask your indulgence to explain why.

First of all, the amendment goes much further than adding this language. It totally guts the bill that has been introduced. The bill that I have introduced is aimed at correcting a very serious problem, a deficiency within our industrial development program that has statewide implications. It has created problems statewide, severe problems in my area, where a number of companies which would be otherwise interested in getting involved in the PIDA (Pennsylvania Industrial Development Authority) program have walked away from the program because of the transfer tax ramifications at the tail end.

This amendment guts and takes out the language that I put in, which is only two words, "or from" an industrial development authority, and totally changes the nature of this bill. My bill has gone through the total committee process. It has been looked at for a fiscal note. When Mr. Reber's amendment was originally brought out, I think it was tabled for a fiscal note. I think his legislation is very sweeping, and I think that it ought to be introduced and it ought to be dealt with as the signifi-

cant piece of legislation that it is. I think it is more important right now that we deal with the problem we have with the industrial development authorities and the transfer tax law than in dealing with the problems surrounding properties around a nuclear powerplant.

The second point is, I am not so sure that we want to be exempting transfers of property around a nuclear powerplant. You know, there are more than one in Pennsylvania, and it could have a far-reaching fiscal impact for the State. I think that that issue ought to be taken up separately, and I would sincerely urge you to reject this amendment. We can look at this another time. You know, I think it is unfortunate that the drafter of the amendment chose to gut my bill to insert this, and the bottom line is that I am not so sure that this amendment is something that we want to offer anyhow.

I urge a "no" vote on this amendment so that we can take care of the very important piece of legislation that is before us in HB 1208. We really have to remedy this problem. By attaching this amendment to it, we are clearly going to jeopardize the bill's future, and we are going to have a problem hangover that needs to be addressed. So I ask for a "no" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the Reber amendment, the gentleman from Allegheny, Mr. Markosek.

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, I think what we have here is a situation that we have absolutely no evidence that the property values around nuclear generating facilities have gone down. In fact, we have evidence to the contrary.

There has been a fiscal note done on this amendment that shows that the negative impact to the State would be \$3 million. I do not think we can afford to lose that kind of money for something that is really not going to have the intent that the amendment is designed to do. There is no impact, there is no evidence that there is a decrease in property values around these facilities. In fact, Mr. Speaker, there is evidence to the contrary in certain cases where property values have actually gone up because a nuclear powerplant has lowered the tax base in certain communities due to the massive amount of taxes that that particular facility pays. So, Mr. Speaker, I would urge that the members of the House vote negatively on the Reber amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Reber amendment, the Chair recognizes the gentleman from Chester, Mr. Morris.

Mr. MORRIS. Thank you, Mr. Speaker.

I think it is high time that we did something to help these residential property owners in the vicinity of nuclear plants. I do not know what figures other people have found, but I think Mr. Reber and I, if put under oath on the witness stand, can give numerous instances in our particular area where property values are way down.

I am, however, disturbed by what Representative Gruitza said, and I am wondering if—

The SPEAKER. Will the gentleman yield.

The gentleman need not address himself to that. Mr. Reber has already advised the Chair that there is a mistake in the amendment and he intends to offer to divide it when the gentleman is through.

Mr. MORRIS. Well, I urge the members of the House to support this amendment. I urge it as strongly as I can, subject to dividing it and taking care of Mr. Gruitza's problem. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

AMENDMENTS DIVIDED

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Reber, at this moment.

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

I would move at this time to divide the amendment by taking out of the amendment's consideration the first and second lines of the amendment, which were inappropriately inserted. There was never any intent to take Mr. Gruitza's language out of the bill. Accordingly, I would make a motion to so divide the amendment, if it is proper, and I believe it is.

The SPEAKER. The Chair is in agreement with the gentleman, Mr. Reber, that the division permits the House to vote on an intact amendment. The Chair therefore rules that the amendment is divisible and is to be divided beginning "Amend Sec. 1 (Sec. 1101-C), page 2, line 15, by inserting after 'opportunities,'..." That will be the only language left in the amendment. Is that clear?

The purpose of the division is obvious. Mr. Gruitza's objection to having the bill gutted was based on the fact that the earlier language was contained in the amendment. Under this division, that language is deleted. Therefore, the gentleman, Mr. Reber, offers to this House the following amendment: "Amend Sec. 1 (Sec. 1101-C), page 2, line 15, by inserting after 'opportunities,' any transfer of residential property located within a ten-mile radius of a commercial nuclear electric power generating plant," period, and that is the only language being offered. All debate will be limited to that language.

On the question,

Will the House agree to the amendments as divided?

The SPEAKER. The Chair now recognizes the gentleman from Lancaster, Mr. Brandt.

Mr. BRANDT. Mr. Speaker, would the maker of the amendment consent to interrogation?

The SPEAKER. The gentleman, Mr. Reber, says he will stand for interrogation. The gentleman, Mr. Brandt, is in order and may proceed.

Mr. BRANDT. Mr. Speaker, we are talking about—and help me here—eliminating the realty transfer tax when a property is transferred?

Mr. REBER. This relates to the 1-percent transfer tax—that is correct—and only the transfer tax as it is imposed pursuant to the State 1 percent. It has no impact upon the local municipality. The local municipalities would obviously have to opt if they wanted to allow that particular provision to also

be exempt for the 1-percent share that goes to the local municipalities.

Mr. BRANDT. Then you are saying that if this would become law, there would be a benefit to the buyer and the seller of a property by eliminating 1 percent of the price of that property?

Mr. REBER. That in part is correct. The obvious intent of the amendment is to aid and assist in the stimulation of the sale of residential real estate; to aid and assist the residential homeowner who is located close to one of these facilities; and most importantly, I think, to, in short, spread the impact statewide, because in many instances a power generating station services wide sectors of the State, if not the whole State itself.

I think it is unfair for those residential property owners who are located within the 10-mile impact area of a facility to have to take on that particular burden. That is the reason why it is the 1-percent State share, because it is the State in fact that is benefiting from the generation, but it is the local people who are living there who absorb the potential mental-physical harassment, hazardous risk, that could possibly take place.

Mr. BRANDT. Well, the concern I have, Mr. Speaker, if I understand what you said, is I really do not see that the difference of 1 percent of the sales price of that property is going to encourage someone to sell or to buy a property because they lie within that 10-mile radius of the power station. The concern I have would be the long-range effect of an amendment like this. I can see us adopting a law down the road that would eliminate people close to hazardous dumps—

The SPEAKER. Excuse me. Will the gentleman yield.

Is the gentleman through with his interrogation?

Mr. BRANDT. Yes, Mr. Speaker.

The SPEAKER. All right. If the gentleman wishes to make a statement on the amendment, he is in order and may proceed. The gentleman may proceed with a statement. I just simply wanted to make sure you were through with the interrogation.

Mr. BRANDT. I apologize, Mr. Speaker. I was through with the interrogation.

I would like to make a statement on the amendment.

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

Mr. BRANDT. I really have a concern that we start a precedent on eliminating the 1-percent tax. We could get into eliminating all types of taxes for specific purposes, and I really do not tend to agree with the amendment, and I would say that I could be a good example. I live within 10 miles of a nuclear power station, and I do not see that this is a detriment in the particular area that I am from. I oppose the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Mercer, Mr. Gruitza.

Mr. GRUITZA. Thank you, Mr. Speaker.

Very briefly, Mr. Speaker, in spite of the fact that this amendment has been divided, I still have to oppose it. The language will not gut my bill. However, I am sure that if this

amendment is inserted, my bill will never be signed into law. I think you have got to consider the extreme importance of this legislation. We have got a problem across this State that is going to be surfacing its kind of ugly head pretty soon as these transfers from these industrial development authorities start going back to the original owners.

I do not want to talk about the merits of my bill in discussing this amendment, but it is very important that we pass this legislation. I think that the highly controversial nature of Mr. Reber's amendment would certainly put the ax to my legislation, and I ask to defeat that. Besides, I am just not so sure that that is good policy - exempting transfers of residential properties within 10 miles of a nuclear power facility. I do not think that that is good policy on its substantive merit, so I still want you to know that I am opposed to this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Chester, Mr. Vroon.

Mr. VROON. Mr. Speaker, I rise to support the amendment. Mr. Reber and I are in the same particular area where much of the feeling in that area is one of fear. This definitely would have an impact on the salability of real estate in that area, and I think it is a real nice gesture in the face of a comparatively small cost. I realize there is cost involved here, but I think it is comparatively small, and if we can give peace of mind to many of our residents—and I just wish it was 15 instead of 10 miles.

I sincerely believe that these people in the area affected, not only in this one area that we live in but in the areas around other nuclear plants as well, are certainly worthy of some kind of consideration, and because the cost is comparatively low, I sincerely believe that this is a good thing to do for them at this time. It lets them know that we are certainly concerned about their plight. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I rise to a point of personal privilege.

The SPEAKER. The gentleman will state the point of personal privilege.

Mr. GALLEN. Mr. Speaker, yesterday when it came time for this bill, when the Chair decided that the bill would be reconsidered, the Chair arbitrarily said that the Chair changes its decision that the bill had passed on to final passage and was back on third consideration. At that point I objected, Mr. Speaker, and I felt that, first of all, there are too many reconsideration motions made before this body; secondly, I felt that that motion should be one without objection. If the House does not object, then the Chair changes its decision. I told the Parliamentarian yesterday that I would like to rise to this point—

The SPEAKER. Will the gentleman yield.

The Parliamentarian informs the Chair that this is not the same bill at all.

Mr. GALLEN. Mr. Speaker, I think I also told the Parliamentarian that I was going to object to other motions that occurred in the same vein. We are on another bill, which—I withdraw, Mr. Speaker.

The SPEAKER. On the Reber amendment, the Chair recognizes the gentleman from York, Mr. Smith.

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

I rise in support of the amendment. I happen to live within the 10-mile radius, and I think that the important thing that the House should be considering is that this would be the first time that the legislature would establish a benefit for living near a nuclear powerplant. I think it is an important symbol; I think it is an important benefit, and I hope that you will support the amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Markosek.

Mr. MARKOSEK. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. Will the gentleman state the point.

Mr. MARKOSEK. Has the amendment been divided, or are we to vote on the division?

The SPEAKER. The amendment has been divided.

Mr. MARKOSEK. All right, Mr. Speaker. I would like to speak for the second time then on the amendment.

The SPEAKER. The gentleman is so recognized and may proceed.

Mr. MARKOSEK. First, in response to the gentleman, Mr. Smith, the legislature does not have to provide benefits for people living next to nuclear powerplants; nuclear powerplants do that in themselves. They provide a tremendous amount of electric power. They provide the industrial base for our great industrial areas, such as the Harrisburg area. Further than that, I would also agree with Representative Brandt's analysis that if we allow this, who is to say that we should then allow property reductions for people who live next to tanneries or people who live next to highways or people who live here in Harrisburg because of the Agnes flood, who obviously were in fear, and property values were devaluated. Mr. Speaker, I think this type of legislation will start a reaction which we do not want to see in this State.

Also, I might reiterate for those who did not hear the first time I said it, there has been a fiscal note put on this bill. It will cost our Commonwealth \$3 million, which I do not think is insignificant. I do not think we should do as Representative Vroon suggests, to pass this just simply because it is something nice to do. I think we are in business here in the legislature to watch out for the best and welfare of the entire State, and I would say that if we pass this amendment, that will not happen. Mr. Speaker, I urge a negative vote on this Reber amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments as divided?

The following roll call was recorded:

YEAS—47

Angstadt	Dombrowski	Laughlin	Sirianni
Arty	Dorr	Lehr	Smith, B.
Battisto	Durham	Lescovitz	Smith, L. E.
Belfanti	Foster, Jr., A.	Manmiller	Snyder, G. M.
Beloff	Freeman	Miller	Spencer
Boyes	Gannon	Morris	Sweet
Burns	Gladeck	Nahill	Vroon
Caltagirone	Godshall	Petrarca	Wambach
Cessar	Greenwood	Pitts	Weston
Colafella	Hagarty	Reber	Wilson
Cornell	Hasay	Saloom	Wright, R. C.
Dininni	Hoefel	Saurman	

NAYS—145

Afflerbach	Fattah	McCall	Robbins
Alderette	Fee	McClatchy	Rudy
Armstrong	Flick	McHale	Ryan
Baldwin	Foster, W. W.	McMonagle	Rybak
Barber	Freind	McVerry	Salvatore
Belardi	Fryer	Mackowski	Scheetz
Blaum	Gallagher	Maiale	Schuler
Book	Gallen	Manderino	Semmel
Bowser	Gamble	Markosek	Serafini
Brandt	Geist	Marmion	Seventy
Broujos	George	Merry	Showers
Burd	Grieco	Michlovic	Snyder, D. W.
Cappabianca	Gruitza	Micozzie	Stairs
Carn	Gruppo	Miscevich	Steighner
Cawley	Haluska	Moehlmann	Stevens
Cimini	Harper	Mowery	Stewart
Civera	Hayes	Mrkonic	Swift
Clark	Herman	Murphy	Taylor, E. Z.
Clymer	Hershey	Noye	Taylor, F. E.
Cohen	Honaman	O'Brien	Telek
Cole	Hutchinson	O'Donnell	Tigue
Cordisco	Itkin	Olasz	Trello
Coslett	Jackson	Oliver	Truman
Cowell	Jarolin	Perzel	Van Horne
Coy	Johnson	Peterson	Wachob
Deluca	Kasunic	Petrone	Wargo
DeVerter	Kennedy	Phillips	Wass
DeWeese	Klingaman	Pievsky	Wiggins
Daley	Kosinski	Pistella	Wogan
Davies	Kowalyshyn	Pott	Wozniak
Dawida	Letterman	Pratt	Wright, D. R.
Deal	Levi	Preston	Wright, J. L.
Dietz	Levin	Punt	Zwikl
Donatucci	Linton	Rappaport	
Duffy	Livengood	Reinard	Irvis,
Evans	Lloyd	Richardson	Speaker
Fargo	Lucyk	Rieger	

NOT VOTING—7

Bunt	McIntyre	Piccola	Williams
Lashinger	Mayernik	Spitz	

EXCUSED—4

Fischer	Kukovich	Madigan	Stuban
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The question was determined in the negative, and the amendments as divided were not agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

For what purpose does the gentleman from Lancaster, Mr. Armstrong, rise?

Mr. ARMSTRONG. I would like to interrogate the prime sponsor, sir.

Mr. GRUITZA. He wants me to explain it, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Gruitza.

Mr. GRUITZA. Thank you, Mr. Speaker.

Mr. Speaker, I appreciate the rejection of that amendment, first off, but we can do something very good here for the State of Pennsylvania and for business. Currently, under the law, when your local industrial development authorities finance these projects to expand businesses and to add new equipment and new buildings or whatever, the way those projects are financed is the property is conveyed to the local industrial development authority. Unlike a standard mortgage situation where a bank holds a lien, these properties are conveyed to the industrial development authority, and then once those loans are paid back, the industrial development authority conveys that property back to the owner. Under current law, last year we knocked off the local 1-percent tax through an amendment, and this will knock off the State 1-percent tax.

It was never intended under the original law that we tax these people; it was intended that we exempt these transfers, but the language was not good, because we only said transfers to an industrial development authority. So under this legislation, transfers from the authority back to the owners will be exempted.

This can be a very onerous tax. Somebody may have borrowed \$300,000 from an industrial development authority and their property may be worth \$1 million or \$2 million. Well, that transfer tax they are going to owe is going to be 1 percent of \$2 million or \$3 million rather than the amount they originally borrowed, so it is a very onerous tax. This bill will clean this up for these people who are in this program. We will be rewarding people who have made a commitment to Pennsylvania to do business in Pennsylvania; a program that is tied to job creation. It is something we should do, and it is a good thing we can do here today for Pennsylvania's industrial development program.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lancaster, Mr. Armstrong.

Mr. ARMSTRONG. Mr. Speaker, I would like to interrogate the prime sponsor.

The SPEAKER. The gentleman, Mr. Gruitza, consents to being interrogated. The gentleman, Mr. Armstrong, is in order and may now proceed.

Mr. ARMSTRONG. Does this apply to all industrial development loans in Pennsylvania, not just PIDA loans but also county loans?

Mr. GRUITZA. Yes; this applies to the loans like, you know, the Mercer County Industrial Development Authority, Lawrence County, any county, all of them, Lancaster County Industrial Development Authority.

Mr. ARMSTRONG. All right. If you will explain to me, say three other people and I are doctors, and we want to take a loan out to put up a medical building. Let us say it costs \$500,000, and I go to the industrial development authority and get a \$500,000 low-interest loan that normally would cost 13 or 14 percent; let us say it is 9 or 10 percent. Would I have to pay any transfer tax? Would my group of people have to pay any transfer tax under this?

Mr. GRUITZA. No. If you qualified under the current Pennsylvania law for the PIDA-type loan or through the industrial development authority, when that property was transferred back to you after you transferred it to the industrial development authority, you would be exempted.

Mr. ARMSTRONG. Okay. Thank you, Mr. Speaker.

I would like to comment on the bill, sir.

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

Mr. ARMSTRONG. I really believe that the intent of this bill is good. However, industrial development authority loans have far-reaching effects. What they were set out to do was mainly industrial. Now we are using them to finance McDonald hamburger restaurants, all types of restaurants, steak restaurants; we are using them for medical practice, for dentists, for attorneys, and they are getting a break by using low-interest loans. Now we want to give them an additional break by having them pay no transfer tax. I believe the way to really reform this is to cut back and say what can be used for an industrial development loan, and use it mainly for industry, not for all these other areas that it is being used for. Because of that, I think we should vote against this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

YEAS—182

Afflerbach	Fargo	Livengood	Robbins
Alderette	Fattah	Lucyk	Rudy
Angstadt	Fee	McCall	Ryan
Arty	Flick	McClatchy	Rybak
Baldwin	Foster, W. W.	McHale	Saloom
Barber	Foster, Jr., A.	McIntyre	Salvatore
Battisto	Freeman	McMonagle	Saurman
Belardi	Freind	McVerry	Scheetz
Belfanti	Fryer	Mackowski	Schuler
Beloff	Gallagher	Maiale	Semmel
Blaum	Gallen	Manderino	Serafini
Book	Gamble	Manmiller	Seventy
Bowser	Gannon	Markosek	Sirianni
Boyes	Geist	Marmion	Smith, B.
Broujos	George	Mayermik	Smith, L. E.
Bunt	Gladeck	Merry	Snyder, D. W.
Burd	Godshall	Michlovic	Snyder, G. M.
Caltagirone	Grieco	Micozzic	Spencer
Cappabianca	Gruitza	Miller	Spitz
Carn	Gruppo	Miscevich	Stairs

Cawley	Hagarty	Moehlmann	Steighner
Cessar	Haluska	Morris	Stevens
Cimini	Harper	Mowery	Sweet
Civera	Hasay	Mrkoncic	Swift
Clark	Hayes	Murphy	Taylor, E. Z.
Clymer	Herman	Nahill	Taylor, F. E.
Cohen	Hershey	Noye	Telek
Colafella	Hoeffel	O'Brien	Trello
Cole	Hutchinson	O'Donnell	Truman
Cornell	Itkin	Olasz	Van Horne
Coslett	Jackson	Oliver	Vroon
Cowell	Jarolin	Perzel	Wachob
Deluca	Johnson	Peterson	Wambach
DeVerter	Kasunic	Petrarca	Wargo
DeWeese	Kennedy	Petrone	Wass
Daley	Klingaman	Phillips	Weston
Davies	Kosinski	Piccola	Wiggins
Dawida	Kowalshyn	Pievsy	Wilson
Deal	Lashinger	Pitts	Wogan
Dietz	Laughlin	Pott	Wozniak
Dininni	Lehr	Pratt	Wright, D. R.
Dombrowski	Lescovitz	Preston	Wright, R. C.
Dorr	Letterman	Rappaport	Zwickl
Duffy	Levi	Reber	
Durham	Levin	Richardson	Irvis,
Evans	Linton	Rieger	Speaker

NAYS—14

Armstrong	Coy	Punt	Stewart
Brandt	Greenwood	Reinard	Tigue
Burns	Honaman	Showers	Wright, J. L.
Cordisco	Lloyd		

NOT VOTING—3

Donatucci	Pistella	Williams
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EXCUSED—4

Fischer	Kukovich	Madigan	Stuban
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Pistella. For what purpose does the gentleman rise?

Mr. PISTELLA. Mr. Speaker, I was not in my seat on the vote on HB 1208. I wish to be recorded in the affirmative, please.

The SPEAKER. The gentleman's remarks will be spread upon the record.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1342, PN 1608**, entitled:

An Act amending the "County Pension Law," approved August 31, 1971 (P. L. 398, No. 96), providing that counties may make pickup contributions to the county employees' retirement system on behalf of county employees.

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

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

The question is, shall the bill pass finally?

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

YEAS—197

Afflerbach	Evans	Lloyd	Rudy
Alderette	Fargo	Lucyk	Ryan
Angstadt	Fattah	McCall	Rybak
Armstrong	Fee	McClatchy	Saloom
Arty	Flick	McHale	Salvatore
Baldwin	Foster, W. W.	McIntyre	Saurman
Barber	Foster, Jr., A.	McMonagle	Scheetz
Battisto	Freeman	McVerry	Schuler
Belardi	Freind	Mackowski	Semmel
Belfanti	Fryer	Maiale	Serafini
Beloff	Gallagher	Manderino	Seventy
Blaum	Gallen	Manmiller	Showers
Book	Gamble	Markosek	Sirianni
Bowser	Gannon	Marmion	Smith, B.
Boyes	Geist	Mayernik	Smith, L. E.
Brandt	George	Merry	Snyder, D. W.
Broujos	Gladeck	Michlovic	Snyder, G. M.
Bunt	Godshall	Micozzie	Spencer
Burd	Greenwood	Miller	Spitz
Burns	Grieco	Miscevich	Stairs
Caltagirone	Gruitza	Moehlmann	Steighner
Cappabianca	Gruppo	Morris	Stevens
Carn	Hagarty	Mowery	Stewart
Cawley	Haluska	Mrkonc	Sweet
Cessar	Harper	Murphy	Swift
Cimini	Hasay	Nahill	Taylor, E. Z.
Civera	Hayes	Noye	Taylor, F. E.
Clark	Herman	O'Brien	Telek
Clymer	Hershey	O'Donnell	Tigue
Cohen	Hoeffel	Olasz	Trello
Colafella	Honaman	Oliver	Truman
Cole	Hutchinson	Perzel	Van Horne
Cordisco	Itkin	Peterson	Vroon
Cornell	Jackson	Petrarca	Wachob
Coslett	Jarolin	Petrone	Wambach
Cowell	Johnson	Phillips	Wargo
Coy	Kasunic	Piccola	Wass
Deluca	Kennedy	Pievsky	Weston
DeVerter	Klingaman	Pistella	Wiggins
DeWeese	Kosinski	Pitts	Wilson
Daley	Kowalshyn	Pott	Wogan
Davies	Lashinger	Pratt	Wozniak
Dawida	Laughlin	Preston	Wright, D. R.
Deal	Lehr	Punt	Wright, J. L.
Dietz	Lescovitz	Rappaport	Wright, R. C.
Dininni	Letterman	Reber	Zwikl
Dombrowski	Levi	Reinard	
Dorr	Levin	Richardson	Irvis,
Duffy	Linton	Rieger	Speaker
Durham	Livengood	Robbins	

NAYS—0

NOT VOTING—2

Donatucci Williams

EXCUSED—4

Fischer Kukovich Madigan Stuban

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

* * *

The House proceeded to third consideration of **HB 128, PN 1689**, entitled:

An Act requiring all State-owned vehicles to be converted to operate on natural gas.

On the question,

Will the House agree to the bill on third consideration?

Mr. HUTCHINSON offered the following amendments
No. A3341:

Amend Title, page 1, line 1, by striking out "Requiring" and inserting

Permitting

Amend Title, page 1, line 2, by inserting after "gas"
; and requiring indications of dual systems

Amend Sec. 1, page 1, line 9, by inserting after "system."
Any vehicle which has the capability of a dual fuel system shall have affixed to both front and rear bumpers a decal indicating the possibility of natural gas or gasoline in the fuel tank.

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—196

Afflerbach	Evans	Lloyd	Robbins
Alderette	Fargo	Lucyk	Rudy
Angstadt	Fattah	McCall	Ryan
Armstrong	Fee	McClatchy	Rybak
Arty	Flick	McHale	Saloom
Baldwin	Foster, W. W.	McIntyre	Salvatore
Barber	Foster, Jr., A.	McMonagle	Saurman
Battisto	Freeman	McVerry	Scheetz
Belardi	Freind	Mackowski	Schuler
Belfanti	Fryer	Maiale	Semmel
Beloff	Gallagher	Manderino	Serafini
Blaum	Gallen	Manmiller	Seventy
Book	Gamble	Markosek	Showers
Bowser	Gannon	Marmion	Sirianni
Boyes	Geist	Mayernik	Smith, B.
Brandt	George	Merry	Smith, L. E.
Broujos	Gladeck	Michlovic	Snyder, D. W.
Bunt	Godshall	Micozzie	Snyder, G. M.
Burd	Greenwood	Miller	Spencer
Burns	Grieco	Miscevich	Spitz
Caltagirone	Gruitza	Moehlmann	Stairs
Cappabianca	Gruppo	Morris	Steighner
Carn	Hagarty	Mowery	Stevens
Cawley	Haluska	Mrkonc	Stewart
Cessar	Harper	Murphy	Sweet
Cimini	Hasay	Nahill	Swift
Civera	Hayes	Noye	Taylor, E. Z.
Clark	Herman	O'Brien	Taylor, F. E.
Clymer	Hershey	O'Donnell	Telek
Cohen	Hoeffel	Olasz	Tigue
Colafella	Honaman	Oliver	Trello
Cole	Hutchinson	Perzel	Truman
Cordisco	Itkin	Peterson	Van Horne
Cornell	Jackson	Petrarca	Wachob
Coslett	Jarolin	Petrone	Wambach
Cowell	Johnson	Phillips	Wargo
Coy	Kasunic	Piccola	Wass
Deluca	Kennedy	Pievsky	Weston
DeVerter	Klingaman	Pistella	Wiggins
DeWeese	Kosinski	Pitts	Wilson
Daley	Kowalshyn	Pott	Wogan
Davies	Lashinger	Pratt	Wozniak

Dawida	Laughlin	Preston	Wright, D. R.
Deal	Lehr	Punt	Wright, J. L.
Dietz	Lescovitz	Rappaport	Wright, R. C.
Dininni	Letterman	Reber	Zwikl
Dombrowski	Levi	Reinard	
Dorr	Levin	Richardson	Irvis,
Duffy	Linton	Rieger	Speaker
Durham	Livengood		

NAYS—0

NOT VOTING—3

Donatucci	Vroon	Williams
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EXCUSED—4

Fischer	Kukovich	Madigan	Stuban
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The question was determined in the affirmative, and the amendments were agreed to.

On the question,

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

Mr. GEIST offered the following amendments No. A3097:

Amend Bill, page 1, by inserting between lines 12 and 13 Section 3. Liquid fuels tax.

The liquid fuels tax conversion formula shall apply to all such vehicles when such vehicles are no longer the property of the Commonwealth or its political subdivisions.

Amend Sec. 3, page 1, line 16, by striking out "3" and inserting

4

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—198

Afflerbach	Durham	Livengood	Robbins
Alderette	Evans	Lloyd	Rudy
Angstadt	Fargo	Lucyk	Ryan
Armstrong	Fattah	McCall	Rybak
Arty	Fee	McClatchy	Saloom
Baldwin	Flick	McHale	Salvatore
Barber	Foster, W. W.	McIntyre	Saurman
Battisto	Foster, Jr., A.	McMonagle	Scheetz
Belardi	Freeman	McVerry	Schuler
Belfanti	Freind	Mackowski	Semmel
Beloff	Fryer	Maiale	Serafini
Blaum	Gallagher	Manderino	Seventy
Book	Gallen	Manmiller	Showers
Bowser	Gamble	Markosek	Sirianni
Boyes	Gannon	Marmion	Smith, B.
Brandt	Geist	Mayernik	Smith, L. E.
Broujos	George	Merry	Snyder, D. W.
Bunt	Gladeck	Michlovic	Snyder, G. M.
Burd	Godshall	Micozzie	Spencer
Burns	Greenwood	Miller	Spitz
Caltagirone	Grieco	Miscevich	Stairs
Cappabianca	Gruitza	Moehlmann	Steighner
Carn	Gruppo	Morris	Stevens
Cawley	Hagarty	Mowery	Stewart
Cessar	Haluska	Mrkoncic	Sweet
Cimini	Harper	Murphy	Swift
Civera	Hasay	Nahill	Taylor, E. Z.
Clark	Hayes	Noye	Taylor, F. E.
Clymer	Herman	O'Brien	Telek
Cohen	Hershey	O'Donnell	Tigue
Colafella	Hoeffel	Olasz	Trello
Cole	Honaman	Oliver	Truman
Cordisco	Hutchinson	Perzel	Van Horne
Cornell	Itkin	Peterson	Vroon

Coslett	Jackson	Petrarca	Wachob
Cowell	Jarolin	Petrone	Wambach
Coy	Johnson	Phillips	Wargo
Deluca	Kasunic	Piccola	Wass
DeVerter	Kennedy	Pievsky	Weston
DeWeese	Klingaman	Pistella	Wiggins
Daley	Kosinski	Pitts	Wilson
Davies	Kowalshyn	Pott	Wogan
Dawida	Lashinger	Pratt	Wozniak
Deal	Laughlin	Preston	Wright, D. R.
Dietz	Lehr	Punt	Wright, J. L.
Dininni	Lescovitz	Rappaport	Wright, R. C.
Dombrowski	Letterman	Reber	Zwikl
Donatucci	Levi	Reinard	
Dorr	Levin	Richardson	Irvis,
Duffy	Linton	Rieger	Speaker

NAYS—0

NOT VOTING—1

Williams

EXCUSED—4

Fischer	Kukovich	Madigan	Stuban
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The question was determined in the affirmative, and the amendments were agreed to.

On the question recurring,

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

Mr. LLOYD offered the following amendment No. A3233:

Amend Sec. 2, page 1, line 12, by inserting after "act." Nothing in this act shall prohibit the Department of General Services from complying with section 2407.1 of the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, with regard to the monitoring of, and experimentation with, synthetic motor vehicle fuel derived in whole or in part from coal, or from submitting a plan for using synthetic motor vehicle fuel to the General Assembly.

On the question,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—195

Afflerbach	Durham	Linton	Rudy
Alderette	Evans	Livengood	Ryan
Angstadt	Fargo	Lloyd	Rybak
Armstrong	Fattah	Lucyk	Saloom
Arty	Fee	McCall	Salvatore
Baldwin	Flick	McClatchy	Saurman
Barber	Foster, W. W.	McHale	Scheetz
Battisto	Foster, Jr., A.	McIntyre	Schuler
Belardi	Freeman	McVerry	Semmel
Belfanti	Freind	Mackowski	Serafini
Beloff	Fryer	Maiale	Seventy
Blaum	Gallagher	Manderino	Showers
Book	Gallen	Manmiller	Sirianni
Bowser	Gamble	Markosek	Smith, B.
Boyes	Gannon	Marmion	Smith, L. E.
Brandt	Geist	Merry	Snyder, D. W.
Broujos	George	Michlovic	Snyder, G. M.
Bunt	Gladeck	Micozzie	Spencer
Burd	Godshall	Miller	Spitz
Burns	Greenwood	Moehlmann	Stairs
Caltagirone	Grieco	Morris	Steighner
Cappabianca	Gruitza	Mowery	Stevens
Carn	Gruppo	Mrkoncic	Stewart
Cawley	Hagarty	Murphy	Sweet
Cessar	Haluska	Nahill	Swift
Cimini	Harper	Noye	Taylor, E. Z.

Civera	Hasay	O'Brien	Taylor, F. E.
Clark	Hayes	O'Donnell	Telek
Clymer	Herman	Olasz	Tigue
Cohen	Hershey	Oliver	Trello
Colafella	Hoeffel	Perzel	Truman
Cole	Honaman	Peterson	Van Horne
Cordisco	Hutchinson	Petrarca	Vroon
Cornell	Itkin	Petrone	Wachob
Coslett	Jackson	Phillips	Wambach
Cowell	Jarolin	Piccola	Wargo
Coy	Johnson	Pievsky	Wass
Deluca	Kasunic	Pistella	Weston
DeVerter	Kennedy	Pitts	Wiggins
DeWeese	Klingaman	Pott	Wilson
Daley	Kosinski	Pratt	Wogan
Davies	Kowalyshyn	Preston	Wozniak
Dawida	Lashinger	Punt	Wright, D. R.
Deal	Laughlin	Rappaport	Wright, J. L.
Dietz	Lehr	Reber	Wright, R. C.
Dininni	Lescovitz	Reinard	Zwikl
Dombrowski	Letterman	Richardson	
Donatucci	Levi	Rieger	Iris,
Dorr	Levin	Robbins	Speaker
Duffy			

NAYS—0

NOT VOTING—4

McMonagle	Mayernik	Miscevich	Williams
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EXCUSED—4

Fischer	Kukovich	Madigan	Stuban
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The question was determined in the affirmative, and the amendment was agreed to.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—198

Afflerbach	Durham	Livengood	Robbins
Alderette	Evans	Lloyd	Rudy
Angstadt	Fargo	Lucyk	Ryan
Armstrong	Fattah	McCall	Rybak
Arty	Fee	McClatchy	Saloom
Baldwin	Flick	McHale	Salvatore
Barber	Foster, W. W.	McIntyre	Saurman
Battisto	Foster, Jr., A.	McMonagle	Scheetz
Belardi	Freeman	McVerry	Schuler
Belfanti	Freind	Mackowski	Semmel
Beloff	Fryer	Maiale	Serafini
Blaum	Gallagher	Manderino	Seventy
Book	Gallen	Manmiller	Showers
Bowser	Gamble	Markosek	Sirianni
Boyes	Gannon	Marmion	Smith, B.
Brandt	Geist	Mayernik	Smith, L. E.
Broujos	George	Merry	Snyder, D. W.
Bunt	Gladeck	Michlovic	Snyder, G. M.
Burd	Godshall	Micozzie	Spencer
Burns	Greenwood	Miller	Spitz
Caltagirone	Grieco	Miscevich	Stairs
Cappabianca	Gruitza	Moehlmann	Steighner
Carn	Gruppo	Morris	Stevens
Cawley	Hagarty	Mowery	Stewart
Cessar	Haluska	Mrkonc	Sweet
Cimini	Harper	Murphy	Swift

Civera	Hasay	Nahill	Taylor, E. Z.
Clark	Hayes	Noye	Taylor, F. E.
Clymer	Herman	O'Brien	Telek
Cohen	Hershey	O'Donnell	Tigue
Colafella	Hoeffel	Olasz	Trello
Cole	Honaman	Oliver	Truman
Cordisco	Hutchinson	Perzel	Van Horne
Cornell	Itkin	Peterson	Vroon
Coslett	Jackson	Petrarca	Wachob
Cowell	Jarolin	Petrone	Wambach
Coy	Johnson	Phillips	Wargo
Deluca	Kasunic	Piccola	Wass
DeVerter	Kennedy	Pievsky	Weston
DeWeese	Klingaman	Pistella	Wiggins
Daley	Kosinski	Pitts	Wilson
Davies	Kowalyshyn	Pott	Wogan
Dawida	Lashinger	Pratt	Wozniak
Deal	Laughlin	Preston	Wright, D. R.
Dietz	Lehr	Punt	Wright, J. L.
Dininni	Lescovitz	Rappaport	Wright, R. C.
Dombrowski	Letterman	Reber	Zwikl
Donatucci	Levi	Reinard	
Dorr	Levin	Richardson	Iris,
Duffy	Linton	Rieger	Speaker

NAYS—0

NOT VOTING—1

Williams

EXCUSED—4

Fischer	Kukovich	Madigan	Stuban
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

* * *

The House proceeded to third consideration of **HB 559, PN 1593**, entitled:

An Act amending the act of May 17, 1929 (P. L. 1798, No. 591), referred to as the Forest Reserves Municipal Financial Relief Law, increasing the amount paid by the Commonwealth.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

Afflerbach	Evans	Lloyd	Rudy
Alderette	Fargo	Lucyk	Ryan
Angstadt	Fattah	McCall	Rybak
Armstrong	Fee	McClatchy	Saloom
Arty	Flick	McHale	Salvatore
Baldwin	Foster, W. W.	McIntyre	Saurman
Barber	Foster, Jr., A.	McMonagle	Scheetz
Battisto	Freeman	McVerry	Schuler
Belardi	Freind	Mackowski	Semmel
Beloff	Fryer	Maiale	Serafini
Blaum	Gallagher	Manderino	Seventy
Book	Gallen	Manmiller	Showers
Bowser	Gamble	Markosek	Sirianni
Boyes	Gannon	Marmion	Smith, B.

Brandt	Geist	Mayernik	Smith, L. E.
Broujos	George	Merry	Snyder, D. W.
Bunt	Gladeck	Michlovic	Snyder, G. M.
Burd	Godshall	Micozzie	Spencer
Burns	Greenwood	Miller	Spitz
Caltagirone	Grieco	Miscevich	Stairs
Cappabianca	Gruitza	Moehlmann	Steighner
Carn	Gruppo	Morris	Stevens
Cawley	Hagarty	Mowery	Stewart
Cessar	Haluska	Mrkonic	Sweet
Cimini	Harper	Murphy	Swift
Civera	Hasay	Nahill	Taylor, E. Z.
Clark	Hayes	Noye	Taylor, F. E.
Clymer	Herman	O'Brien	Telek
Cohen	Hershey	O'Donnell	Tigue
Colafella	Hoefel	Olasz	Trello
Cole	Honaman	Oliver	Truman
Cordisco	Hutchinson	Perzel	Van Horne
Cornell	Itkin	Peterson	Vroon
Coslett	Jackson	Petrarca	Wachob
Cowell	Jarolin	Petrone	Wambach
Coy	Johnson	Phillips	Wargo
Deluca	Kasunic	Piccola	Wass
DeVerter	Kennedy	Pievsky	Weston
DeWeese	Klingaman	Pistella	Wiggins
Daley	Kosinski	Pitts	Wilson
Davies	Kowalshyn	Pott	Wogan
Dawida	Lashinger	Pratt	Wozniak
Deal	Laughlin	Preston	Wright, D. R.
Dietz	Lehr	Punt	Wright, J. L.
Dininni	Lescovitz	Rappaport	Wright, R. C.
Dombrowski	Letterman	Reber	Zwinkl
Donatucci	Levi	Reinard	
Dorr	Levin	Richardson	Iris,
Duffy	Linton	Rieger	Speaker
Durham	Livengood	Robbins	

NAYS—0

NOT VOTING—2

Belfanti Williams

EXCUSED—4

Fischer Kukovich Madigan Stuban

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

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

* * *

The House proceeded to third consideration of **SB 632, PN 1200**, entitled:

An Act amending the act of August 31, 1955 (P. L. 531, No. 131), entitled "Pennsylvania Athletic Code," regulating kick boxing; further regulating amateur boxing; establishing a State boxing register; providing for medical training seminars; requiring certain emergency medical equipment to be at situs of certain events; further providing for suspension; further defining referee's role in boxing contest; prohibiting tough guy contests or battle of the brawlers contests; and providing a penalty.

On the question,

Will the House agree to the bill on third consideration?

Mr. CAWLEY offered the following amendments No. A3373:

Amend Sec. 1 (Sec. 102), page 2, line 16, by inserting after "OBJECTS"
except mud wrestling

Amend Sec. 6 (Sec. 208), page 4, lines 23 through 30; page 5, lines 1 through 3, by striking out all of said lines on said pages and inserting

Section 208. Gloves.—When the boxers are [lightweights, as defined in the regulations, or in a lighter class,] one hundred thirty-five (135) pounds or under, they shall wear boxing gloves weighing not less than five (5) ounces each. When the boxers are over one hundred thirty-five (135) pounds but do not exceed one hundred sixty (160) pounds, they shall wear boxing gloves weighing not less than six (6) ounces each. When the boxers are [in a heavier class than lightweights,] over one hundred sixty (160) pounds, they shall wear boxing gloves weighing not less than [six (6)] ten (10) ounces each.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Cawley.

Mr. CAWLEY. Mr. Speaker, the first part is just so we recognize that the Athletic Commission does not sanction mud wrestling that we see at various locations in the State.

The second part, Mr. Speaker, is this: In the original bill, there were specific weights for gloves because of many injuries that have been happening over the years because of the weight of boxing gloves. At our caucus we had a member of the Boxing Commission, who supported the amendment which went into the bill which will give the Boxing Commission the right to make the decision regarding the weight of gloves. Now, I asked one of the members of the Boxing Commission, if they had the choice to decide on the weight of the gloves, would he in fact recommend and would the Boxing Commission recommend that the present weight that they are using they will maintain to use, and his answer was yes. I think that this did in effect gut the original bill which would have regulated the weight of boxing gloves, and I would like to see the original part of the bill put back in by this amendment. I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

On the Cawley amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate the prime sponsor of this amendment.

The SPEAKER. The gentleman, Mr. Cawley, indicates he will stand for interrogation. The gentleman, Mr. Richardson, is in order and may proceed.

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

Can you give us some indication as to what the difference is between the 5-ounce glove and the 6-ounce glove?

Mr. CAWLEY. One ounce.

The SPEAKER. The Chair would advise Mr. Cawley not to demonstrate it on Mr. Richardson. Explain it rather than demonstrate it, Mr. Cawley.

Mr. RICHARDSON. I know it is 1 ounce, Mr. Speaker. Thank you very much for that intelligent answer. What I wanted to find out was the impact and the effect that the glove difference would make in terms of the boxing industry and also what the commissioner was indicating by this amendment. What would be beneficial due to this amendment? Is it because of the fact that the gloves are in fact lighter on the

person who weighs 130 pounds, and because of that, do you see that as being a way that it would lessen the impact of a blow to a certain individual? We are talking about somebody's life, and I am trying to be very serious about this, and I do not think it is funny. I want to know whether or not your feeling is that the weight of the gloves has an impact on what is going to happen to the other person who is in fact in the competition.

Mr. CAWLEY. Yes. There have been public statements made by some heavyweight professional boxers, and some of them have been hit quite a bit, such as Randy Cobb from Texas, stating that today's boxers are bigger, stronger, and better trained than they were 20, 25 years ago, and some of the very serious injuries that we are receiving in boxing are because they are using the same ounce gloves that they used 20, 25 years ago, and if the gloves were increased in ounces, this would cut down on many of the severe head injuries that we have in boxing today.

Mr. RICHARDSON. Okay. In this amendment, would this include the padding and what-have-you that is in it that makes up the ounce, because you could have a 5-ounce glove with no padding that would still be just as devastating as if you did not have that glove on at all.

Mr. CAWLEY. No. The gloves would still be sanctioned by the Pennsylvania Boxing Commission. They presently have 10-ounce gloves, but, for instance, they may use a 7-ounce glove in a heavyweight championship fight. We are saying that in a heavyweight championship fight or any heavyweight fight, they have to use a 10-ounce glove instead of maybe using even as low as a 7-ounce or a 6-ounce glove. This will cut down on injuries.

Mr. RICHARDSON. Okay. Thank you very much, Mr. Speaker.

Mr. CAWLEY. You are welcome.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Bucks, Mr. Burns, wish to comment on the amendment?

Mr. BURNS. Mr. Speaker, I would like to ask the prime sponsor of the amendment a question.

The SPEAKER. The gentleman, Mr. Cawley, indicates he will stand for interrogation by Mr. Burns. The gentleman, Mr. Burns, is in order and may proceed.

Mr. BURNS. Mr. Speaker, I do not know very much about boxing or the sport of it other than watching it and the gloves. I was just wondering whether the increase in the weight of the glove would help out in preventing those injuries to the jaw, that common injury known as the "dog jaw" dislocation?

Mr. CAWLEY. Yes. In fact, my counsel, Attorney Lloyd, recommended that we use this to prevent such injuries.

Mr. BURNS. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman from Montgomery, Mr. Lashinger, wish to be recognized on the amendment?

Mr. LASHINGER. Yes, Mr. Speaker. I would like to interrogate Mr. Cawley. A brief question.

The SPEAKER. The gentleman, Mr. Cawley, indicates he will stand for interrogation. The gentleman, Mr. Lashinger, is in order and may proceed.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, just for the record—I think it is important—other States that have attempted to do this, what they have confronted when they have added weight to the gloves is that the glove manufacturers, with the support of the Boxing Commission, have just added the additional weight in another area of the glove and not in the fist portion of the glove, so when the 2 ounces, or the 1 ounce in this case, has been added, it has been added in the wrist area of the glove, and it has not gone very far at all in helping prevent injury. So I hope as part of the record you would be saying that the additional weight, the new weight, would be added to the fist portion of the glove.

Mr. CAWLEY. Yes, and I would hope that the Pennsylvania Boxing Commission would adhere to that request, that it be used in the front of the glove instead of the back. But many, many hours, Mr. Speaker, have gone into study. This has been studied for several years by people who are familiar with boxing. One of the major parts of the bill, for instance, is a standing eight count, which many boxing experts feel will prevent many of the serious injuries that happen, and especially now, using a 10-ounce glove. As we all know, the fighters of today are much stronger than they were years ago, and this is absolutely going to cut down on injuries. I think that as Representatives we should let the Pennsylvania Boxing Commission know that we want heavier gloves because we want less injuries, and we should not be letting them make that decision.

The SPEAKER. The Chair thanks both gentlemen.

The gentleman, Mr. Lashinger, is recognized for a comment.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, I want to support the amendment. I want to also reinforce what Representative Cawley has indicated to the membership, and that is, when he spoke to the Boxing Commission about this issue—and I know I have had conversations about similar issues with the Boxing Commission—there has been a concern about the lax attitude on the part of the commission in this area. We have had conversations about thumbless gloves with the commissioners for some time, which is another area of major concern to participants in the field of boxing, and they have disregarded those concerns to this point. I think Mr. Cawley's points are well taken on the issue of glove weights, and it deserves the support of the membership. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GLADECK. Mr. Speaker, would Mr. Cawley stand for brief interrogation?

The SPEAKER. The gentleman, Mr. Cawley, indicates he will stand for interrogation. The gentleman, Mr. Gladeck, is in order and may proceed.

Mr. GLADECK. Mr. Speaker, my concern with this amendment is over the possibility that if we increase the ounces in the gloves for the heavyweight fighters, it may cost

the State of Pennsylvania a possible heavyweight championship fight. Since most States, as near as I can recall, require 8-ounce gloves, I think, for heavyweight championship fights, do you feel that the additional 2 ounces would cause the State of Pennsylvania to lose potential heavyweight championship bouts because of that?

Mr. CAWLEY. No. In fact, I think that would increase our chances. This has been recommended by many of the professional fighters, and no one knows more about what should be used than people in the professional field.

Mr. GLADECK. I do not quarrel with that, and I am not sure the amendment is good or bad. I am not going to support the amendment, because I feel that we in this body do not have the capability necessary to determine whether or not it is good or bad. I think that the Pennsylvania Boxing Commission should make that determination and I think it should receive input from those of us who are interested enough in the subject matter to give it to them, but I really do not feel that any one of us has the capability to make the type of determination that Mr. Cawley is asking us to make. For that reason I would urge you all to vote against the amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Michlovic, on the amendment.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Would the gentleman, Mr. Cawley, stand for interrogation?

The SPEAKER. The gentleman, Mr. Cawley, indicates he will so stand. The gentleman, Mr. Michlovic, is in order and may proceed.

Mr. MICHLOVIC. Mr. Speaker, I am less concerned with the glove portion of the amendment than with the mud wrestling part of it, because it is an exception to the rest of the bill. I think the rest of the bill is legitimate and I would agree that wrestling needs to be regulated. Why are you attempting, in that part of the amendment, to make the exception?

Mr. CAWLEY. Well, because presently I do not think in many of the local taverns throughout the State that we have the Boxing Commission going up there and jumping in the mud and separating two psychopaths wrestling in, you know, 3 inches of jello or mud. If we feel this should be regulated in the future, I think it should be specifically mentioned, a bill brought up—discussions, public hearings, or what have you, brought up—regarding mud wrestling or legalizing mud wrestling, or making it illegal, or not even mentioning it.

Mr. MICHLOVIC. Do you see this as a potential loophole in the regulation? In other words, just by virtue of having mud in the arena, wrestling can go on without regulation.

Mr. CAWLEY. If you have objections to this part, then I would be willing—Do you agree with the second part of the amendment regarding the weight of the gloves?

Mr. MICHLOVIC. Yes.

AMENDMENTS DIVIDED

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

Mr. MICHLOVIC. At this time I would like to make a motion that we split the amendment after the phrase "except mud wrestling" and vote on each of those amendments separately.

The SPEAKER. It is the ruling of the Chair that the amendment is divisible, and the Chair has ordered that the amendment be divided as follows: The first part will be, "Amend Sec. 1 (Sec. 102), page 2, line 16, by inserting after 'OBJECTS' except mud wrestling." The second part of the amendment will begin, "Amend Sec. 6 (Sec. 208), page 4,..." et cetera.

Does the gentleman, Mr. Cawley, wish to call up part I or part II?

Mr. CAWLEY. Part II.

The SPEAKER. Part II.

The gentleman, Mr. Cawley, places before the House the following amendment: "Amend Sec. 6 (Sec. 208), page 4, lines 23 through 30; page 5, lines 1 through 3, by striking out all of said lines on said pages and inserting..." That is all the language that is currently before the House.

On the question,

Will the House agree to part II of the amendments?

The following roll call was recorded:

YEAS—195

Afflerbach	Evans	Lloyd	Robbins
Alderette	Fargo	Lucyk	Rudy
Angstadt	Fattah	McCall	Ryan
Armstrong	Fee	McClatchy	Rybak
Arty	Flick	McHale	Saloom
Baldwin	Foster, W. W.	McIntyre	Salvatore
Barber	Foster, Jr., A.	McMonagle	Saurman
Battisto	Freeman	McVerry	Scheetz
Belardi	Freind	Mackowski	Schuler
Belfanti	Fryer	Maiiale	Semmel
Beloff	Gallagher	Manderino	Serafini
Blaum	Gallen	Manmiller	Seventy
Book	Gamble	Markosek	Showers
Bowser	Gannon	Marmion	Sirianni
Boyes	Geist	Mayernik	Smith, B.
Brandt	George	Merry	Smith, L. E.
Broujos	Godshall	Michlovic	Snyder, D. W.
Bunt	Greenwood	Micozzie	Snyder, G. M.
Burd	Grieco	Miller	Spencer
Burns	Gruitza	Miscevich	Spitz
Caltagirone	Gruppo	Moehlmann	Stairs
Cappabianca	Hagarty	Morris	Steighner
Cawley	Haluska	Mowery	Stevens
Cessar	Harper	Mrkonic	Stewart
Cimini	Hasay	Murphy	Sweet
Civera	Hayes	Nahill	Swift
Clark	Herman	Noye	Taylor, E. Z.
Clymer	Hershey	O'Brien	Taylor, F. E.
Cohen	Hoeffel	O'Donnell	Telek
Colafella	Honaman	Olasz	Tigue
Cole	Hutchinson	Oliver	Trello
Cordisco	Itkin	Perzel	Truman
Cornell	Jackson	Peterson	Van Horne
Coslett	Jarolin	Petrarca	Wachob
Cowell	Johnson	Petrone	Wambach
Coy	Kasunic	Phillips	Wargo
DeLuca	Kennedy	Piccola	Wass
DeVerter	Klingaman	Pievsky	Weston
DeWeese	Kosinski	Pistella	Wiggins
Daley	Kowalyshyn	Pitts	Wilson
Davies	Lashinger	Pott	Wogan
Dawida	Laughlin	Pratt	Wozniak
Deal	Lehr	Preston	Wright, D. R.

Dietz	Lescovitz	Punt	Wright, J. L.
Dininni	Letterman	Rappaport	Wright, R. C.
Dombrowski	Levi	Reber	Zwikl
Donatucci	Levin	Reinard	
Dorr	Linton	Richardson	Irvis,
Duffy	Livengood	Rieger	Speaker
Durham			

NAYS—2

Gladeck Vroon

NOT VOTING—2

Carn Williams

EXCUSED—4

Fischer Kukovich Madigan Stuban

The question was determined in the affirmative, and part II of the amendments was agreed to.

The SPEAKER. Now, does the gentleman, Mr. Cawley, wish to place before the House the remainder of the amendment?

Mr. CAWLEY. Mr. Speaker, the first section of the amendment—I will offer it anyway.

The SPEAKER. The gentleman, Mr. Cawley, places before the House the following amendment: "Amend Sec. 1 (Sec. 102), page 2, line 16, by inserting after 'OBJECTS' except mud wrestling."

On the question,

Will the House agree to part I of the amendments?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Mr. Speaker, I oppose this portion of the amendment. I think that it could be construed as a major loophole in the regulation of wrestling in Pennsylvania simply by having some mud in or near the arena. There is no definition in the bill about what mud wrestling is, and it really leaves it open to the interpretation of anyone. I therefore urge that the House defeat the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LLOYD. Thank you, Mr. Speaker.

I know that mud wrestling is something a lot of people find very amusing, but I would like your attention just to relate for a minute what happened at the Somerset County Fair 2 years ago. There was a female mud wrestler who the people thought was very funny who is now in a hospital bed, or maybe at home, paralyzed, filing a lawsuit probably for in excess of \$1 million against the Somerset County Fair Association because she was injured mud wrestling.

I think there needs to be some kind of regulation of mud wrestling. I think it is a crazy sport, and I think the people who referee it do not have any skills to do that. I think it would be a serious mistake, if this is a bill which is supposed to bring about safer athletic competition, to except mud wrestling. I would not like to see other people across the State suffer the same thing that happened in my county.

I would also note that there is precedence for not excepting mud wrestling, because this bill outlaws tough-guy contests, which are the same kinds of other crazy things that some people do. So if this bill is an okay bill to take care of that problem, then it also ought to take care of at least subjecting mud wrestling to some kind of regulation. I would oppose the amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

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

I also rise to oppose this amendment. I just think when we are talking about sport in Pennsylvania, I think we can find a much better kind of sport arena for us to be involved in. It seems to me that mud wrestling is a sport which now has become something that is more hilarious than it is a sport. It really does not meet any particular criteria, and it does not have any meaning, as far as I can see. I just believe that the citizens of this Commonwealth could do without that sport and that we could begin to start looking at some of the more humane things of life that in fact we should be working on as a House of Representatives. Therefore, Mr. Speaker, I oppose the amendment and ask the members of the House to do likewise.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Lackawanna, Mr. Cawley.

Mr. CAWLEY. Mr. Speaker, I would just like to make a comment on that.

I understand what the concerns of my counsel, Mr. Lloyd, and Mr. Richardson are, but mud wrestling is not even classified as a sport. If we do not want mud wrestling in this State, then we should draw up a bill and make mud wrestling illegal. But why should we have the Pennsylvania Boxing Commission regulating mud wrestling? Mr. Lloyd mentioned about the injuries with it. It is not even classified as a sport, according to the Pennsylvania Boxing Commission. Should the Pennsylvania Boxing Commission be a judge on the fire fighters' longest hose contest with the strongest water or whatever? I mean, that is what we are going to be getting into next. If we do not like the bill, if we do not like mud wrestling, draw up a bill and make it illegal.

The SPEAKER. The Chair thanks the gentleman.

For the second time on the amendment, the Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. I would just like to point out that this bill does regulate mud wrestling. So if you want mud wrestling regulated, you vote "no" on the amendment. Thank you.

On the question recurring,

Will the House agree to part I of the amendments?

The following roll call was recorded:

YEAS—81

Afflerbach	Cole	Lucyk	Saurman
Angstadt	Cordisco	McCall	Scheetz
Baldwin	Daley	McClatchy	Schuler
Battisto	Dombrowski	McMonagle	Serafini
Belardi	Fargo	Mackowski	Seventy

Blaum	Foster, Jr., A.	Merry	Sirianni
Book	Freind	Moehlmann	Smith, B.
Bowser	Gallen	Mowery	Smith, L. E.
Boyes	Geist	Noye	Snyder, D. W.
Brandt	Godshall	O'Brien	Spencer
Broujos	Greenwood	O'Donnell	Stairs
Bunt	Hagarty	Olasz	Sweet
Burd	Hasay	Oliver	Telek
Burns	Hoeffel	Petrone	Tigue
Caltagirone	Honaman	Piccola	Trello
Cappabianca	Jarolin	Pratt	Van Horne
Cawley	Kasunic	Rappaport	Wachob
Cessar	Kennedy	Reinard	Wargo
Civera	Lashinger	Robbins	Weston
Clark	Letterman	Saloom	Wozniak
Colafella			

NAYS—111

Alderette	Fryer	McHale	Rieger
Armstrong	Gallagher	McVerry	Rudy
Arty	Gamble	Maiale	Ryan
Barber	Gannon	Manderino	Rybak
Beloff	George	Manmiller	Salvatore
Carn	Gladeck	Markosek	Semmel
Cimini	Grieco	Marmion	Showers
Clymer	Gruitza	Mayernik	Snyder, G. M.
Cohen	Gruppo	Michlovic	Spitz
Cornell	Haluska	Micozzie	Steighner
Coslett	Harper	Miller	Stevens
Cowell	Hayes	Miscevich	Stewart
Coy	Herman	Morris	Swift
Deluca	Hershey	Mrkonc	Taylor, E. Z.
DeVerter	Hutchinson	Murphy	Taylor, F. E.
DeWeese	Itkin	Nahill	Truman
Davies	Jackson	Perzel	Vroon
Dawida	Johnson	Peterson	Wambach
Deal	Klingaman	Petrarca	Wass
Dininni	Kosinski	Phillips	Wiggins
Dorr	Kowalshyn	Pievsky	Wilson
Duffy	Laughlin	Pistella	Wright, D. R.
Durham	Lehr	Pitts	Wright, J. L.
Evans	Lescovitz	Pott	Wright, R. C.
Fattah	Levi	Preston	Zwikl
Fee	Linton	Punt	
Flick	Livengood	Reber	Irvis,
Foster, W. W.	Lloyd	Richardson	Speaker
Freeman			

NOT VOTING—7

Belfanti	Donatucci	McIntyre	Wogan
Dietz	Levin	Williams	

EXCUSED—4

Fischer	Kukovich	Madigan	Stuban
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The question was determined in the negative, and part I of the amendments was not agreed to.

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—196

Afflerbach	Fargo	Lucyk	Rudy
Alderette	Fattah	McCall	Ryan
Angstadt	Fee	McClatchy	Rybak
Armstrong	Flick	McHale	Saloom
Arty	Foster, W. W.	McIntyre	Salvatore
Baldwin	Foster, Jr., A.	McMonagle	Saurman
Barber	Freeman	McVerry	Scheetz
Battisto	Freind	Mackowski	Schuler
Belardi	Fryer	Maiale	Semmel
Belfanti	Gallagher	Manderino	Serafini
Beloff	Gallen	Manmiller	Seventy
Blaum	Gamble	Markosek	Showers
Book	Gannon	Marmion	Sirianni
Bowser	Geist	Mayernik	Smith, B.
Boyes	George	Merry	Smith, L. E.
Brandt	Gladeck	Michlovic	Snyder, D. W.
Broujos	Godshall	Micozzie	Snyder, G. M.
Bunt	Greenwood	Miller	Spencer
Burd	Grieco	Miscevich	Spitz
Burns	Gruitza	Moehlmann	Stairs
Caltagirone	Gruppo	Morris	Steighner
Cappabianca	Hagarty	Mowery	Stevens
Carn	Haluska	Mrkonc	Stewart
Cawley	Harper	Murphy	Sweet
Cessar	Hasay	Nahill	Swift
Cimini	Hayes	Noye	Taylor, E. Z.
Civera	Herman	O'Brien	Taylor, F. E.
Clymer	Hershey	O'Donnell	Telek
Cohen	Hoeffel	Olasz	Tigue
Colafella	Honaman	Oliver	Trello
Cole	Hutchinson	Perzel	Truman
Cordisco	Itkin	Peterson	Van Horne
Cornell	Jackson	Petrarca	Vroon
Coslett	Jarolin	Petrone	Wachob
Cowell	Johnson	Phillips	Wambach
Coy	Kasunic	Piccola	Wargo
Deluca	Kennedy	Pievsky	Wass
DeVerter	Klingaman	Pistella	Weston
DeWeese	Kosinski	Pitts	Wiggins
Daley	Kowalshyn	Pott	Wilson
Davies	Lashinger	Pratt	Wogan
Dawida	Laughlin	Preston	Wozniak
Deal	Lehr	Punt	Wright, D. R.
Dininni	Lescovitz	Rappaport	Wright, J. L.
Dombrowski	Letterman	Reber	Wright, R. C.
Donatucci	Levi	Reinard	Zwikl
Dorr	Levin	Richardson	
Duffy	Linton	Rieger	Irvis,
Durham	Livengood	Robbins	Speaker
Evans	Lloyd		

NAYS—0

NOT VOTING—3

Clark	Dietz	Williams
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EXCUSED—4

Fischer	Kukovich	Madigan	Stuban
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the clerk return the same to the Senate with the information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Montgomery, Mr. Bunt, rise?

Mr. BUNT. Mr. Speaker, on amendment A2906 to HB 1208, I find that I was not voted on that amendment. I would have voted in the affirmative. I would like that spread upon the record.

The SPEAKER. Would the gentleman like to have his remarks reflect that he would have voted in the affirmative on the amendment? Is that correct?

Mr. BUNT. That is correct.

The SPEAKER. The gentleman's remarks will be spread upon the record.

RESOLUTION ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HR 53, PN 1880**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

Designating the week of the first Sunday in June as Pennsylvania Garden Week.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Cole.

Mr. COLE. Mr. Speaker, I request that the House do concur in the amendments inserted by the Senate.

On the question recurring,

Will the House concur in Senate amendments?

The following roll call was recorded:

YEAS—197

Afflerbach	Evans	Lloyd	Rudy
Alderette	Fargo	Lucyk	Ryan
Angstadt	Fattah	McCall	Rybak
Armstrong	Fee	McClatchy	Saloom
Arty	Flick	McHale	Salvatore
Baldwin	Foster, W. W.	McIntyre	Saurman
Barber	Foster, Jr., A.	McMonagle	Scheetz
Battisto	Freeman	McVerry	Schuler
Belardi	Freind	Mackowski	Semmel
Belfanti	Fryer	Maiale	Serafini
Beloff	Gallagher	Manderino	Seventy
Blaum	Gallen	Manmiller	Showers
Book	Gamble	Markosek	Sirianni
Bowser	Gannon	Marmion	Smith, B.
Boyes	Geist	Mayernik	Smith, L. E.
Brandt	George	Merry	Snyder, D. W.
Broujos	Gladeck	Michlovic	Snyder, G. M.
Bunt	Godshall	Micozzie	Spencer
Burd	Greenwood	Miller	Spitz
Burns	Grieco	Miscevich	Stairs
Caltagirone	Gruitza	Moehlmann	Steighner
Carn	Gruppo	Morris	Stevens
Cawley	Hagarty	Mowery	Stewart
Cessar	Haluska	Mrkoncic	Sweet
Cimini	Harper	Murphy	Swift
Civera	Hasay	Nahill	Taylor, E. Z.
Clark	Hayes	Noye	Taylor, F. E.
Clymer	Herman	O'Brien	Telek
Cohen	Hershey	O'Donnell	Tigue
Colafella	Hoeffel	Olasz	Trello
Cole	Honaman	Oliver	Truman
Cordisco	Hutchinson	Perzel	Van Horne
Cornell	Itkin	Peterson	Vroon

Coslett	Jackson	Petrarca	Wachob
Cowell	Jarolin	Petrone	Wambach
Coy	Johnson	Phillips	Wargo
Deluca	Kasunic	Piccola	Wass
DeVerter	Kennedy	Pievsky	Weston
DeWeese	Klingaman	Pistella	Wiggins
Daley	Kosinski	Pitts	Wilson
Davies	Kowalshyn	Pott	Wogan
Dawida	Lashinger	Pratt	Wozniak
Deal	Laughlin	Preston	Wright, D. R.
Dietz	Lehr	Punt	Wright, J. L.
Dininni	Lescovitz	Rappaport	Wright, R. C.
Dombrowski	Letterman	Reber	Zwinkl
Donatucci	Levi	Reinard	
Dorr	Levin	Richardson	Irvis,
Duffy	Linton	Rieger	Speaker
Durham	Livengood	Robbins	

NAYS—0

NOT VOTING—2

Cappabianca Williams

EXCUSED—4

Fischer Kukovich Madigan Stuban

The question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Philadelphia, Mr. Wogan, rise?

Mr. WOGAN. Mr. Speaker, on part 1 of the Cawley amendment, A3374, I was not recorded, for some reason. It was my intention to be recorded in the negative.

The SPEAKER. The gentleman's remarks will be spread upon the record.

BUSINESS AND COMMERCE COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Taylor, for the purpose of making an announcement of a committee meeting.

Mr. TAYLOR. Thank you, Mr. Speaker.

There will be a Business and Commerce Committee meeting right after the adjournment of the session in room B-11 in the basement. Thank you.

The SPEAKER. The Chair thanks the gentleman.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Rappaport, for the purpose of making an announcement.

Mr. RAPPAPORT. Mr. Speaker, there will be a meeting of the Judiciary Committee at the call of the recess in the majority caucus room.

Mr. Speaker, is it the intention of the Chair, upon the recess, to keep the desk open this afternoon?

The SPEAKER. The Chair will be kept open this afternoon. Yes.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

HOUSE SCHEDULE

The SPEAKER. There will be no further voting on the floor of the House, but the Chair will remain open and the Speaker will return to the Chair to accept reports of committees at 2 p.m.

RECESS

The SPEAKER. This House stands in recess until 2 p.m.

AFTER RECESS

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 606, PN 674

By Rep. F. E. TAYLOR

An Act amending the "Local Economic Revitalization Tax Assistance Act," approved December 1, 1977 (P. L. 237, No. 76), further defining the term "improvement."

BUSINESS AND COMMERCE.

HB 824, PN 2007 (Amended)

By Rep. SWEET

An Act relating to the rights of victims of crime.

JUDICIARY.

HB 825, PN 2008 (Amended)

By Rep. SWEET

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the crime victims' compensation fund.

JUDICIARY.

HB 1518, PN 1852

By Rep. F. E. TAYLOR

An Act providing for the licensing, operating and placement of coin-operated gaming machines within this Commonwealth; creating the Gaming Commission; providing powers and duties; providing for enforcement; prohibiting use by minors; providing for local option; providing for distribution of revenues to be used for specified purposes; and providing penalties.

BUSINESS AND COMMERCE.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears none.

ADJOURNMENT

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Alderette.

Mr. ALDERETTE. Mr. Speaker, I move that this House do now adjourn until Monday, October 24, 1983, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:12 p.m., e.d.t., the House adjourned.