

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, MARCH 16, 1987

SESSION OF 1987

171ST OF THE GENERAL ASSEMBLY

No. 21

HOUSE OF REPRESENTATIVES

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

This is our Father's world, and in gratitude we share the beauty and glory of this day with our fellow men. We recognize the grandeur of all of life about us, and we pause in tribute before Thee with the prayer that we may never forget our stewardship in Thy service.

Heavenly Father, help us to show our appreciation to Thee by the lives we live. May our day-to-day adventures be in accord with Thy desires in each of us, and may our examples be an incentive in the pathway of others. As Thy gracious mercy and forgiving love reaches each of us, O God, may it multiply in our very being and extend to others in joy and love. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was delivered by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal for Wednesday, March 11, 1987, will be delayed until that Journal is in print. The Chair hears no such objection.

JOURNALS APPROVED

The SPEAKER. However, the Chair has been advised that the Journals for Wednesday, March 4, and Monday, March 9, 1987, are in print, and unless the Chair hears objection, they will stand as approved. The Chair does not hear any such objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 828 By Representatives FREEMAN, JOHNSON, RYBAK, PRESSMANN, CAPPABIANCA,

CAWLEY, PRESTON, VEON, SCHEETZ, YANDRISEVITS, COHEN, VAN HORNE, GAMBLE, RITTER, RAYMOND, BLAUM and WOZNIAK

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," increasing the penalty for ordinance violations.

Referred to Committee on URBAN AFFAIRS, March 16, 1987.

No. 829 By Representatives FREEMAN, SCHEETZ, YANDRISEVITS, JOHNSON, RYBAK, CAPPABIANCA, CAWLEY, PRESSMANN, PRESTON, VEON, COHEN, VAN HORNE, GAMBLE, RITTER, RAYMOND, BLAUM and WOZNIAK

An Act amending the act of February 1, 1966 (1965 P. L. 1656, No. 581), known as "The Borough Code," increasing the penalty for ordinance violations.

Referred to Committee on LOCAL GOVERNMENT, March 16, 1987.

No. 830 By Representatives FREEMAN, RAYMOND, YANDRISEVITS, RYBAK, CAPPABIANCA, JOHNSON, CAWLEY, PRESSMANN, PRESTON, RITTER, VEON, SCHEETZ, COHEN, VAN HORNE, GAMBLE, BLAUM and WOZNIAK

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," increasing fines for violation of ordinances.

Referred to Committee on LOCAL GOVERNMENT, March 16, 1987.

No. 831 By Representatives FREEMAN, SCHEETZ, YANDRISEVITS, RYBAK, CAPPABIANCA, JOHNSON, CAWLEY, PRESTON, VEON, COHEN, VAN HORNE, GAMBLE, PRESSMANN, RITTER, RAYMOND, BLAUM and WOZNIAK

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," increasing ordinance violation fines.

Referred to Committee on LOCAL GOVERNMENT,
March 16, 1987.

No. 832 By Representatives FREEMAN,
RAYMOND, PRESSMANN, RYBAK,
CAPPABIANCA, JOHNSON, CAWLEY,
PRESTON, VEON, SCHEETZ,
YANDRISEVITS, COHEN, VAN HORNE,
GAMBLE, RITTER, BLAUM and
WOZNIAK

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), known as "The County Code," increasing penalties for violations of ordinances.

Referred to Committee on LOCAL GOVERNMENT,
March 16, 1987.

No. 833 By Representatives RUDY, COLE and
DALEY

An Act declaring and adopting the song "Pennsylvania," lyrics and music by Joseph W. Yoder, as the State song of the Commonwealth of Pennsylvania.

Referred to Committee on STATE GOVERNMENT,
March 16, 1987.

No. 834 By Representatives BATTISTO, ITKIN,
VEON, DORR, J. L. WRIGHT, RYBAK,
SCHULER, HALUSKA, BARLEY,
MICOZZIE, STAIRS, COY, SALOOM,
FOX, VAN HORNE, COLAFELLA,
CIVERA, E. Z. TAYLOR, JOHNSON,
PETRARCA, WOZNIAK, PHILLIPS and
TRELLO

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for antique and classic motor vehicles; and providing for collector motor vehicles.

Referred to Committee on TRANSPORTATION,
March 16, 1987.

No. 835 By Representatives HAGARTY, McHALE,
MOEHLMANN, SIRIANNI, CORNELL,
SAURMAN, NAHILL, TIGUE, FARGO,
MORRIS, D. W. SNYDER, HAYDEN,
HERMAN, BATTISTO, SHOWERS,
SEMMELE, FOX, LASHINGER, HECKLER,
FLICK and FISCHER

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, changing provisions relating to judicial discipline; creating a judicial council; and further providing for the supervision of the practice of law, for financial disclosure, for budgeting and for the financial affairs of the judiciary.

Referred to Committee on JUDICIARY, March 16, 1987.

No. 836 By Representatives HAGARTY, BORTNER,
McVERRY, McHALE, REBER, WOGAN,
HECKLER, NOYE, FOX, BUNT,
SIRIANNI, GODSHALL, HALUSKA,
SEMMELE, PHILLIPS, BELFANTI,

SHOWERS, SAURMAN, CLYMER,
JOHNSON, HERMAN, BATTISTO and
RAYMOND

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for intermediary reports in adoption.

Referred to Committee on JUDICIARY, March 16, 1987.

No. 837 By Representatives HAGARTY, McHALE,
HECKLER, JOSEPHS, LASHINGER,
HAYDEN, NAHILL, SHOWERS,
JOHNSON, BOOK, MERRY, VROON,
FISCHER, REINARD, FOX, MICHLOVIC
and J. L. WRIGHT

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for selection of justices of the Supreme Court and judges of other state-wide courts.

Referred to Committee on JUDICIARY, March 16, 1987.

No. 838 By Representatives HAGARTY,
COLAFELLA, REBER, CESSAR,
KENNEY, MORRIS, WOGAN, GAMBLE,
RAYMOND, HALUSKA, SCHEETZ,
ARTY, DISTLER, McVERRY, HERMAN,
BUNT, MAIALE, HOWLETT, MILLER,
FOX, E. Z. TAYLOR, HECKLER, BOOK
and FLICK

An Act providing for the regulation of unsolicited promotional advertising telephone calls on the telephone lines of private users.

Referred to Committee on JUDICIARY, March 16, 1987.

No. 839 By Representatives TIGUE, CAWLEY,
STABACK, CAPPABIANCA, VEON,
JAROLIN, KOSINSKI, SCHULER,
BELFANTI, ANGSTADT, McCALL,
TRELLO, PISTELLA, YANDRISEVITS,
B. SMITH, SHOWERS, HASAY, ACOSTA,
ROBBINS, COLAFELLA, REBER, FOX,
COY, J. TAYLOR, DALEY, DONATUCCI,
FISCHER, PETRONE, SEMMELE,
WOZNIAK, MORRIS, STEVENS,
DeLUCA, PETRARCA, LASHINGER,
GODSHALL, BATTISTO, BUNT, TELEK,
SALOOM, CIVERA and E. Z. TAYLOR

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," excluding car safety seats for children from the sale and use tax.

Referred to Committee on FINANCE, March 16, 1987.

No. 840 By Representatives TIGUE, CAWLEY,
BLAUM, STABACK, CAPPABIANCA,
JAROLIN, VEON, KOSINSKI, McCALL,
LLOYD, COWELL, TRELLO, PISTELLA,
YANDRISEVITS, DUFFY, GAMBLE,
HASAY, ACOSTA, BALDWIN,

COLAFELLA, REBER, SIRIANNI,
MRKONIC, GRUPPO, FOX, McVERRY,
COY, J. TAYLOR, LINTON,
DONATUCCI, FISCHER, PETRONE,
SEMMEL, WOZNIAK, MORRIS,
STEVENS, DeLUCA, PETRARCA,
LASHINGER, KASUNIC, MAIALE,
HOWLETT, BATTISTO, COHEN,
SALOOM, CIVERA and E. Z. TAYLOR

An Act amending the act of June 11, 1947 (P. L. 538, No. 246), known as "The Casualty and Surety Rate Regulatory Act," prohibiting rate increases from taking effect without approval of the Insurance Commissioner.

Referred to Committee on INSURANCE, March 16, 1987.

No. 841 By Representatives SWEET, COWELL,
MICHLOVIC, D. R. WRIGHT, BUNT,
DAWIDA, PRESSMANN, McCALL,
TIGUE, BALDWIN, LLOYD, TRELLO,
LaGROTTA, SAURMAN, WOZNIAK,
HARPER, GODSHALL, McHALE and
OLASZ

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for the use of final offer binding arbitration procedures between certain public employees and their public employers.

Referred to Committee on EDUCATION, March 16, 1987.

No. 842 By Representatives SWEET, McVERRY,
BLAUM, HAGARTY, BALDWIN,
STABACK, RYBAK, MORRIS, TIGUE,
HAYDEN, KASUNIC, KOSINSKI, BOYES,
JACKSON, J. TAYLOR, GEIST,
WAMBACH, D. R. WRIGHT, COHEN,
PISTELLA, MERRY, VAN HORNE,
ITKIN, PRESSMANN, PUNT, NAHILL,
BOOK, BARLEY, WOGAN, NOYE,
WIGGINS, FOX, PETRONE, RAYMOND,
DONATUCCI, BIRMELIN, MELIO,
LASHINGER, MAIALE, HOWLETT and
BUNT

An Act amending the act of April 14, 1972 (P. L. 233, No. 64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," further providing for forfeitures.

Referred to Committee on JUDICIARY, March 16, 1987.

No. 843 By Representatives SEVENTY, TRELLO,
OLASZ and PRESTON

An Act amending Title 34 (Game) of the Pennsylvania Consolidated Statutes, increasing certain fees; and creating the Casualty Benefits Fund.

Referred to Committee on GAME AND FISHERIES, March 16, 1987.

No. 844 By Representatives LASHINGER, FOSTER,
HAYES, RYAN, HECKLER, ANGSTADT,

BALDWIN, BLACK, BOWSER, BRANDT,
BURD, BUSH, CAPPABIANCA, CARN,
CESSAR, CIMINI, CLYMER, CORNELL,
DALEY, DeLUCA, DONATUCCI,
DURHAM, FARMER, FEE, FLICK,
FREEMAN, FREIND, GANNON,
GLADECK, GRUITZA, HAGARTY,
HARPER, HERMAN, HONAMAN,
JADLOWIEC, JOHNSON, KENNEY,
KUKOVICH, LANGTRY, LEH,
LEVDANSKY, LIVENGOOD, MAIALE,
MANMILLER, ARGALL, BARLEY,
BOOK, BOYES, BUNT, BURNS,
CALTAGIRONE, CARLSON, CAWLEY,
CHADWICK, CLARK, COLAFELLA,
COWELL, DAWIDA, DISTLER, DUFFY,
FARGO, FATTAH, FISCHER, FOX,
GAMBLE, GEIST, GODSHALL, GRUPPO,
HALUSKA, HASAY, HERSHEY,
JACKSON, JAROLIN, KASUNIC,
KOSINSKI, LaGROTTA, LAUGHLIN,
LESCOVITZ, LINTON, LUCYK, MAINE,
MARKOSEK, MAYERNIK, McHALE,
MERRY, MILLER, MRKONIC, NOYE,
OLASZ, PERZEL, PICCOLA, PISTELLA,
PRESTON, REBER, ROBBINS, RYBAK,
SAURMAN, SCHEETZ, SEMMEL,
SEVENTY, D. W. SNYDER, STAIRS,
STEWART, SWEET, J. TAYLOR,
TRELLO, VAN HORNE, WASS,
WIGGINS, WOZNIAK, McCALL,
McVERRY, MICHLOVIC, MOWERY,
NAHILL, O'BRIEN, OLIVER, PETRONE,
PIEVSKY, PITTS, RAYMOND, RIEGER,
RUDY, SALOOM, PUNT, SCHULER,
SERAFINI, B. SMITH, STABACK,
STEVENS, STUBAN, E. Z. TAYLOR,
TIGUE, TRUMAN, VROON, WESTON,
WOGAN, R. C. WRIGHT and
J. L. WRIGHT

An Act providing for county infrastructure plans; imposing additional powers and duties on the Department of Community Affairs and the Department of Environmental Resources; providing for a grant reimbursement program; and making an appropriation.

Referred to Committee on APPROPRIATIONS, March 16, 1987.

No. 845 By Representatives LASHINGER,
MOEHLMANN, SAURMAN, JOSEPHS,
NAHILL, SEMMEL, D. W. SNYDER,
FOX, E. Z. TAYLOR, WOGAN,
BORTNER and TRELLO

An Act establishing the Office of Administrative Hearings; providing for administrative law judges and providing for their respective powers and duties; establishing the Office of Administrative Hearings Account in the State Treasury; and making an appropriation.

Referred to Committee on JUDICIARY, March 16, 1987.

No. 846 By Representatives LASHINGER, McCLATCHY, HAGARTY, J. L. WRIGHT, COLAFELLA, CARLSON, NAHILL, SAURMAN, JOHNSON, MICHLOVIC, SEMMEL and E. Z. TAYLOR

An Act amending the act of January 22, 1968 (P. L. 42, No. 8), known as the "Pennsylvania Urban Mass Transportation Law," further defining certain transit entities; requiring one-third local or private funding matches for State grants with certain exceptions; removing certain limitations on State grants; and further providing for annual appropriations and new formulas for distribution of the appropriations to transportation organizations and companies.

Referred to Committee on APPROPRIATIONS, March 16, 1987.

No. 847 By Representatives IRVIS, MANDERINO, CESSAR, ITKIN, SWEET, DOMBROWSKI, MARKOSEK, F. TAYLOR, DALEY, PHILLIPS, HAYDEN, WOZNIAK, COWELL, LaGROTTA, TRELLO, JOSEPHS, KASUNIC, MRKONIC, LAUGHLIN, COLAFELLA, DeWEESE, SALOOM, FATTAH, STAIRS, COHEN, PRESTON, STEIGHNER, PISTELLA, MAYERNIK, CLARK, OLASZ, R. C. WRIGHT, CAPPABIANCA, HALUSKA, VAN HORNE, KENNEY, LIVENGOOD, BUNT, FOX, PETRARCA, RUDY, MORRIS, DeLUCA, FISCHER, HUGHES, LASHINGER, MAIALE and HOWLETT

An Act authorizing the establishment of a commission for counties of the second class and adjacent counties to undertake industrial, land use improvement and civic projects; providing for the powers, members, organization and employees of the commission; granting to the commission the power of eminent domain; authorizing the commission to issue bonds; granting remedies to bondholders; and providing for contracts and purchases, for the sale or lease of projects, for funding of the commission and for an exemption from taxation.

Referred to Committee on LOCAL GOVERNMENT, March 16, 1987.

No. 848 By Representatives IRVIS, PRESTON, TRELLO, ROEBUCK, OLIVER, PISTELLA, WIGGINS, ITKIN, CARN, MARKOSEK, COWELL, DAWIDA, DeLUCA and HARPER

An Act providing an appropriation to the Department of Health for the operation of a treatment center for the diagnosis and treatment of sickle-cell anemia.

Referred to Committee on APPROPRIATIONS, March 16, 1987.

No. 849 By Representatives FOX, KUKOVICH, NAHILL, HALUSKA, MELIO, MORRIS, J. TAYLOR, VROON, J. L. WRIGHT, TRELLO, JOHNSON, BOWSER, RAYMOND, HERMAN, PERZEL, BUNT, VEON, CORNELL, MICOZZIE, SALOOM and KASUNIC

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," providing for the establishment of a burn registry by the Pennsylvania State Police.

Referred to Committee on STATE GOVERNMENT, March 16, 1987.

No. 850 By Representatives MURPHY, LLOYD, FREEMAN, PRESSMANN, McHALE, LINTON, MICHLOVIC, SEVENTY and LETTERMAN

An Act amending the act of February 19, 1980 (P. L. 15, No. 9), known as the "Real Estate Licensing and Registration Act," further providing for the regulation of promotional land sales.

Referred to Committee on PROFESSIONAL LICENSURE, March 16, 1987.

No. 851 By Representatives RICHARDSON, ACOSTA, PRESTON and CARN

An Act providing for the establishment of a Police Control Board in cities of the first class and defining its powers and duties; and providing for conduct of police personnel, for complaint procedure, for police hiring policies, and for supervision and overseeing of the police department.

Referred to Committee on URBAN AFFAIRS, March 16, 1987.

No. 852 By Representatives RICHARDSON, LINTON, PRESTON, CARN, OLIVER and ACOSTA

An Act to prohibit discrimination in mortgage lending; and to require depository institutions to report certain information regarding mortgage loans to the Secretary of Banking and to the public.

Referred to Committee on BUSINESS AND COMMERCE, March 16, 1987.

No. 853 By Representatives RICHARDSON, LINTON, PRESTON, CARN, OLIVER and JOSEPHS

An Act amending the act of May 28, 1937 (P. L. 955, No. 265), known as the "Housing Authorities Law," defining terms; authorizing the lending of money for low-income housing; providing funds for low-income housing; authorizing the issuance of bonds; providing for the securing of such bonds; providing a tax exemption for bonds; authorizing the signing of bonds by facsimile signatures; authorizing political subdivisions and other agencies of the Commonwealth to transfer funds to any authority without consideration; and saving an act from repeal.

Referred to Committee on URBAN AFFAIRS, March 16, 1987.

No. 854 By Representatives GRUPPO, HERMAN, SEMMEL, TRELLO, JOHNSON, BOOK, HECKLER, SAURMAN, CAWLEY, DeLUCA and CIMINI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing exemptions for the use of certain sun screening materials.

Referred to Committee on TRANSPORTATION, March 16, 1987.

No. 855 By Representative DeWEESE

An Act designating the bridge on Route 21 over Ten Mile Creek in Franklin Township, Greene County, as the Freedom Bridge.

Referred to Committee on TRANSPORTATION, March 16, 1987.

No. 856 By Representatives FOX, CAWLEY, JOHNSON, VROON, LANGTRY, MERRY, BOWSER, JACKSON, PRESTON, TRELLO, HAGARTY, DISTLER, BELFANTI, KOSINSKI, O'DONNELL, JAROLIN, MOEHLMANN, CARLSON, LEH, PUNT, MORRIS, LETTERMAN, HASAY, CESSAR, CIVERA, GANNON, MRKONIC, PERZEL, GEIST, SAURMAN, E. Z. TAYLOR, REBER, MILLER, SEVENTY, WOGAN, GRUPPO, BURD, BUSH, BOOK, BUNT, STEVENS, OLASZ, KENNEY, RAYMOND, SEMMEL, FLICK, STABACK, SIRIANNI, FISCHER, WOZNIAC, KASUNIC and PETRONE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for the justifiable use of force for the protection of property.

Referred to Committee on JUDICIARY, March 16, 1987.

No. 857 By Representatives SWEET, FOSTER, STUBAN, NAHILL and DUFFY

An Act empowering the Department of Community Affairs to declare certain municipalities as financially distressed; providing for the restructuring of debt of financially distressed municipalities; limiting the ability of financially distressed municipalities to obtain government funding; authorizing municipalities to participate in Federal debt readjustment actions and bankruptcy actions under certain circumstances; and providing for consolidation or merger of contiguous municipalities to relieve financial distress.

Referred to Committee on LOCAL GOVERNMENT, March 16, 1987.

No. 858 By Representatives SWEET, STUBAN, DUFFY, FOSTER and NAHILL

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as "The Administrative Code of 1929," further providing for the powers and duties of the Department of Community Affairs.

Referred to Committee on LOCAL GOVERNMENT, March 16, 1987.

No. 859 By Representatives FOX, KUKOVICH, HALUSKA, MELIO, J. TAYLOR, VROON, J. L. WRIGHT, TRELLO, JOHNSON, BOWSER, NAHILL, RAYMOND, HERMAN, PERZEL, BUNT, VEON, CORNELL, MICOZZIE, SALOOM, KASUNIC and MORRIS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, requiring persons to whom persons suffering burns come or are brought for treatment to make a report to the police.

Referred to Committee on JUDICIARY, March 16, 1987.

SENATE BILLS FOR CONCURRENCE

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

SB 16, PN 21

Referred to Committee on TRANSPORTATION, March 16, 1987.

SB 29, PN 317

Referred to Committee on CONSUMER AFFAIRS, March 16, 1987.

SB 138, PN 143

Referred to Committee on TRANSPORTATION, March 16, 1987.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 52 By Representatives LANGTRY, BOOK, KENNEY, McVERRY and FARMER

Honoring the Girl Scouts on the 75th Anniversary of the organization.

Referred to Committee on RULES, March 16, 1987.

No. 53 By Representatives RICHARDSON, LINTON, PRESTON, CARN, HUGHES, WIGGINS, DEAL and ROEBUCK

Memorializing the President of the United States to begin negotiations with certain African states to end apartheid in South Africa.

Referred to Committee on RULES, March 16, 1987.

LEAVES OF ABSENCE

The SPEAKER. The Chair now turns to leaves of absence. The Chair recognizes the gentleman from Lawrence, Mr. Fee.

Mr. FEE. Mr. Speaker, the gentleman from Allegheny, Mr. PETRONE, for today, and the gentleman from Cambria, Mr. STEWART, for the week.

The SPEAKER. The Chair hears no objection to the granting of the leaves. The leaves are therefore granted.

The Chair recognizes the minority whip. Do you have any requests for leaves?

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the lady from Chester County, Mrs. TAYLOR, for the week, and the gentleman from Delaware County, Mr. R. C. WRIGHT, for the day.

The SPEAKER. The leaves are granted. The Chair has heard no objection thereto.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—199

Table listing 199 present members: Acosta, Angstadt, Argall, Arty, Baldwin, Barley, Battisto, Belardi, Belfanti, Birmelin, Black, Blaum, Book, Bortner, Bowley, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Bush, Caltagirone, Cappabianca, Carlson, Carn, Cawley, Cessar, Chadwick, Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cornell, Corrigan, Cowell, Coy, DeLuca, DeVerter, DeWeese, Daley, Davies, Dawida, Deal, Dietterick, Dininni, Distler, Dombrowski, Donatucci, Dorr, Duffy, Durham, Evans, Fargo, Farmer, Fattah, Fee, Fischer, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Gannon, Geist, George, Gladeck, Godshall, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Honaman, Howlett, Hughes, Hutchinson, Itkin, Jackson, Jadlowiec, Jarolin, Johnson, Josephs, Kasunic, Kennedy, Kenney, Kosinski, Kukovich, LaGrotta, Langtry, Lashing, Laughlin, Leh, Lescovitz, Letterman, Levdansky, Linton, Livengood, Lloyd, Lucyk, McCall, McClatchy, McHale, McVerry, Maiale, Manderino, Manmiller, Markosek, Mayernik, Melio, Merry, Michlovic, Micozzie, Miller, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Petrarca, Phillips, Piccola, Pievsky, Pistella, Pitts, Pressmann, Preston, Punt, Raymond, Reber, Reinard, Richardson, Rieger, Ritter, Robbins, Roebuck, Rudy, Ryan, Rybak, Saloom, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Steighner, Stevens, Stuban, Sweet, Taylor, F., Taylor, J., Telek, Tigie, Trello, Truman, Van Horne, Veon, Vroon, Wambach, Wass, Weston, Wiggins, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Yandrisevits, Irvis, Speaker

ADDITIONS—0

NOT VOTING—0

EXCUSED—4

Petrone Stewart Taylor, E. Z. Wright, R. C.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 19 and HB 90 be lifted from the tabled calendar and placed on the active calendar.

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

CALENDAR

BILLS ON SECOND CONSIDERATION

The House proceeded to second consideration of HB 278, PN 302, entitled:

An Act amending the act of June 11, 1879 (P. L. 147, No. 153), entitled "An act fixing the compensation of persons called to serve as coroner's jurors in this commonwealth," increasing the compensation to be paid to jurors; and providing for mileage payments.

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

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that HB 278 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 following bill, having been called up, was considered for the second time and agreed to, and ordered transcribed for third consideration:

HB 324, PN 357.

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 245, PN 426, entitled:

An Act providing for the right to cancel the purchase of time-shares.

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

Mr. LLOYD offered the following amendments No. A0211:

Amend Sec. 4, page 2, line 27, by striking out "telegraphic communication" and inserting

any other bona fide means of delivery

Amend Sec. 5, page 3, line 9, by inserting after "HIM."

In the event of cancellation pursuant to this act, any promotional prizes, gifts and premiums issued to the purchaser by the seller shall remain the property of the purchaser.

Amend Sec. 8, page 3, line 25, by inserting after "ACT"

by any individual, corporation, partnership, association or other entity

Amend Sec. 8, page 3, line 29, by inserting after "ACT."

Any actions brought by the Attorney General to enforce this act shall be in addition to any actions which the State Real Estate Commission may bring under the Real Estate Licensing and Registration Act.

On the question,

Will the House agree to the amendments?

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, this amendment does a number of things, several of which are technical to reflect an amendment made in committee to allow cancellation notices to be communicated by any bona fide means of delivery, which includes people like Purolator and Federal Express.

The substantive part of the amendment deals with making clear in the law what is already contract law, that the contract for a prize when you go to a timeshare site is separate from any contractual relationship dealing with whether you do or do not purchase a timeshare. What this language, which would be added at the request of the Attorney General's Office, would do is to put that specifically into the bill and say that if you cancel the contract, you get to keep any prize you might have gotten.

There is also further language suggested by the Attorney General's Office to make clear that any enforcement that he carries out under this act is in addition to any jurisdiction which the Real Estate Commission might have under the act.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

Acosta	Distler	Kosinski	Reber
Angstadt	Dombrowski	Kukovich	Reinard
Argall	Donatucci	LaGrotta	Richardson
Arty	Dorr	Langtry	Rieger
Baldwin	Duffy	Lashinger	Ritter
Barley	Durham	Laughlin	Robbins
Battisto	Evans	Leh	Roebuck
Belardi	Fargo	Lescovitz	Rudy
Belfanti	Farmer	Letterman	Ryan
Birmelin	Fattah	Levdansky	Rybak
Black	Fee	Linton	Saloom
Blaum	Fischer	Livengood	Saurman
Book	Flick	Lloyd	Scheetz
Bortner	Foster	Lucyk	Schuler
Bowley	Fox	McCall	Semmel
Bowser	Freeman	McClatchy	Seventy
Boyes	Freind	McHale	Showers
Brandt	Gallen	McVerry	Sirianni

Broujos	Gamble	Maiale	Smith, B.
Bunt	Gannon	Maine	Smith, S. H.
Burd	Geist	Manderino	Snyder, D. W.
Burns	George	Manmiller	Snyder, G.
Bush	Gladeck	Markosek	Staback
Caltagirone	Godshall	Mayernik	Stairs
Cappabianca	Gruitza	Melio	Steighner
Carlson	Gruppo	Merry	Stuban
Carn	Hagarty	Michlovic	Sweet
Cawley	Haluska	Miller	Taylor, F.
Cessar	Harper	Morris	Taylor, J.
Chadwick	Hasay	Mowery	Telek
Cimini	Hayden	Mrkonic	Tigue
Clark	Hayes	Murphy	Trello
Clymer	Heckler	Nahill	Truman
Cohen	Herman	Noye	Van Horne
Colafranca	Hershey	O'Brien	Veon
Cole	Hess	O'Donnell	Vroon
Cornell	Honaman	Olasz	Wambach
Corrigan	Howlett	Oliver	Wass
Cowell	Hughes	Perzel	Weston
Coy	Hutchinson	Petrarca	Wiggins
DeLuca	Itkin	Phillips	Wilson
DeVerter	Jackson	Piccola	Wogan
DeWeese	Jadlowiec	Pievsky	Wozniak
Daley	Jarolin	Pistella	Wright, D. R.
Davies	Johnson	Pitts	Wright, J. L.
Dawida	Josephs	Pressmann	Yandriskevits
Deal	Kasunic	Preston	
Dietterick	Kennedy	Punt	Irvis,
Dininni	Kenney	Raymond	Speaker

NAYS—2

Serafini Stevens

NOT VOTING—3

Civera Micozzie Moehlmann

EXCUSED—4

Petrone Stewart Taylor, E. Z. Wright, R. C.

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?

The SPEAKER. On that question, the gentleman from Lackawanna, Mr. Serafini, is recognized, who offers the following amendment, which the clerk will read.

Mr. SERAFINI. Mr. Speaker, I have a number of amendments that I have requested from the Reference Bureau which are not down yet. I was wondering if I might have the opportunity to hold this bill over temporarily until they are completed by the Reference Bureau and the other legislators have an opportunity to review them and caucus on them.

The SPEAKER. The Chair would suggest that you speak to the majority leader, who runs the floor of the House. We will put the House at ease temporarily. Go over and speak to the majority leader to see if he is agreeable.

Mr. Serafini, the Reference Bureau has said your amendments are on their way down, and we do have A0155. It may be that if we wait for a few moments you will be ready. But again, that is a decision of the floor leader.

Mr. Serafini, do you wish to offer amendment A0155?

Mr. SERAFINI. Yes, Mr. Speaker. The majority leader stated that we should continue with the bill, go through this amendment, and then perhaps wait until the other amendments are prepared and ready for distribution.

The SPEAKER. Fine. The clerk will read the amendment.

On the question recurring,

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

Mr. SERAFINI offered the following amendments No. A0155:

Amend Sec. 2, page 2, line 3, by striking out "seventh" and inserting

third

Amend Sec. 3, page 2, line 14, by striking out "SEVENTH" and inserting

third

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, this amendment would change the 7-day rescission and lower it to 3 days, which currently is the rescission period for things such as home sales, say a vacuum cleaner salesman or something like that. The 3-day rescission would allow the industry, which is an integral part of especially my district, to have the opportunity 5 days from which that contract is signed to put that property on the list of salable properties for the following weekend, because it would be unfair, in my opinion, to remove that property from their list of salable properties for two weekends in a row since this industry depends primarily on weekend sales to exist. So this legislation would really bring it in line with other types of sale cancellation terms which are currently available to people who buy items, for instance, as I said, in door-to-door sales, et cetera. Thank you.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I oppose the amendment. The gentleman says that this would make the cancellation period consistent with other laws. I would suggest that if we want to be consistent, we want to stick with what is in the bill.

Right now Pennsylvania has a statute on cancellation of timeshare contracts in condominiums. That is the only timeshare element which has a cancellation right in Pennsylvania now. That right is triggered by the delivery of the public offering statement, and the right to cancel is within 7 days of the delivery of that public offering statement. So that is the law now, and it apparently has not caused untoward economic problems for the timeshare industry, because they have been living with it since before I was in the General Assembly.

In addition, if we look at what other States have done, our surrounding States, New York has a 7-day period; Maryland has a 10-day period; West Virginia has a 10-day period. Florida, which is one of the prime timeshare States in the Union, has a 10-day period. Arizona, which has always had a

lot of promotional land sales, has a 7-day period. Hawaii has a 7-day period. It seems to me that we also have to be aware of the fact that 36 States have a timeshare cancellation right which ranges from the 3 days that Mr. Serafini is suggesting all the way up to 15 days.

Mr. Speaker, I suggest that 7 days is a good median between 3 and 15. It is consistent with what we already have in the law for condominium timeshares in Pennsylvania, and it is consistent with what is being done in other States which surround us. I would ask for a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Vroon, on the question.

Mr. VROON. Mr. Speaker, I heartily concur with the attitude of Mr. Lloyd in this particular question. I feel it is very important at this time to protect the consuming public in a very meaningful way.

For 7 days only they should have the prerogative of determining whether or not they really meant to buy that time-sharing arrangement. In order to make a good, plausible decision, you must realize that there is a tremendous amount of pressure placed upon these people to buy. Of all the places where there are high-pressure tactics being used, this is one place where it is extreme. I cannot see any reason why, if something is worth buying, there is any fear over a 7-day cooling-off period. If you did a good job of selling and if the thing is worth buying for the price that you asked for it, you certainly should not be afraid to let somebody think about it for 7 days.

I think 7 days is also an ideal period because it is exactly 1 week, and the average family manages to get together at least once a week. To have anything less than that is to accomplish practically nothing.

I certainly do appreciate the fact that this law is being introduced, and I wholeheartedly concur in the 7-day cooling-off period and ask that you vote "no" on this amendment.

The SPEAKER. On the question, the Chair recognizes the gentleman from Monroe, Mr. Battisto.

Mr. BATTISTO. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support Mr. Serafini's amendment. Let me be very frank about this. I know a little about the industry in view of the fact that a great number of timesharing facilities are in my district. The fact of the matter is, I also know that there have been abuses in the industry. I received the same letters that some other people received. I will have you know that I personally was instrumental in having people get refunds who I felt were unduly pressured.

But the fact remains, Mr. Speaker, as Mr. Lloyd said, the waiting period ranges from 3 days, in some places, up to 10 and 15. But the fact is, there are thousands of people who purchase timesharing units who are very, very happy, from southeastern Pennsylvania to Pittsburgh and all over. The industry has nothing to hide with respect to the waiting period. It simply amounts to what Mr. Serafini said: the effect that it has on a sales force when you take something off the market for two weekends is rather incredible. I think if Mr.

Lloyd would check States like Florida and States like Arizona that have a 10- or 12-day waiting period, they are having an awful lot of trouble, too, simply because of this long undue waiting period.

People who come to purchase timesharing units come of their own volition. No one has a gun to their head. They are invited. They know exactly why they are going. They take the prize and they ought to be able to keep the prize. I agree with most everything in this bill, except the waiting period of 7 days is unduly long. It has an adverse effect on an industry that does provide a lot of jobs and produces a lot of money for Pennsylvania. I certainly do not in any way subscribe to any of the abuses that occur, but let us be reasonable. If someone purchases a timesharing unit or any other unit and that person has 3 days to wait, I think it is a blatant insult to someone's intelligence to say that a person needs more than 3 days to make up his or her mind in view of the fact that he or she went of his own free volition.

I support this amendment and I ask for the support of the entire House. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Saurman, on the amendment.

Mr. SAURMAN. Thank you, Mr. Speaker.

Very few of us would want to purchase something without giving it due consideration, and that means more than just deciding yes or no at the end of someone's presentation. Most of us would like to think it over and say, well, look, I will call you back or call me back in a period of time. But here an individual goes a great distance and is given a presentation and either has to do something about it at that moment or, if he considers it to be an opportunity, that opportunity is lost. This psychology then indicates that the person wants to make sure that he takes advantage of that opportunity.

The difficulty is that in utilizing a timeshare plan, most people will consider family as well. It is something that they want to talk to their other family members about. And in 3 days' time, if they have come a distance, they cannot get back home. They do not have an opportunity to make that kind of discussion or have that kind of discussion. So that 7-day period allows them to consider all of the ramifications - how it will be utilized by the family; is it an investment for all of them, because it is a lifetime investment that is indeed handed down from family to family. It is not a decision that can be made or should be made in that short of time, and yet you cannot go back and do it again. The 7-day period allows you to take advantage and make those checks and be certain that what you did was right.

I think in the interest and for the protection of our consumers, we need that 7 days, and I would ask that you reject this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Flick, on the amendment.

Mr. FLICK. Thank you, Mr. Speaker.

I wonder if the gentleman, Mr. Lloyd, would stand for brief interrogation.

The SPEAKER. The gentleman indicates he will so stand. You are in order, and you may proceed.

Mr. FLICK. Thank you, Mr. Speaker.

I wonder if the gentleman might share with the House the reason why an individual might rush into such a very important decision such as buying real estate. Timesharing is the purchase of real estate. It is an interest in real estate. Having been for many years in the real estate industry, I have worked with many clients, and I find that they labor long and hard over the decisions that they are to make when they are to purchase real property. I would suggest that there may be some reason why our consumers are rushing into contracts, if in fact they are. Maybe you might share with us—

Mr. LLOYD. Mr. Speaker, based on the people who have called me and based on conversations with the Attorney General's Office, it appears that the primary complaint is that people are succumbing to high-pressure sales tactics. I have had people call me and say, we are normally very tight with money; we do not buy anything without really looking into it, but we went out to see this; we were subjected to a 3- or 4-hour presentation; we were getting ready to leave and they cut the price, they said it was a special deal if you signed today; and, you know, we got in our car and went home and we started thinking about this and we could not understand why we signed. I have had some calls like that from people around the State, not in my area, just in response to the fact that the bill was introduced.

So basically the cooling-off period is an attempt to give people an opportunity to reflect on all of the information which has been given to them, very often in a rapid-fire manner. It is also an attempt to let them talk to their attorney, talk to their banker, find out something about the property in question and the people in question before they become bound to something that in some instances can cost them as much as \$25,000.

Mr. FLICK. Thank you, Mr. Speaker.

I think, though, I have attended some of these presentations and I believe that there are voluntary incentives. I have attended several presentations for timesharing in my area, in King of Prussia, and there is always a financial incentive attached to a quick decision. I believe that many of these individuals who may make a decision and then feel that it is one that they question whether they should have made, the reason for making the decision to move forward is because it is on the first visit that you receive a financial consideration or some other consideration which is only open to you at that one point. And that certainly is a closing technique, but it is one which the purchaser would recognize as a closing technique and one that the purchaser should recognize that if they wait and if they wish to study, they certainly have that right, but they will be giving up something if they do exercise that right to wait and think about it and discuss it with their attorneys.

We are dealing with a unique type of real estate transaction here. There is only one August 1 until August 7, you know,

each year. I think that for us to legislatively say that any sale must remain open for a period of 7 days would not be in the best interests of promoting the development and the use of Pennsylvania ground to its ultimate use, that of resort family living. I would suggest that Representative Serafini has an appropriate compromise of 3 days, and I would urge the members to support this. Thank you.

The SPEAKER. The Chair recognizes the gentleman from York, Mr. Bortner.

Mr. BORTNER. Thank you, Mr. Speaker.

Would the maker of the amendment stand for brief interrogation?

Mr. SERAFINI. Yes, Mr. Speaker.

The SPEAKER. Mr. Serafini indicates he will so stand. You may proceed, Mr. Bortner.

Mr. BORTNER. I have a question regarding the 3-day period and how that would be effective if an agreement was signed on a Friday. When would the 3-day period—

The SPEAKER. Just a moment, Mr. Bortner.

Try it now, Mr. Bortner.

Mr. BORTNER. Did you hear any of my question, Mr. Speaker?

Mr. SERAFINI. Yes, Mr. Speaker.

Mr. BORTNER. In the event that an agreement was signed on a Friday, when would the deadline expire for rescission under your amendment?

Mr. SERAFINI. Well, the date of cancellation, according to the legislation, the way I read it, and Mr. Lloyd can clarify that if I am in error, would be the day that the cancellation goes into the mail, the postmarked date. So it would eliminate the Sunday, but it would be primarily 3 business days for cancellation. Whatever day you wanted to cancel, you send a letter to the individual whose name is on your contract, and the day you put that letter in the mailbox and it is postmarked, that is the day of your cancellation. So I would assume that the way that legislation is written and the way I understand it, it would mean 3 business days.

Mr. BORTNER. So weekends and presumably a holiday that sometimes falls on a Monday, all those days would be excluded?

Mr. SERAFINI. All those days would be excluded. Only those days, I believe, that a postmark would be put on an envelope would be included as business days.

Mr. BORTNER. Thank you, Mr. Speaker.

I have some brief comments I would like to make on the amendment.

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

Mr. BORTNER. I oppose the amendment, and I think that this situation is a little bit different than a vacuum salesman or a Fuller Brush salesman who sells an item at your home that is certainly not worth the amount of money that is often involved in these sales. The previous speaker asked what the incentive is or why people get involved in these transactions, and I can speak from personal experience with several clients whom I represented who came to me with problems on these.

First of all, they are selling dreams to an awful lot of people who could not buy the vacation home or the cabin in the mountains or the house at the shore if it were not on a time-share basis. They are people who for the most part are buying these things because it gives them an opportunity to spend some time there, a very limited opportunity. It is a lot different than when somebody goes out and buys a home and they go to a bank and they understand that they have to put down 20 percent. There is a very detailed loan application that they have to go through. In my experience, people generally put down a credit card. There is a couple-hundred-dollar down-payment that they make, and then they have signed and committed themselves to make payments for what in many cases is the rest of their lives.

I do not think that 7 days is too long to allow somebody who has perhaps entered into this kind of a transaction to get some legal advice, to talk it over with some family members, maybe just talk it over with their spouse. It is hard for me to understand how this really interferes that much with the people who are selling timeshare, and I would urge the members to support the original proposal for 7 days.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Northampton, Mr. Gruppo.

Mr. GRUPPO. Mr. Speaker, I would like to make a brief statement regarding this amendment to clarify something that was mentioned by a previous speaker.

The impression was given that—

The SPEAKER. Just a moment, Mr. Gruppo. For some unknown reason they are extraordinarily noisy today.

Try to keep it down. I hate to keep interrupting the speakers on the floor but I can barely hear them; I know you cannot.

Mr. Gruppo.

Mr. GRUPPO. Thank you, Mr. Speaker.

I do believe what I am about to say is important and everyone should listen in the event they want to buy some timesharing or just in the event they want to vote on this amendment.

The impression was given earlier that people vacationing in the Poconos just sort of wander into a timesharing office and are high pressured into purchasing a timesharing unit and then off they go to resume their vacation, hence to return to their homes maybe a week or two later. That is really not how it happens, at least it is not the way it happens where I live.

What generally happens is you are invited to attend a seminar or a meeting or you have an appointment with a salesman. You are in many cases offered a prize or a gift if you do attend that meeting. As a previous speaker said, you are not coerced or forced into doing any of these things. Most if not all individuals go of their free will, and many times they do it during the middle of the week, not on a weekend and definitely not on their vacation, because I am not aware of anyone who buys timesharing while they are on vacation; it is always by invitation. If I am wrong, please someone correct me. But in most cases this is the way it occurs, so I see no reason why we have to protect and continue to protect these individuals

from something that they are doing voluntarily, on their own time, and definitely will return home that same day or that evening and have plenty of time to consider it and talk it over with their families. They are not out fishing in the Poconos or skiing or doing anything like that.

So I think it is important that you consider that when you make your decision, and also the fact that the timesharing business in the Poconos has brought many individuals in from the New York, New Jersey, and other out-of-State areas to help in the development of the Poconos and definitely into Pennsylvania as part of our great tourism package which we have voted for many times to support here in this General Assembly. So I ask that you support the Serafini amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Freeman, on the amendment.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Serafini amendment. Seven days is not too excessive a period of time in which to give a consumer the right to evaluate whether the kind of purchase they want to make in timesharing is worthwhile; 3 days, however, is way too short. There is oftentimes a lot of hype connected with these kinds of purchases. There are a lot of very favorable accoutrements surrounding these kinds of purchases which can unduly influence a consumer.

A 7-day period of time is not that excessive. If the timesharing unit is worthwhile, the consumer will purchase it, but that 7-day time period will allow them to think rationally to evaluate whether it is the kind of investment they want to get involved in, and it is a major investment.

I urge the members to oppose the Serafini amendment and to give the consumers the kind of protection they should have.

The SPEAKER. For the second time now, the Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, to respond to a number of the things which were said during the course of debate, first, do not lose sight of the fact that current State law says that if the timeshare is in a condominium, you have 7 days to cancel from the time you receive the public offering statement.

Secondly, the suggestion has been made that somehow this is going to cripple the timeshare industry in Pennsylvania. Who more than the builders ought to be concerned with whether or not this kind of development can continue? You should have in your mailbox or on your desk a letter of support from the Builders Association saying that they think that 7 days is a reasonable solution.

Quoting from the February 12, 1987, Easton Express:

Bob Shebelsky, president and chief executive officer of Shawnee Development Inc., owner of the 400-unit Shawnee Village time-share development in Shawnee-on-Delaware, said he has no problems with the proposal to allow the one-week grace period.

"I think it keeps responsible developers in business....Quite frankly, if someone says now within seven days that they don't want to participate, we don't force them. So the bill would have no impact on us...and I am in favor of it."

Mr. Speaker, it should also be noted that the Model Timeshare Act put forth by the industry across the country has a 5-day cancellation period.

Finally, it should be noted that the Senate of Pennsylvania has on two different occasions passed a bill which unfortunately contained a lot of other controversial matters dealing with timeshares which had a 7-day cancellation period in it. That is where I got the 7-day period, because that is what the industry had put in its bill which it sent over to us in the last two sessions.

Mr. Speaker, you know and I know and every member of this House knows that if you want to consult your banker or if you want to consult your attorney before you are bound by this contract and you have gone to visit the site on a Saturday, that you need a couple of working days in the following week in order to get their attention and to get them to give you advice. That is what the 7-day period is designed to do. It has worked for condominiums without stopping that development in Pennsylvania; it has worked in other States, and it apparently is acceptable to at least some people in the industry.

I would ask for a "no" vote on the amendment.

The SPEAKER. For the second time on his amendment, the Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, would the previous speaker stand for interrogation, please?

The SPEAKER. The gentleman, Mr. Lloyd, indicates he will so stand. You may proceed.

Mr. SERAFINI. Mr. Speaker, would you agree then with the statement that all real estate transactions should have a 7-day cancellation period?

Mr. LLOYD. All real estate transactions? No.

Mr. SERAFINI. Why?

Mr. LLOYD. Because not all real estate transactions are conducted in this way. Most real estate transactions are conducted after you have had a title search performed by your attorney to tell you what your rights are. They are conducted after you have gone to the bank and the bank has put you through a process to see whether you are creditworthy and to see whether the people who are selling the property to you actually have what they purport to have to deliver to you. You do not normally have the kind of high-pressure sales tactics. I do not see those as the same at all.

Mr. SERAFINI. Do you mean to tell me that timesharing has high-pressure sales tactics, and would you define high-pressure sales tactics, please?

Mr. LLOYD. I would say that when you show up at a site and they put you through a 3- or 4-hour presentation and they bring in a management team or a sales team which has been trained especially for this purpose, and after you have gone through the presentation they then bring in what they call a closer, and as you begin to ask questions, they begin to say, well, for you today we will have a special deal, that that is high-pressure sales tactics. A lot of people who have called me have said, we do not know how we signed this contract, but

we did and we would like to get out of it. In fact, back home there are some people who have been told that, well, if you pay us \$400, we will let you out of the contract. I do not think that is satisfactory.

Mr. SERAFINI. You know, you just described the way most automobiles are sold. Would you agree that automobiles should have a 7-day cancellation period?

Mr. LLOYD. As a matter of fact, there is a statute which gives you a certain period of time to cancel an automobile contract if they do not deliver what they promised to deliver to you. The automotive trade practices rule says that general cancellation right applies until the buyer's receipt of an authorized executed copy of the original sales agreement, and where the dealer fails to deliver a vehicle as ordered within 8 weeks from purchase, it can be canceled.

Mr. SERAFINI. Well, then, I guess what you are trying to say is there are a lot of problems with misrepresentation in timesharing deals and that is why the 7 days are required. Is that what you are trying to say?

Mr. LLOYD. I am saying that if you look at the existing law now which has a 7-day cancellation period for condominium timeshares—

Mr. SERAFINI. Only condominiums though.

Mr. LLOYD. —that there is a substantial amount of information which you are entitled to have before you are bound in the contract, and if you will bear with me a moment, I will read that to you.

You are entitled to know the total number of units in which the timeshare estate may be created; the total number of timeshare estates that may be created in the particular building; the projected common expense assessment that you are going to have to pay every year; a statement of any services which are going to be provided. You are entitled to know, among other things, the extent to which the timeshare owners of a unit are jointly and severably liable for the payment of real estate taxes and all assessments and other charges levied against that unit. You are entitled to know the extent to which a suit for partition may be maintained against the unit owned in timeshare estate. You are entitled to know the extent to which a timeshare estate may become subject to a tax or other lien arising out of claims against the other people who own timeshares.

You are entitled to know all of those things, and after you know that, you are entitled to 7 days to consult your lawyer, consult your banker, consult whomever else you want to consult in Pennsylvania before you are bound to a timeshare contract in a condominium. That is the law of Pennsylvania right now, and I do not think that that has brought the timeshare condominium industry to a screeching halt, and extending that kind of protection to the rest of the timeshare industry I think will do good and will not bring it to a halt.

Mr. SERAFINI. Well, then, Mr. Speaker, to end my interrogation, you would say that condominium timesharing is different from any other real estate transaction?

Mr. LLOYD. I would say that when the General Assembly before I got here passed the condominium law, it gave a 15-

day cancellation period for most condominiums, but the timeshare industry got a special 7 days as opposed to being subject to the 15, and I suppose that is because somebody determined that condominiums, maybe because of the conversions, were especially open to abuse and that they needed 2 weeks, but the timeshares were somewhat less abusive and that 7 days would be adequate.

Mr. SERAFINI. Well, thank you very much, Mr. Speaker. I appreciate that.

In closing I would like to say this: If any of you have had the opportunity recently to appear at one of these timesharing unit sales, the pressure is not there. You have a decision. You could either attend or you do not have to attend. No one is pushing you to take a look at this timesharing unit.

As far as high-pressure sales go, high-pressure sales are in front of you every day of the week. If you look at billboards, you watch television, you are confronted with high-pressure sales. If you go to buy an automobile, you have high-pressure sales.

People have to sign their name to a contract. If a person's signature is not worth anything, then maybe they should have a year to decide. But I think a person signing a contract, signing a check— They have to put a downpayment on this unit; they are signing a check. If people do not have the idea as to what they are doing when they are at a timesharing unit that they appeared at voluntarily, then they definitely need some form of psychiatric help. They do not need 7 days to rescind a contract. They are people who cannot say no, and they need more than 7 days to rescind.

This is an industry; it is an industry that is flourishing in Pennsylvania, and it is an honest industry that is not using underhanded tactics. They are bringing in people from New York and New Jersey who are solicited through the mail. They are not carried up here, as some people would like to believe, and forced to purchase property. Hundreds of thousands of people look at the same pieces of property at the same timesharing units, and hundreds of thousands of people say no. Why should we legislate for a minority of people who cannot say no to anything and who sign a contract, sign a check, and put a property under a purchase agreement. The owner of that property for 7 days cannot list that property for sale. If that is not hurting an industry, then I do not know what is.

Why do you not put every real estate transaction up to a 7-day cancellation period? That would be the only fair thing to do. Why pick out timesharing? Because there are 400 complaints at the Attorney General's Office and you want to make an impression on an industry that is only in one-quarter of the State? Well, I say, do not pick on my part of the State to make this impression. Either pick on all real estate transactions or do not pick on any for a 7-day cancellation. Three days is enough. If people cannot make up their minds to make a decision in 3 days, well, they need some special help. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Montgomery, Mr. Fox.

Mr. FOX. Thank you, Mr. Speaker.

I submit to the members that if you care about consumer rights in Pennsylvania, you will vote for the Lloyd bill and against this amendment.

I submit to you the following: In timeshare contracts across the State of Pennsylvania, not in just one district, there has been undue influence and undue pressure. This amendment would not do anything to serve the consumers. We take more than 7 days to deliberate on a bill. I think our constituents should have 7 days to decide whether they want a timeshare contract. They need time to talk to their attorney, their accountant, their business adviser. They need time to talk in private. In many of these timeshare situations, a husband and wife are not allowed to speak together; they cannot take notes. I have had situations where senior citizens and young marrieds have gone for a trip concerning timeshare and have come back later having put all their life savings on two credit cards to get a timeshare only to find that they cannot get out of the contract without going through the Attorney General's Office. After I had worked with several cases with the Attorney General's Office, they made a suggestion to me that there be legislation filed for a 10-day provision, which I filed last term.

I support the Lloyd bill and I am opposed to this amendment, because I do not believe the kind of pressure we have had in Pennsylvania for timeshare is proper, and I think that if you care about consumer rights and you care about your constituents, you will vote against the amendment and vote for the bill. Thank you.

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

Mr. DUFFY. I would like to ask Mr. Lloyd a question, if I may.

The SPEAKER. You may proceed. Mr. Lloyd indicates he will stand for interrogation.

Mr. DUFFY. Now, we are listening to a lot of talk about timeshare plans and whatnot. How much money is involved in this situation?

Mr. LLOYD. It ranges from \$1,500 to \$25,000 for the purchase itself, and then there is usually an annual fee that might run somewhere between \$100 to \$200.

Mr. DUFFY. Now, you say \$25,000. That seems to be an awful lot of money. What kind of a timesharing plan are you buying for \$25,000?

Mr. LLOYD. I would say that would be the exception. I believe the average is somewhere around—I would have to go through the files—but I believe the average is somewhere around \$5,000.

Mr. DUFFY. Well, today if you go out on the road, there are many, many siding jobs that are sold for \$5,000, \$10,000, and \$15,000, home improvements of all sorts. They have 3 days to cancel the contract, and if you are talking about \$5,000, I think 3 days is sufficient time. Thank you.

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

The following roll call was recorded:

YEAS—52

Barley	Dietterick	Letterman	Reber
Battisto	Dorr	Levdansky	Reinard
Belardi	Duffy	Lucyk	Ryan
Belfanti	Flick	McCall	Serafini
Birmelin	Foster	McClatchy	Seventy
Brandt	Godshall	Michlovic	Snyder, D. W.
Broujos	Gruppo	Miller	Staback
Burd	Honaman	Noye	Steighner
Cessar	Hutchinson	Olasz	Stevens
Cimini	Jadlowiec	Petrarca	Taylor, F.
Colafella	Jarolin	Pistella	Trello
Cole	Lashinger	Preston	Van Horne
DeLuca	Lescovitz	Punt	Wiggins

NAYS—143

Acosta	Dombrowski	Kosinski	Rieger
Angstadt	Donatucci	Kukovich	Ritter
Argall	Durham	LaGrotta	Robbins
Arty	Evans	Langry	Roebuck
Baldwin	Fargo	Laughlin	Rudy
Black	Farmer	Leh	Rybak
Blaum	Fattah	Linton	Saloom
Book	Fee	Livengood	Saurman
Bortner	Fischer	Lloyd	Scheetz
Bowley	Fox	McHale	Schuler
Bowser	Freeman	McVerry	Semmel
Boyes	Freind	Maine	Showers
Bunt	Gallen	Manderino	Sirianni
Burns	Gamble	Manmiller	Smith, B.
Bush	Gannon	Markosek	Smith, S. H.
Caltagirone	Geist	Mayernik	Snyder, G.
Cappabianca	George	Melio	Stairs
Carlson	Gladeck	Merry	Stuban
Carn	Gruitza	Micozzie	Sweet
Cawley	Hagarty	Moehlmann	Taylor, J.
Chadwick	Haluska	Morris	Tigue
Civera	Harper	Mowery	Truman
Clark	Hasay	Mrkonic	Veon
Clymer	Hayden	Murphy	Vroon
Cohen	Hayes	Nahill	Wambach
Cornell	Heckler	O'Brien	Wass
Corrigan	Herman	O'Donnell	Weston
Cowell	Hershey	Oliver	Wilson
Coy	Hess	Perzel	Wogan
DeVerter	Hughes	Phillips	Wozniak
DeWeese	Itkin	Piccola	Wright, D. R.
Daley	Jackson	Pievsky	Wright, J. L.
Davies	Josephs	Pitts	Yandrisevits
Dawida	Kasunic	Pressmann	
Deal	Kennedy	Raymond	Irvis,
Dininni	Kenney	Richardson	Speaker
Distler			

NOT VOTING—4

Howlett	Johnson	Maiale	Telek
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EXCUSED—4

Petrone	Stewart	Taylor, E. Z.	Wright, R. C.
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The question was determined in the negative, and the amendments were not agreed to.

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

Mr. SERAFINI offered the following amendments No. A0241:

Amend Sec. 3, page 2, line 17, by inserting after "BE" given by certified return receipt mail, and shall be Amend Sec. 3, page 2, line 20, by inserting after "DELIVERY"

which provides you with a receipt

Amend Sec. 4, page 2, lines 26 and 27, by striking out "mail or by telegraphic communication" and inserting certified return receipt mail or by any other bona fide means of delivery, provided that the purchaser obtains a receipt

On the question,

Will the House agree to the amendments?

The SPEAKER. On the question, the Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, this is a very simple amendment. It is primarily the manner in which most cancellations are required to be made in other States which have time-sharing cancellations, and it requires a return receipt on the cancellation that you are mailing in. I believe it only fair to the seller that the letter that is stated that was mailed in for cancellation is proven by a return receipt signature. Thank you, Mr. Speaker.

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

Mr. LLOYD. Mr. Speaker, I had not seen this amendment before. I am wondering if the gentleman would stand for interrogation.

The SPEAKER. Mr. Serafini indicates he will so stand. You may proceed, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, how does your amendment deal with the person who sends his cancellation by Federal Express or by Purolator? Does the amendment preserve his right to do that?

Mr. SERAFINI. That is a bona fide means of delivery, I am told. They would have to obtain a receipt.

Mr. LLOYD. But if they have a receipt, your amendment leaves that option in the bill. Is that correct?

Mr. SERAFINI. Yes; it would. Just so long as there is a receipt to prove that the cancellation was mailed or attempted to be delivered at least to the seller.

Mr. LLOYD. Mr. Speaker, if I could be recognized on the amendment.

The SPEAKER. The gentleman is so recognized.

Mr. LLOYD. Mr. Speaker, I think that this amendment is a good idea. I think we ought to support it, because if you are in fact going to prove that you canceled the contract, you need some kind of a receipt, be that a receipt from the Purolator or Federal Express or be that a receipt from the Post Office. So while this is slightly burdensome, I think in the long term it would be very difficult for a consumer to prove that he had tried to cancel the contract if he did not have that receipt, so I would support the amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—194

Acosta	Dombrowski	LaGrotta	Reinard
Angstadt	Donatucci	Langtry	Richardson
Argall	Dorr	Lashinger	Rieger
Arty	Duffy	Laughlin	Ritter
Baldwin	Durham	Leh	Robbins
Barley	Evans	Lescovitz	Roebuck
Battisto	Fargo	Letterman	Rudy
Belfanti	Farmer	Levdansky	Ryan
Birmelin	Fattah	Linton	Rybak
Black	Fee	Livengood	Saurman
Blaum	Fischer	Lloyd	Scheetz
Book	Flick	Lucyk	Schuler
Bowley	Foster	McCall	Semmel
Bowser	Fox	McClatchy	Serafini
Boyes	Freeman	McHale	Seventy
Brandt	Freind	McVerry	Showers
Broujos	Gallen	Maine	Sirianni
Bunt	Gamble	Manderino	Smith, B.
Burd	Gannon	Manmiller	Smith, S. H.
Burns	Geist	Markosek	Snyder, D. W.
Bush	George	Mayernik	Snyder, G.
Caltagirone	Gladeck	Melio	Staback
Cappabianca	Godshall	Merry	Stairs
Carlson	Gruitza	Michlovic	Steighner
Carn	Gruppo	Micozzie	Stevens
Cawley	Hagarty	Miller	Stuban
Cessar	Haluska	Moehlmann	Sweet
Chadwick	Harper	Morris	Taylor, F.
Cimini	Hasay	Mowery	Taylor, J.
Civera	Hayden	Mrkonic	Telek
Clark	Hayes	Murphy	Tigue
Clymer	Heckler	Nahill	Trello
Cohen	Herman	Noye	Truman
Colafella	Hershey	O'Brien	Van Horne
Cole	Hess	O'Donnell	Veon
Cornell	Honaman	Olasz	Vroon
Corrigan	Hughes	Oliver	Wambach
Cowell	Hutchinson	Perzel	Wass
Coy	Itkin	Petrarca	Weston
DeLuca	Jackson	Phillips	Wiggins
DeVerter	Jadlowiec	Piccola	Wilson
DeWeese	Jarolin	Pievsky	Wogan
Daley	Johnson	Pistella	Wozniak
Davies	Josephs	Pitts	Wright, D. R.
Dawida	Kasunic	Pressmann	Wright, J. L.
Deal	Kennedy	Preston	Yandrisevits
Dietterick	Kenney	Punt	
Dininni	Kosinski	Raymond	Irvis,
Distler	Kukovich	Reber	Speaker

NAYS—2

Bortner Saloom

NOT VOTING—3

Belardi Howlett Maiale

EXCUSED—4

Petrone Stewart Taylor, E. Z. Wright, R. C.

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. SERAFINI offered the following amendments No. A0239:

Amend Sec. 2, page 2, line 2, by inserting after "purchaser" and a seller

Amend Sec. 2, page 2, line 4, by inserting after "purchaser" and the seller

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, since the 3-day cancellation period was defeated and my primary attempt is to allow the seller of timesharing units to include those particular purchased properties on their inventory for the following weekend—which their main source of sales is on weekends—I have distributed an amendment to this legislation which allows the seller the opportunity to also cancel within 7 days. I feel if it is good for the purchaser, it is good for the seller, and he must cancel in the same way.

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

Mr. LLOYD. Mr. Speaker, I oppose this amendment for several reasons. The gentleman makes the argument that what goes one way ought to go the other, and there may be some appeal to that. The gentleman ought to look more closely at his amendment, however, because the way the amendment is drafted, the seller does not ever have to tell the purchaser that the seller has the right to cancel the contract. It seems to me that if I am going to sign a contract and the other guy has the right to get out of it, I ought to know that in advance.

Secondly, there is no requirement that when the seller cancels, that he notify the Real Estate Commission or anybody else so that we can be sure that the seller does not say, ah, I have got 10 people here; I am going to sell this lot 10 times; I am going to cancel on the seventh day nine of those; in the meantime, I have had the use of the money and I have had the use of the interest from that money. While I think that would happen very rarely, it seems to me that if we are going to have a reciprocal cancellation agreement or arrangement, that kind of language has to be written into the amendment.

So for those two reasons, Mr. Speaker, most seriously of which is the fact that the seller does not have to tell the purchaser what he is doing, there also is in the amendment no mechanism for the seller to advise the purchaser after the seller has in fact canceled the contract.

For those reasons I would ask for a "no" vote.

The SPEAKER. On the amendment for the second time, the Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Excuse me, Mr. Speaker. Understanding the opposition from the previous speaker, I would like the opportunity to hold this bill over until I can have this amendment redrafted. I do agree with many of the things he has said.

The SPEAKER. You must ask that question of the floor leader, who runs the floor.

The House will stand at ease.

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair understands the floor leader has agreed that HB 245, PN 426, as a convenience to Mr. Serafini, will go over for today. But prior to announcing that the bill has gone over, Mr. Serafini withdraws voluntarily amendment A0239 so that it may be redrafted if necessary.

Mr. SERAFINI. Thank you, Mr. Speaker.

BILL PASSED OVER

The SPEAKER. HB 245 over, without objection. The Chair hears no objection.

RULES SUSPENDED

The SPEAKER. The Chair has been requested by Mr. Cowell that the House pass HR 54 without sending it first to the Committee on Rules. Therefore, we will have to have a suspension of the rules of the House.

The Chair recognizes the gentleman from Allegheny, Mr. Cowell.

Mr. COWELL. Mr. Speaker, I move that the rules of this House be temporarily suspended. This motion has the approval of the majority leader.

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

The following roll call was recorded:

YEAS—195

Table with 4 columns of names: Acosta, Angstadt, Argall, Arty, Baldwin, Barley, Battisto, Belardi, Belfanti, Birmelin, Black, Blaum, Book, Bortner, Bowley, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Bush, Caltagirone, Cappabianca, Carlson, Carn, Cawley, Cessar, Chadwick, Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cornell, Corrigan, Distler, Dombrowski, Donatucci, Dorr, Duffy, Durham, Evans, Fargo, Farmer, Fattah, Fee, Fischer, Flick, Foster, Fox, Freeman, Freind, Gallen, Gamble, Gannon, Geist, George, Gladeck, Godshall, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayden, Hayes, Heckler, Herman, Hershey, Hess, Honaman, Hughes, Hutchinson, Kukovich, LaGrotta, Langtry, Lashingner, Laughlin, Leh, Lescovitz, Letterman, Levdansky, Linton, Lloyd, Lucyk, McCall, McClatchy, McHale, McVerry, Maine, Manderino, Manmiller, Markosek, Mayernik, Melio, Merry, Michlovic, Micozzie, Miller, Moehlimann, Morris, Mowery, Mrkonic, Murphy, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Petrarca, Reinard, Richardson, Rieger, Ritter, Robbins, Roebuck, Rudy, Ryan, Rybak, Saloom, Saurman, Scheetz, Schuler, Semmel, Serafini, Showers, Sirianni, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Staback, Stairs, Steighner, Stevens, Stuban, Sweet, Taylor, F., Taylor, J., Telek, Tigre, Trello, Truman, Van Horne, Veon, Vroon, Wambach, Wass, Weston

Cowell	Itkin	Phillips	Wiggins
Coy	Jackson	Piccola	Wilson
DeLuca	Jadlowiec	Pievsky	Wogan
DeVerter	Jarolin	Pistella	Wozniak
DeWeese	Johnson	Pitts	Wright, D. R.
Daley	Josephs	Pressmann	Wright, J. L.
Davies	Kasunic	Preston	Yandrisevits
Dawida	Kennedy	Punt	
Deal	Kenney	Raymond	Irvis,
Dietterick	Kosinski	Reber	Speaker
Dininni			

NAYS—0

NOT VOTING—4

Howlett	Livengood	Maiale	Seventy
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EXCUSED—4

Petrone	Stewart	Taylor, E. Z.	Wright, R. C.
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A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

RESOLUTION ADOPTED

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Cowell, who offers the following resolution, which the clerk will read.

The following resolution was read:

House Resolution No. 54

A RESOLUTION

Proclaiming March 15 through 21, 1987, as "Poison Prevention Week."

WHEREAS, Our society has become increasingly dependent on household chemicals to aid us in daily life and on medicine to provide health-giving benefits; and

WHEREAS, These products, when not used as intended or directed, may be hazardous, particularly if children gain access to them; and

WHEREAS, Every 30 seconds, a child under five years of age suffers the terror and pain of an accidental poisoning; and

WHEREAS, Many communities in this Commonwealth have been observing "Poison Prevention Week" to call attention to these hazards and how proper handling and disposal of these substances and proper use of safety packaging can help eliminate them; and

WHEREAS, The efforts of our community organizations, complemented by the efforts of county health departments, county pharmaceutical associations, hospital pharmacists associations, and the State poison control network have reduced childhood poisonings through education and the use of the nationally recognized poison warning symbol, "Mr. Yuk"; and

WHEREAS, With the leadership of Children's Hospital of Pittsburgh, where "Mr. Yuk" began, these educational programs must continue to expand to ensure against the possibility of even one child's misfortune; therefore be it

RESOLVED, That the House of Representatives proclaim March 15 through 21, 1987, as "Poison Prevention Week" in this Commonwealth, and urge the appropriate agencies in our local governments to continue their cooperation with concerned citizens and community organizations, including our schools, to develop programs which will alert our people to the continued danger of poisons.

Ronald R. Cowell

On the question,
Will the House adopt the resolution?

ADDITIONS OF SPONSORS

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Davies.

Mr. DAVIES. Is it possible to be a cosponsor of the resolution, with the permission of the maker of the resolution?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Cowell. You have no objection to that, do you?

Mr. COWELL. I do not, Mr. Speaker. In fact, if it would be appropriate, what we are doing is at the request of Pittsburgh Children's Hospital. It is consistent with action around this country and in many communities around the Commonwealth. We would have this House declare this current week as "Poison Prevention Week."

With the permission of the Chair, I would ask that all the members of the House have their names added as cosponsors, unless any individual would object.

The SPEAKER. The Chair has heard the plea of the gentleman, and all the current members of the House of Representatives will have their names affixed to HR 54.

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

The following roll call was recorded:

YEAS—195

Acosta	Distler	Kukovich	Reber
Angstadt	Dombrowski	LaGrotta	Reinard
Argall	Donatucci	Langtry	Richardson
Arty	Dorr	Lashingner	Rieger
Baldwin	Duffy	Laughlin	Ritter
Barley	Durham	Leh	Robbins
Battisto	Evans	Lescovitz	Roebuck
Belardi	Fargo	Letterman	Rudy
Belfanti	Farmer	Levdansky	Ryan
Birmelin	Fattah	Linton	Rybak
Black	Fee	Livengood	Saloom
Blaum	Fischer	Lloyd	Saurman
Book	Flick	Lucyk	Scheetz
Bortner	Foster	McCall	Schuler
Bowley	Fox	McClatchy	Semmel
Bowser	Freeman	McHale	Serafini
Boyes	Freind	McVerry	Seventy
Brandt	Gallen	Maine	Showers
Broujos	Gamble	Manderino	Sirianni
Bunt	Gannon	Manmiller	Smith, B.
Burd	Geist	Markosek	Smith, S. H.
Burns	George	Mayernik	Snyder, D. W.
Bush	Gladeck	Melio	Snyder, G.
Caltagirone	Godshall	Merry	Staback
Cappabianca	Gruitza	Michlovic	Stairs
Carlson	Gruppo	Micozzie	Steighner
Carn	Hagarty	Miller	Stevens
Cawley	Haluska	Mochlmann	Stuban
Cessar	Harper	Morris	Sweet
Chadwick	Hasay	Mowery	Taylor, F.
Cimini	Hayden	Mrkonic	Telek
Civera	Hayes	Murphy	Trello
Clark	Heckler	Nahill	Truman
Clymer	Herman	Noye	Van Horne
Cohen	Hershey	O'Brien	Veon
Colafella	Hess	O'Donnell	Vroon
Cole	Honaman	Olasz	Wambach

Cornell	Hughes	Oliver	Wass
Corrigan	Hutchinson	Perzel	Weston
Cowell	Itkin	Petrarca	Wiggins
Coy	Jackson	Phillips	Wilson
DeLuca	Jadlowiec	Piccola	Wogan
DeVerter	Jarolin	Pievsky	Wozniak
DeWeese	Johnson	Pistella	Wright, D. R.
Daley	Josephs	Pitts	Wright, J. L.
Davies	Kasunic	Pressmann	Yandrisevits
Dawida	Kennedy	Preston	
Deal	Kenney	Punt	Irvis,
Dietterick	Kosinski	Raymond	Speaker
Dininni			

NAYS—0

NOT VOTING—4

Howlett	Maiale	Taylor, J.	Tigue
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EXCUSED—4

Petrone	Stewart	Taylor, E. Z.	Wright, R. C.
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The question was determined in the affirmative, and the resolution was adopted.

STATEMENT BY MR. LASHINGER

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Lashinger, who rises under unanimous consent.

Mr. LASHINGER. Thank you, Mr. Speaker.

Mr. Speaker, I think most members will want to pay attention to this. This is probably a very historical moment in the history of the House.

As most members know, a few years ago myself and Representative O'Donnell and a few other members decided that we would take the intellectual challenges that take place between us as a Democratic and a Republican Caucus outside of the chamber and choose to pick a few individual sports and have the individual caucuses battle it out. Since then it has been downhill, most will agree, for the Democratic Caucus. We have appeared before the chamber before to point out who has been winning the various athletic contests, and most times it has been the Republican Caucus.

Someone in Montgomery County, a gentleman named Len Wyczmancki who lives in Conshohocken, saw fit to memorialize the contest and constructed this trophy that he has titled "Democratic Vs Republican House Caucus Olympics." What we have decided to do is to leave it probably permanently with Representative Ryan since under "1987" the Republican Caucus appears on there twice, first under the heading of "Skiing," a sport that only Representative Mayernik managed to salvage a finish for the Democratic Caucus out of, and under the heading of "Basketball," where the Republican Caucus buried the Democratic Caucus last week.

There was going to be an accompanying sportsmanship award, Mr. Speaker, but Gerry Kosinski blew that for the Democratic Caucus when he chose to level one of our more skilled freshman members from Bradford County, Ken Jadlowiec.

Mr. Speaker, it is interesting: The trophy probably someday will become like the Stanley Cup or the Super Bowl

Trophy, and we expect Representatives Manderino and Ryan to carry it around the chamber someday as they do at the end with the Stanley Cup. But one of the Republican commentators said that if you look at the figure, it is the traditional Olympic figure, at least symbolic of an Olympic event. The person has nothing but a loincloth on - one of the Republican commentators said, probably what the taxpayers of the Commonwealth will look like after this Democratic majority.

So with this, Mr. Speaker, goes the ongoing challenge from the Republican Caucus, and we present this to Representative Ryan, probably never to fall into Representative Manderino's hands. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Kosinski.

Mr. KOSINSKI. Thank you, Mr. Speaker.

There is only really one score that counts - Democrats, 103; Republicans, 100.

The SPEAKER. The Chair recognizes the majority whip.

Mr. O'DONNELL. Thank you, Mr. Speaker.

I want first of all to put to rest the rumors that have been going around after that basketball game about the violations of recruiting practices by the Republican Caucus. And as to the very large members of the Republican Caucus, these allegations of steroid use and everything will not be pursued whatsoever by our caucus in the interest of sportsmanship. It is understandable that the Republican spokesman would choose such an understated and gracious award for his caucus and present it to himself, and we would look forward to the same measure of enthusiasm after baseball season when the award crosses the aisle. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. How do you go about changing the rules? Sumo wrestling— I think we would have a chance. I think we would have a chance - Laughlin, Manderino, Kosinski. There ought to be some things that we more aptly can adapt to to get that score in the right place.

I am going to, as the majority leader, appoint a committee to look into the adoption of new contests, let us say it that way.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I agree with the majority leader, and although I do not see any likely candidates for it, I think triathlons should also be in here where we pit the Iron Man against the "iron mouth."

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. Now that the serious business has been taken care of, the Chair recognizes the gentleman from Philadelphia, Mr. Pievsky.

Mr. PIEVSKY. Are we back to regular business, Mr. Speaker?

The SPEAKER. To the less serious business; yes.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, at the call of the recess there will be a meeting of the House Appropriations Committee in the majority

caucus room, and, Mr. Speaker, I would ask that the desk be open.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I neglected to say it, but as Mr. Manderino made reference to sumo wrestling, I, on behalf of Representative Lynn Herman, accept that challenge.

DEMOCRATIC CAUCUS

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

Mr. ITKIN. Mr. Speaker, in view of the fact that the Appropriations Committee will be meeting in the caucus room, the Democrats will meet for caucus at 2:30. It should not last for more than 20 or 30 minutes.

The SPEAKER. Fine; 2:30, Democratic caucus.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye.

Mr. NOYE. Mr. Speaker, we will caucus very, very briefly and ask the members to be prompt.

RECESS

The SPEAKER. The House will stand in recess.

AFTER RECESS

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

BILLS REREPORTED FROM COMMITTEE

HB 214, PN 235 By Rep. PIEVSKY

An Act requiring malpractice insurers and the director of the Catastrophe Loss Fund to notify the appropriate State board of settlements, awards and judgments involving health care professionals.

APPROPRIATIONS.

HB 215, PN 236 By Rep. PIEVSKY

An Act amending the act of July 19, 1979 (P. L. 130, No. 48), known as the "Health Care Facilities Act," further providing for the reporting of incidents of professional misconduct.

APPROPRIATIONS.

HB 216, PN 237 By Rep. PIEVSKY

An Act amending the act of December 20, 1985 (P. L. 457, No. 112), known as the "Medical Practice Act of 1985," further providing for the performance of radiologic procedures by auxiliary personnel; and making a technical change.

APPROPRIATIONS.

HB 217, PN 238 By Rep. PIEVSKY

An Act amending the act of October 5, 1978 (P. L. 1109, No. 261), known as the "Osteopathic Medical Practice Act," further providing for the performance of radiologic procedures by auxiliary personnel.

APPROPRIATIONS.

HB 392, PN 532 By Rep. PIEVSKY

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," further providing penalties for certain candidates who file false affidavits.

APPROPRIATIONS.

BILLS ON SECOND CONSIDERATION

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

HB 214, PN 235; HB 215, PN 236; HB 216, PN 237; HB 217, PN 238; and HB 392, PN 532.

BILL AND RESOLUTION PASSED OVER

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

ADJOURNMENT

The SPEAKER. There being no further business to be brought before this day's session, the Chair recognizes the gentleman from Lawrence, Mr. LaGrotta.

Mr. LaGROTTA. Mr. Speaker, I move that this House do now adjourn until Tuesday, March 17, 1987, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 2:22 p.m., e.s.t., the House adjourned.